

ACTS AND JOINT RESOLUTIONS

PASSED AT THE

REGULAR SESSION

OF THE

Forty-third General Assembly

OF THE

STATE OF IOWA

PREPARED FOR PUBLICATION BY AND UNDER THE DIRECTION OF
ROBERT HENDERSON
SUPERINTENDENT OF PRINTING

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AUTHENTICITY

STATE OF IOWA

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"11312. Printed copies of the statute laws of this or any other of the United States, or of congress, or of any foreign government, purporting or proved to have been published under the authority thereof, or proved to be commonly admitted as evidence of the existing laws in the courts of such state or government, shall be admitted in the courts of this state as presumptive evidence of such laws."



Superintendent of Printing.

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STATE ROSTER

List of state officers, boards and commissions, judges of the supreme, district, superior and municipal courts, officers and members of the general assembly, as prepared and furnished by Hon. Ed. M. Smith, Secretary of State, under section 163 of the code.

STATE OFFICERS, BOARDS AND COMMISSIONS

Name	Position	County from which originally chosen	
John Hammill.....	Governor	Hancock	
Elsie L. Dachroth...	Secretary to the Governor.....	Cerro Gordo	
Arch W. McFarlane...	Lieutenant Governor.....	Black Hawk	
Ed. M. Smith.....	Secretary of State.....	Madison	
W. L. Huebner.....	Deputy Secretary of State.....	Monroe	
J. W. Long.....	Auditor of State.....	Story	
Fred Porter.....	Deputy Auditor of State.....	Warren	
Ray E. Johnson.....	Treasurer of State.....	Muscatine	
Roy M. Williams...	Deputy Treasurer of State.....	Adair	
John Fletcher.....	Attorney General.....	Polk	
Maxwell O'Brien.....	Assistant Attorney General.....	Mahaska	
Neill Garrett.....	Assistant Attorney General.....	Polk	
Carl J. Stephens.....	Assistant Attorney General.....	Polk	
Earl J. Wisdom.....	Assistant Attorney General.....	Polk	
Gerald O. Blake.....	Assistant Attorney General.....	Polk	
Mark G. Thornburg...	Secretary of Agriculture.....	Palo Alto	
Carl N. Kennedy.....	Deputy Secretary of Agriculture.....	Polk	
Agnes Samuelson.....	Superintendent of Public Instruction.....	Page	
Fred L. Mahannah...	Deputy Superintendent of Public Instruction..	Jones	
W. H. Bailey.....	Adjutant General.....	O'Brien	
Charles H. Grahl...	Assistant Adjutant General.....	Polk	
B. M. Richardson.....	Railroad Commissioner.....	Linn	
Charles Webster.....	Railroad Commissioner.....	Fayette	
Fred P. Woodruff.....	Railroad Commissioner.....	Marion	
George L. McCaughan	Secretary Board of Railroad Commissioners...	Polk	
J. H. Henderson.....	Commerce Counsel.....	Warren	
Walter Condran.....	Assistant Commerce Counsel.....	Polk	
John Hammill.....	Executive Council.....	Hancock	
Ed. M. Smith.....		Madison	
Ray E. Johnson.....		Muscatine	
J. W. Long.....		Story	
Mark G. Thornburg...		Palo Alto	
W. C. Merckens.....		Jefferson	
George T. Baker, Pres..		Scott	
Edward P. Schoentgen.		Pottawattamie	
Willard C. Stuckslager.		Linn	
George W. Godfrey....		Kossuth	
Anna B. Lawther.....	State Board of Education.....	Dubuque	
Pauline Lewelling Devitt		Mahaska	
Henry C. Shull.....		Woodbury	
S. J. Galvin.....		Franklin	
C. C. Sheakley.....		Chickasaw	
W. R. Boyd, Chairman.		Linn	
Jackson W. Bowdish...		Polk	
W. H. Gemmill.....		Polk	
W. H. Gemmill.....		Secretary State Board of Education and of Finance Committee.....	Polk
A. M. McColl.....			Dallas
C. M. Roberts.....	State Board of Control.....	Buchanan	
O. G. Michael.....		Wapello	
E. J. Hines.....		Jones	

STATE OFFICERS—CONTINUED

Name	Position	County from which originally chosen
C. L. Niles, Chairman	State Highway Commission	Jones
H. E. Dean		Osceola
H. A. Darting		Mills
T. J. O'Donnell		Dubuque
Carl C. Riepe		Des Moines
Fred R. White	State Highway Engineer	Story
Ex-Officio:		
Ed. M. Smith, Chm.	State Printing Board	Madison
J. W. Long		Story
John Fletcher		Polk
Appointive:		
J. C. Gillespie	Superintendent of Printing	Plymouth
W. R. Orchard		Pottawattamie
Robert Henderson	State Board of Audit	Pottawattamie
Oscar Anderson, Chm.		Decatur
J. W. Long	Code Editor	Story
Maxwell O'Brien		Mahaska
U. G. Whitney	Assistant Code Editor	Woodbury
Nancy M. Conlee		Polk
A. B. Funk	Industrial Commissioner	Polk
Ralph Young	Deputy Industrial Commissioner	Polk
Ray Yenter	Insurance Commissioner	Johnson
Donald Harlow	Deputy Insurance Commissioner	Polk
L. A. Andrew	Superintendent of Banking	Wapello
W. O. Reed	Deputy Superintendent of Banking	Hardin
John W. Strohm	State Fire Marshal	Clinton
H. V. Hoyer	Commissioner of Labor Statistics	Fayette
W. E. Albert	Fish and Game Warden	Allamakee
R. S. Herrick	Secretary Horticultural Society	Polk
John Hammill, Ex-Officio	State Fair Board	Hancock
M. G. Thornburg, Ex-Officio		Palo Alto
R. M. Hughes, Ex-Officio	State Fair Board	Story
C. E. Cameron, Pres.		Buena Vista
J. P. Mullen, V. Pres.	State Fair Board	Pocahontas
A. R. Corey, Secretary		Polk
F. E. Sheldon, Treas.	State Fair Board	Ringgold
H. O. Weaver		Louisa
E. T. Davis	State Fair Board	Johnson
Earl Ferris		Franklin
Paul P. Stewart	State Fair Board	Fayette
C. J. Knickerbocker		Linn
C. Ed. Beaman	State Fair Board	Mahaska
Charles F. Curtiss		Story
J. C. Beckner	State Fair Board	Page
Carl E. Hoffman		Cass
Sears McHenry	State Fair Board	Crawford
H. L. Pike		Monona
Charles D. Reed	Director of Weather and Crop Service	Polk
Henry Albert, M. D.	Commissioner of Health	Johnson
Henry Albert, M. D.		Johnson
John Hammill	State Board of Health	Hancock
Ed. M. Smith		Madison
J. W. Long	State Board of Health	Story
Ray E. Johnson		Muscatine
Mark G. Thornburg	State Board of Health	Palo Alto
Dr. H. R. Sugg		Clinton
Dr. Cassius T. Leasan	State Board of Health	Ringgold
Dr. H. W. Plummer		Howard
Dr. W. A. Seidler	State Board of Health	Guthrie
Dr. J. D. Lowry		Webster

STATE OFFICERS—CONTINUED

Name	Position	County from which originally chosen
Wm. Jepson, M. D.....	Board Medical Examiners.....	Woodbury
Frank M. Fuller, M. D....		Lee
F. T. Launder, M. D....		Tama
S. J. Olson.....		Polk
C. I. Groff.....	Podiatry Examiners.....	Cerro Gordo
Paul M. Hawk.....		Poweshiek
D. E. Hannan.....	Board Osteopathic Examiners.....	Dallas
H. J. Marshall.....		Polk
Sherman Opp.....		Union
R. L. Sheeler.....		Pottawattamie
Myrtle E. Long.....	Board Chiropractic Examiners.....	Polk
J. E. Slocum.....		Hamilton
Frances G. Hutchinson.....	Board Nurse Examiners.....	Pottawattamie
Margaret Stoddard.....		Henry
Marianne Zichy.....		Marshall
H. Altfillisch.....		Dubuque
Frederick H. Watters.....	Board of Dental Examiners.....	Story
Hardy F. Pool.....		Cerro Gordo
H. D. Coy.....		Fremont
J. J. Booth.....		Linn
A. J. Meyer.....	Board Optometry Examiners.....	Scott
J. J. Brady.....		O'Brien
E. W. Martin.....		Carroll
Jesse A. West.....		Woodbury
F. W. Alexander.....	Board Embalmers Examiners.....	Grundy
Carrie E. Snider.....		Muscatine
Mabel Hart.....	Cosmetology Examiners.....	Story
Lillian Kostomalatsky.....		Woodbury
Grace M. Shinn.....		Polk
John E. Bales.....		Linn
Lee W. Skinner.....	Barber Examiners.....	Pottawattamie
A. E. Pierce.....		Cedar
Arthur Eberling.....		Scott
William L. Perkins.....		Lucas
Harry D. Rawson.....	Board Architectural Examiners.....	Polk
Burdette M. Higgins.....		Polk
J. Chris Jensen.....		Pottawattamie
Edward Sweeney.....		Polk
R. T. Rhys.....	State Mine Inspectors.....	Wapello
W. E. Holland.....		Monroe
J. R. Frank.....	Secretary Mine Inspectors.....	Polk
Geo. W. Simpson.....		Fayette
Hiram K. Evans.....	Board of Parole.....	Wayne
John S. Crooks.....		Boone
Sam D. Woods.....	Secretary Board of Parole.....	Adair
W. E. G. Saunders.....		Palo Alto
Mrs. Mabel E. Volland.....	Board of Conservation.....	Johnson
Byron W. Newberry.....		Clayton
J. G. Wyth.....		Black Hawk
Mrs. Henry Frankel.....		Polk
W. C. Merckens.....	Secretary Board of Conservation.....	Jefferson
John Hammill.....		Hancock
J. W. Long.....	Geological Board.....	Story
Walter A. Jessup.....		Johnson
Raymond M. Hughes.....		Story
L. H. Pammel.....		Story
George F. Kay.....	State Geologist.....	Johnson
James H. Lees.....	Assistant State Geologist.....	Polk
Agnes Samuelson.....	Board Vocational Education.....	Page
George T. Baker.....		Scott
H. V. Hoyer.....		Fayette
F. E. Moore.....		Director Vocational Education.....	Story

STATE OFFICERS—CONTINUED

Name	Position	County from which originally chosen	
John Hammill.....	Board of Trustees of the State Library and State Historical Department.....	Hancock	
Ed. M. Smith.....		Madison	
Agnes Samuelson.....		Page	
E. G. Albert.....		Greene	
William D. Evans.....		Franklin	
Truman S. Stevens.....		Fremont	
F. F. Faville.....		Webster	
Lawrence DeGraff.....		Polk	
Edgar A. Morling.....		Palo Alto	
J. W. Kindig.....		Woodbury	
Henry F. Wagner.....		Keokuk	
John M. Grimm.....		Linn	
Johnson Brigham.....		Polk	
A. J. Small.....		Polk	
E. R. Harlan.....		Van Buren	
Johnson Brigham, Ex-Officio.....	Polk		
Agnes Samuelson, Ex-Officio.....	Page		
Walter A. Jessup, Ex-Officio.....	State Library Commission.....	Johnson	
Mrs. John Fox Lake.....		Page	
A. M. Deyoe.....		Polk	
Mrs. D. S. Humeston.....		Monroe	
W. R. Orchard.....		Pottawattamie	
Julia A. Robinson.....		Polk	
George Judisch.....		Story	
William H. Haire.....		Webster	
J. W. Slocum.....		Warren	
Walter F. Meads.....		Page	
L. M. Martin.....	Cass		
J. S. Dodds.....	Story		
C. H. Currie.....	State Board Engineering Examiners.....	Hamilton	
George J. Keller.....		Johnson	
H. W. Hartupee.....		Polk	
W. C. Merckens.....	Secretary Board Engineering Examiners.....	Jefferson	
Jacob Ritter.....	Board Examiners for Mine Inspectors.....	Appanoose	
Fred Marwood.....		Polk	
David Anderson.....		Monroe	
James Mitchell, Sr.....		Marion	
C. E. Harvey.....		Polk	
J. L. Parrish.....		Polk	
Frank C. Walrath.....		Polk	
R. C. Turner.....		Greene	
H. N. Holdsworth.....		Johnson	
E. G. Prouty.....		Polk	
E. J. Wiedman.....	Polk		
Chas. M. Dutcher.....	Johnson		
Jesse A. Miller.....	Commission on Uniform State Laws.....	Polk	
Hazen I. Sawyer.....		Lee	
Agnes Samuelson, Ex-Officio.....		Page	
Walter A. Jessup, Ex-Officio.....	Board Educational Examiners.....	Johnson	
O. R. Latham, Ex-Officio.....		Black Hawk	
Raymond M. Hughes, Ex-Officio.....		Story	
W. G. Brooks.....		Des Moines	
June Chidester.....		Jefferson	
D. W. Morehouse.....		Polk	
Viola H. Schell.....		Secretary Board Educational Examiners.....	Poweshiek

STATE OFFICERS—CONTINUED

Name	Position	County from which originally chosen
John Fletcher, Ex-Officio	Board Law Examiners.....	Polk
A. Hollingsworth.....		Lee
B. B. Burnquist.....		Webster
George W. Dawson.....		Black Hawk
E. D. Perry.....		Polk
J. A. Devitt.....	Director of the Budget.....	Mahaska
Oscar Anderson.....	Members Appeal Board.....	Decatur
Oscar Anderson.....		Decatur
Dan J. Schnittjer.....		Delaware
Frank M. Abbott.....		Clarke

JUDICIAL DEPARTMENT

SUPREME COURT

Name	Position	County from which chosen	Address
E. G. Albert.....	Chief Justice.....	Greene.....	Jefferson
William D. Evans.....	Judge.....	Franklin.....	Hampton
Truman S. Stevens.....	Judge.....	Fremont.....	Hamburg
F. F. Faville.....	Judge.....	Webster.....	Ft. Dodge
Lawrence DeGraff.....	Judge.....	Polk.....	Des Moines
Edgar A. Morling.....	Judge.....	Palo Alto.....	Emmetsburg
J. W. Kindig.....	Judge.....	Woodbury.....	Sioux City
Henry Wagner.....	Judge.....	Keokuk.....	Sigourney
John M. Grimm.....	Judge.....	Linn.....	Cedar Rapids
B. W. Garrett.....	Clerk.....	Decatur.....	Des Moines
B. L. Robbins.....	Deputy Clerk.....	Decatur.....	Des Moines
U. G. Whitney.....	Reporter.....	Woodbury.....	Des Moines
Mary A. Reid.....	Deputy Reporter.....	Polk.....	Des Moines

DISTRICT COURTS

Name	Address	Dist.	Counties in District
John E. Craig.....	Keokuk.....	1	Lee
John M. Rankin.....	Keokuk.....	2	Appanoose, Davis, Jefferson, Lucas, Monroe, Van Buren and Wapello
George W. Dashiell.....	Albia.....		
R. W. Smith.....	Centerville.....		
E. S. Wells.....	Chariton.....	3	Adams, Clarke, Decatur, Ringgold, Taylor, Union and Wayne
W. M. Walker.....	Keosauqua.....		
Homer A. Fuller.....	Mt. Ayr.....		
A. R. Maxwell.....	Creston.....	4	Woodbury and Monona
H. H. Carter.....	Corydon.....		
C. C. Hamilton.....	Sioux City.....		
Miles W. Newby.....	Onawa.....	5	Adair, Dallas, Guthrie, Madison, Marion and Warren
A. C. Wakefield.....	Sioux City.....		
Robert H. Munger.....	Sioux City.....		
J. H. Applegate.....	Guthrie Center..	6	Washington, Keokuk, Poweshiek, Mahaska and Jasper
E. W. Dingwell.....	Adel.....		
W. S. Cooper.....	Winterset.....		
D. W. Hamilton.....	Grinnell.....		
J. G. Patterson.....	Oskaloosa.....		
Frank Bechly.....	Montezuma.....		

DISTRICT COURTS—CONTINUED

Name	Address	Dist.	Counties in District
Clarence L. Ely.....	Maquoketa	7	Clinton, Jackson, Muscatine and Scott
D. V. Jackson.....	Muscatine		
William W. Scott.....	Davenport		
William R. Maines.....	Davenport		
A. P. Barker.....	Clinton		
Harold D. Evans.....	Iowa City	8	Iowa and Johnson
R. G. Popham.....	Marengo		
Frank S. Shankland.....	Des Moines.....	9	Polk
Herman F. Zeuch.....	Des Moines.....		
Joseph E. Meyer.....	Des Moines.....		
Lester L. Thompson.....	Des Moines.....		
W. G. Bonner.....	Des Moines.....		
O. S. Franklin.....	Des Moines.....		
R. W. Hasner.....	Independence	10	Black Hawk, Buchanan, Delaware and Grundy
H. B. Boies.....	Waterloo		
George W. Wood.....	Waterloo		
T. G. Garfield.....	Ames	11	Boone, Franklin, Hamilton, Hardin, Story, Webster and Wright
H. E. Fry.....	Boone		
O. J. Henderson.....	Webster City		
Sherwood A. Clock.....	Hampton		
C. H. Kelley.....	Charles City.....	12	Bremer, Butler, Floyd, Cerro Gordo, Hancock, Winnebago, Mitchell and Worth
Joseph J. Clark.....	Mason City.....		
M. F. Edwards.....	Parkersburg		
M. H. Kepler.....	Northwood		
W. L. Eichendorf.....	McGregor	13	Allamakee, Chickasaw, Clayton, Fayette, Howard and Winneshiek
H. E. Taylor.....	Waukon		
Carl W. Reed.....	Cresco		
D. F. Coyle.....	Humboldt	14	Buena Vista, Clay, Dickinson, Emmet, Humboldt, Kossuth, Palo Alto and Pocahontas
James DeLand.....	Storm Lake.....		
F. C. Davidson.....	Emmetsburg		
J. S. Dewell.....	Missouri Valley	15	Audubon, Cass, Fremont, Harrison, Mills, Montgomery, Page, Pottawattamie and Shelby
H. J. Mantz.....	Audubon		
Earl Peters.....	Clarinda		
W. C. Ratcliff.....	Red Oak.....		
O. D. Wheeler.....	Council Bluffs		
M. E. Hutchison.....	Lake City.....	16	Calhoun, Carroll, Crawford, Greene, Ida and Sac
R. L. McCord.....	Sac City.....		
J. A. Henderson.....	Jefferson		
B. F. Cummings.....	Marshalltown	17	Marshall, Tama and Benton
Clarence Nichols.....	Vinton		
F. O. Ellison.....	Anamosa	18	Cedar, Jones and Linn
John T. Moffit.....	Tipton		
F. L. Anderson.....	Marion		
A. B. Clark.....	Cedar Rapids.....		
D. E. Maguire.....	Dubuque	19	Dubuque
P. J. Nelson.....	Dubuque		
James D. Smyth.....	Burlington	20	Des Moines, Henry and Louisa
Oscar Hale.....	Wapello		
B. F. Butler.....	Sibley	21	Lyon, Stou, O'Brien, Plymouth, Cherokee and Osceola
Chas. C. Bradley.....	LeMars		

MUNICIPAL COURTS

Judges		Judges	
Name	Address	Name	Address
B. F. Martinsen.....	Clinton	J. E. Mershon.....	Des Moines
John L. Blanchard.....	Council Bluffs	T. L. Sellers.....	Des Moines
Daniel H. Sheehan.....	Council Bluffs	H. H. Sawyer.....	Des Moines
Geo. J. Sager.....	Waterloo	Ralph L. Powers.....	Des Moines
J. C. Beem.....	Waterloo	L. R. Sheets.....	Marshalltown
John Y. Luke.....	Ames		

SUPERIOR COURTS

Judges		Judges	
Name	Address	Name	Address
Thomas N. Powell.....	Cedar Rapids	Jay Cook.....	Oelwein
T. J. Noll.....	Grinnell	Frederick Fischer.....	Shenandoah
W. L. McNamara.....	Keokuk		

FORTY-THIRD GENERAL ASSEMBLY

OFFICERS OF THE SENATE

President—Arch W. McFarlane of Waterloo, Black Hawk county.
President Pro Tempore—Frank Shane of Ottumwa, Wapello county.
Secretary—Walter H. Beam of Martensdale, Warren county.
Assistant Secretary—James G. Lamb of Des Moines, Polk county.
Reading Clerk—Robert C. Phillips of Des Moines, Polk county.
Engrossing Clerk—Florence Nelson Tidrick of Des Moines, Polk county.
Enrolling Clerk—May Howell Myers of Des Moines, Polk county.
General Clerk—Ruth Aldinger of Primghar, O'Brien county.
Journal Clerk—Catherine Hicklin of Wapello, Louisa county.
Journal Clerk—Grace M. Stevens of Woodbine, Harrison county.
Bill Clerk—E. R. Haggard of Sioux City, Woodbury county.
File Clerk—John Langfitt, Jr. of Greenfield, Adair county.
Postmistress—Doris Moore of Oskaloosa, Mahaska county.
Sergeant-at-Arms—Don Donnan of Independence, Buchanan county.
Assistant Sergeant-at-Arms—J. W. Reese of Boone, Boone county.
Chief Doorkeeper—O. W. Lowery of Des Moines, Polk county.
Lieutenant Governor's Clerk—Lucille O'Hagan of Waterloo, Black Hawk county.
Secretary's Clerk—Lillian D. Browne of Monmouth, Jackson county.

SENATORS

Name	Address	Dist.	Counties Composing District
Anderson, C. E.....	Stratford	27	Webster, Calhoun
Baird, W. S.....	Council Bluffs ...	19	Pottawattamie
Beatty, Frank M.....	Sigourney	12	Poweshiek, Keokuk
Bennett, O. P.....	Mapleton	34	Crawford, Harrison, Monona
Benson, C. A.....	Elkader	36	Clayton
Bergman, A. H.....	Newton	29	Jasper
Bissell, Frank	Dexter	17	Dallas, Guthrie, Audubon
Blackford, A. V.....	Bonaparte	2	Van Buren, Jefferson
Booth, Chas. D.....	Harlan	18	Cass, Shelby
Brookins, A. T.....	Bassett	44	Floyd, Chickasaw
Brush, S. A.....	Chelsea	45	Tama, Benton
Carden, Wm.	Winfield	10	Washington, Henry
Carroll, H. B.....	Bloomfield	3	Davis, Appanoose
Christophel, Geo. W.....	Waverly	39	Bremer, Butler
Clark, C. F.....	Cedar Rapids....	26	Linn
Clark, E. W.....	Mason City.....	43	Cerro Gordo, Franklin, Hancock
Clark, W. A.....	Pleasantville ...	15	Marion, Monroe
Clearman, Geo. M.....	Oxford	25	Johnson, Iowa
Cochrane, Wm.....	Red Oak.....	8	Mills, Montgomery
Cole, C. G.....	Greeley	33	Buchanan, Delaware
Doran, L. H.....	Boone	31	Boone, Story
Fralley, Joseph R.....	Ft. Madison	1	Lee
Gilchrist, F. C.....	Laurens	50	Buena Vista, Humboldt, Pocahontas
Gunderson, O. E.....	Forest City.....	41	Mitchell, Winnebago, Worth
Hager, J. H.....	Waukon	40	Allamakee, Fayette
Ickis, Frank D.....	Creston	5	Ringgold, Decatur, Union
Kent, John W.....	Chariton	4	Lucas, Wayne
Kimberly, D. W.....	Davenport	21	Scott

SENATORS—CONTINUED

Name	Address	Dist.	Counties Composing District
Klemme, Wm. H.	Ridgeway	42	Winneshiek, Howard
Lange, Otto F.	Dubuque	35	Dubuque
Langfitt, John N.	Greenfield	16	Adair, Madison
Leonard, Arthur	Corning	6	Taylor, Adams
Lowe, Wesley C.	Weldon	11	Warren, Clarke
MacDonald, Lew.	Cherokee	46	Cherokee, Ida, Plymouth
McLeland, Wm. E.	Marshalltown	28	Marshall
Merritt, J. G.	Glidden	48	Sac, Greene, Carroll
Moen, T. E.	Inwood	49	Lyon, Osceola, O'Brien, Sioux
Patterson, Geo. W.	Burt	47	Kossuth, Emmet, Palo Alto, Clay, Dickinson
Rigby, Chas. L.	Stanwood	24	Jones, Cedar
Rogers, Chas. T.	Grundy Center... ..	38	Black Hawk, Grundy
Shaff, J. O.	Camanche	22	Clinton
Shane, Frank	Ottumwa	13	Wapello
Stanley, F. C.	Oskaloosa	14	Mahaska
Stoddard, Bertel M.	Sloan	32	Woodbury
Tabor, Geo. W.	Baldwin	23	Jackson
Thompson, Ralph U.	Muscatine	20	Muscatine, Louisa
Topping, Clyde H.	Burlington	9	Des Moines
Ulstad, Oscar	Holmes	37	Hamilton, Hardin, Wright
Wilson, Denver L.	Shenandoah	7	Fremont, Page
Wilson, Geo. A.	Des Moines	30	Polk

OFFICERS OF THE HOUSE

- Speaker*—J. H. Johnson of Knoxville, Marion county.
Speaker Pro Tempore—Howard A. Mathews of Danville, Des Moines county.
Chief Clerk—A. C. Gustafson of Des Moines, Polk county.
Assistant Clerk—John M. Montgomery of Des Moines, Polk county.
Reading Clerk—J. W. Miller of Indianola, Warren county.
Engrossing Clerk—Jennie Allely of Montezuma, Poweshiek county.
Enrolling Clerk—Catherine A. Roberts of Des Moines, Polk county.
Assistant Enrolling Clerk—Anna Stillwell of Waukon, Allamakee county.
Assistant to Chief Clerk—Jennie R. Gregg of Des Moines, Polk county.
Journal Clerk—Margaret Canfield of Des Moines, Polk county.
Journal Clerk—Georgia Miller of Des Moines, Polk county.
File Clerk—Charles Lindenau of Maquoketa, Jackson county.
Assistant File Clerk—R. O. Johnson of Richland, Keokuk county.
Bill Clerk—Victor E. Lindquist of Chariton, Lucas county.
Assistant Bill Clerk—T. L. Risewick of Pleasantville, Marion county.
House Postmistress—Christyna Callison of Britt, Hancock county.
Sergeant-at-Arms—Oley Nelson of Slater, Story county.
Assistant Sergeant-at-Arms—Walter R. Cook of Wadena, Fayette county.
Speaker's Clerk—Helen Dennery of Des Moines, Polk county.
Chief Clerk's Clerk—Madeline Burrows of Des Moines, Polk county.

REPRESENTATIVES

Name	Address	Dist.	Counties Composing District
Aiken, John Henry	Ida Grove	59	Ida
Albert, Otto	Reinbeck	65	Grundy
Allen, Byron G.	Pocahontas	77	Pocahontas
Bair, J. Park	Storm Lake	78	Buena Vista
Baker, Chas. E.	Newton	38	Jasper
Ballew, Howard	Moulton	4	Appanoose
Barnes, Solon A.	Eagle Grove	75	Wright
Berry, Henry S.	Albia	17	Monroe
Bixler, John M.	Corning	13	Adams
Buchmiller, R. M.	Jefferson	54	Greene

REPRESENTATIVES—CONTINUED

Name	Address	Dist.	Counties Composing District
Burton, Warren H.	Corydon	5	Wayne
Bush, C. C. R.	Washta	79	Cherokee
Byers, Frank C.	Cedar Rapids	48	Linn
Byers, Wm. F.	West Union	71	Fayette
Campbell, W. H.	Grand River	6	Decatur
Clark, L. O.	Randolph	10	Fremont
Cole, E. J.	Woodbine	32	Harrison
Cox, Richard W.	Gravity	8	Taylor
Crozier, Will H.	Oskaloosa	25	Mahaska
Dayton, C. O.	Washington	23	Washington
Dean, Wm. M.	Lake View	60	Sac
*Ditto, O. J.	Sibley	98	Osceola
Eckles, Raymond B.	Aplington	73	Butler
Elliott, E. A.	Des Moines	37	Polk
Elliott, Frank W.	Davenport	43	Scott
Ellsworth, E. O.	Iowa Falls	64	Hardin
Figgins, Geo. C.	Creston	14	Union
Files, Chas. W.	Mason City	87	Cerro Gordo
Finnern, H. C.	Denison	56	Crawford
Fleming, S.	Stuart	29	Adair
Forsling, L. B.	Sioux City	58	Woodbury
Gilmore, Wm. T.	Tipton	44	Cedar
Greene, Harry M.	Avoca	31	Pottawattamie
Griswold, D. M.	Winterset	28	Madison
Hagglund, Lenus	Essex	9	Page
Hall, L. W.	Eldon	18	Wapello
Hansen, John T.	Davenport	43	Scott
Hanson, H. N.	Leland	95	Winnebago
*Hattendorf, H. C.	Ocheyedan	98	Osceola
Hatter, L. W.	Millersburg	40	Iowa
Hayes, James N.	Dubuque	69	Dubuque
Heald, J. M.	Nashua	89	Chickasaw
Helgason, E. O.	Armstrong	96	Emmet
Hill, Lafe	Nora Springs	88	Floyd
Hollingsworth, Frank	Boone	53	Boone
Hollis, C. A.	Cedar Falls	66	Black Hawk
Holmgren, H. A.	Ruthven	84	Palo Alto
Hopkins, Geo. M.	Guthrie Center	35	Guthrie
Hubbard, Wilber F.	Neola	31	Pottawattamie
Hunt, Ralph R.	Oakville	22	Louisa
Hush, Homer	Essex	12	Montgomery
Irwin, John R.	Keokuk	1	Lee
Istad, A. T.	Decorah	91	Winneshiek
Jaycox, Benj.	Manchester	68	Delaware
Jensen, J. H.	Fenton	85	Kossuth
Johnson, Francis	Terril	97	Dickinson
Johnson, J. H.	Knoxville	26	Marion
Johnson, Raymond	Richland	24	Keokuk
King, J. A.	Spencer	83	Clay
Kline, John F.	Bloomfield	3	Davis
Knudson, Irving H.	Ellsworth	63	Hamilton
Lamb, C. W.	Redfield	36	Dallas
Lichty, E. M.	Waterloo	66	Black Hawk
Lomas, F. B.	Cresco	92	Howard
Lovrien, Fred C.	Humboldt	76	Humboldt
McCaulley, Marion R.	Lake City	61	Calhoun
McCreery, D. R.	Alburnett	48	Linn
McIlrath, Azel	Brooklyn	39	Poweshiek
McIntosh, John E.	West Liberty	42	Muscatine
McMillan, J. E.	Vinton	49	Benton
Mathews, Howard A.	Danville	21	Des Moines

*O. J. Ditto contested the election of H. O. Hattendorf. Contest decided in favor of Ditto, who was seated February 14, 1929.

REPRESENTATIVES—CONTINUED

Name	Address	Dist.	Counties Composing District
Miller, Geo. E.....	Harlan	33	Shelby
Mounce, A. H.....	Keosauqua	2	Van Buren
Nelson, C. H.....	Garner	86	Hancock
Nelson, Fred W.....	Nevada	52	Story
O'Brien, J. E.....	Waukon	90	Allamakee
O'Donnell, Geo.....	Carroll	55	Carroll
Orr, C. J.....	Monona	70	Clayton
Pattison, H. C.....	Fairfield	19	Jefferson
Paulson, Harry C.....	Camanche	45	Clinton
Pendray, Carolyn C.....	Maquoketa	46	Jackson
Randall, James L.....	Chariton	16	Lucas
Ratliff, Z. S.....	Mt. Pleasant	20	Henry
Rawlings, Ed.....	Onawa	57	Monona
Read, B. F.....	New Virginia	27	Warren
Reimers, Otto J.....	Rock Rapids	99	Lyon
Reno, Walter B.....	Des Moines	37	Polk
Rice, Wm. S.....	Clinton	45	Clinton
Rutledge, Reyburn L.....	Fort Dodge	62	Webster
Ryder, John.....	Dubuque	69	Dubuque
Rylander, J. F.....	LeGrand	51	Marshall
Sass, Carl W. H.....	Sioux City	58	Woodbury
Shannon, L. B.....	Wiota	30	Cass
Simmer, Leonard.....	Ottumwa	18	Wapello
Shields, Le Roy.....	Grand River	15	Clarke
Smith, G. W.....	Paullina	82	O'Brien
Swanson, Frank J.....	Akron	80	Plymouth
Taylor, Chas. W.....	Audubon	34	Audubon
Torgeson, Samuel R.....	Joice	94	Worth
Truax, John B.....	Independence	67	Buchanan
Van Buren, G. J.....	Anamosa	47	Jones
Van Wert, G. E.....	Hampton	74	Franklin
Vaughn, D. A.....	Benton	7	Ringgold
Venard, G. L.....	Hawarden	81	Sioux
Vosseller, Geo. M.....	Waverly	72	Bremer
Wamstad, Brede	Osage	93	Mitchell
Wearin, Otha D.....	Hastings	11	Mills
Whiting, Samuel D.....	Iowa City.....	41	Johnson
Wilson, W. Walter.....	Traer	50	Tama

COMMISSIONERS IN OTHER STATES

List of commissioners for Iowa in other states who are duly qualified and whose commissions do not expire before January 29, 1930, showing postoffice address, date of qualification and date of expiration of commission.

Name	Address	Date On and After Which Qualified	Expiration
George H. Corey.....	New York City...	January 29, 1927.....	January 29, 1930

CONDITION OF THE TREASURY

HON. ROBERT HENDERSON,
Superintendent of Printing.

DEAR SIR: In accordance with the requirements of Section 18, Article III, of the Constitution of Iowa, I have the honor to submit for publication with the laws of the Forty-third General Assembly, the following statement of the condition of the treasury together with a report of the receipts and disbursements of public moneys for the biennial fiscal period beginning July 1, 1926, and ending June 30, 1928.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "J. H. Long". The signature is written in black ink and is positioned above the typed name of the Auditor of State.

Auditor of State.

STATEMENT OF THE CONDITION OF THE TREASURY

Receipts, Disbursements and Balances in the Several Funds for the Biennial Period ending June 30, 1928

	Balance July 1, 1926	Total Receipts	Total Amount Available	Total Amount Disbursed	Balances June 30, 1928
General revenue (including Interim account)	\$ 7,183,260.17	\$32,007,408.12	\$39,190,668.29	\$34,395,372.56	\$ 4,795,295.73
Trust funds	1,603,367.22	35,341,726.23	36,945,093.45	34,357,932.77	2,587,160.68
State college endow- ment bonds	674,300.00	83,800.00	758,100.00	67,400.00	690,700.00
State college endow- ment cash	20,682.07	65,060.00	85,742.07	81,400.00	4,342.07
State college endow- ment interest	533.70	75,755.80	76,289.50	76,039.50	250.00
Soldiers' bonus tax and interim acct.	786,104.35	3,809,536.28	4,595,640.63	3,756,199.59	839,441.04
Soldiers' bonus bond sale receipts	1,858,270.00	188.50	1,858,458.50	1,854,595.03	3,863.47
Capitol ground ex- tension fund	31,788.47	6,145.81	37,934.28	23,224.89	14,709.39
	\$12,158,305.98	\$71,389,620.74	\$83,547,926.72	\$74,612,164.34	\$ 8,935,762.38

TABLE NO. 1—GENERAL REVENUE RECEIPTS

Receipts During Biennial Period Ending June 30, 1928.

	First Year	Second Year	Total
General state tax	\$10,000,000.00	\$10,000,000.00	\$20,000,000.00
From counties for clothing feeble minded	41,432.63	46,377.17	87,809.80
From counties for clothing deaf and blind	7,275.35	4,832.89	12,108.24
From counties for clothing epileptics	15,713.12	17,359.74	33,072.86
From counties for support insane	1,202,781.11	1,223,839.52	2,426,620.63
From counties for support juvenile	39,191.01	48,366.32	87,557.33
From counties for support orphans	70,045.86	84,465.17	154,511.03
From counties for support tubercular	220,244.42	223,814.16	444,058.58
Support patients state institutions	4,405.76	6,485.30	10,891.06
Psychopathic hospital, care of patients	17,789.00	5,395.53	23,184.53
Special Tax:			
Cigarette tax	912,476.77	1,101,423.49	2,013,900.26
Inheritance tax	1,118,247.45	1,222,787.37	2,341,034.82
Equipment car tax	65,350.52	61,690.30	127,040.82
Insurance tax	1,362,765.27	1,476,337.62	2,839,102.89
Fees from Officers:			
Attorney general	87.20	80.75	167.95
Auditor of state, building and loan fees	614.35	488.05	1,102.40
Clerk of supreme court	5,196.41	5,240.50	10,436.91
Department of agriculture	215,275.53	266,694.77	481,970.30
Department of health	472.50	238.50	711.00
Chiropractic examiners	5,226.00	3,145.20	8,371.20
Cosmetology examiners	7.00	9,963.00	9,970.00
Barbers examiners		40,539.00	40,539.00
Dental examiners	3,283.00	3,753.00	7,036.00
Embalmers examiners	2,470.00	2,555.00	5,025.00
Medical examiners	8,450.00	8,168.00	16,618.00
Nurses examiners	10,084.00	9,222.00	19,306.00
Optometry examiners	1,952.00	2,400.00	4,352.00
Osteopathy Examiners	1,348.03	1,803.00	3,151.03
Podiatry examiners	61.00	31.00	92.00
Department of public instruction	148.50	132.00	280.50
Entomologist	2,086.50	53.58	2,140.08
Geological survey	107.48	1,119.23	1,226.71
Governor	25,591.50	30,951.00	56,542.50
Historical department	319.05	396.90	715.95
Insurance fees	127,158.26	134,459.21	261,617.47
Pharmacy fees	33,210.00	25,688.00	58,898.00
Printing board fees		1,573.25	1,573.25
Purchase of Eldora land	577.50	577.50	1,155.00
Royalty on coal mine	7,859.19	5,390.31	13,249.50
Secretary of state	155,217.83	142,868.05	298,085.88
State university, water analysis	750.75	1,730.42	2,481.17
Territorial homes, federal aid	29,880.00	26,190.00	56,070.00
Vocational education	20.67		20.67
Vocational rehabilitation	21,187.80	13,017.59	34,205.39

TABLE NO. 1—GENERAL REVENUE RECEIPTS—Continued

	First Year	Second Year	Total
Refunds, Reimbursements and Sales:			
Anamosa sales	338,722.80	414,748.36	753,471.16
Anamosa refunds	46,944.52	65,530.85	112,475.37
Cherokee refunds	13,700.85	14,669.89	28,370.74
Clarinda refunds	30,226.39	21,009.03	51,235.42
Davenport refunds	5,588.38	10,208.61	15,796.99
Eldora refunds	14,771.12	7,075.38	21,846.50
Ft. Madison sales	437,182.30	508,538.99	945,721.29
Ft. Madison refund	101,120.84	46,454.55	147,575.39
Glenwood refunds	9,439.30	18,693.09	28,132.39
Independence sales .....	.....	89.30	89.30
Independence refunds	20,421.56	9,857.79	30,279.35
Marshalltown refunds	6,118.74	5,352.76	11,471.50
Mitchellville refunds	2,486.96	2,626.50	5,113.46
Mt. Pleasant sales	22.23	821.28	843.51
Mt. Pleasant refund	22,651.90	25,204.00	47,855.90
Oakdale refunds	21,929.88	11,570.68	33,500.56
Rockwell City refunds	5,678.60	7,312.79	12,991.39
Toledo refunds	4,585.22	2,883.63	7,468.85
Woodward refunds	28,640.63	27,553.85	56,194.53
Toledo sales	8.40	839.46	847.86
Auditor of state, county examinations	66,943.05	86,543.05	153,486.10
Auditor of state, municipal examinations	21,276.44	22,850.88	44,127.32
Executive council supplies	5,437.99	5,208.16	10,646.15
Executive council old material	829.18	1,146.87	1,976.05
Executive council leases	4,902.56	7,256.41	12,158.97
Historical society refund	31.89	.....	31.89
Highway commission	1,049.95	30.00	1,079.95
Iowa commission for blind	734.72	6,050.88	6,785.60
Insurance commission examinations	31,197.39	55,481.20	86,678.59
Interest on bank failures	10,309.99	817.91	11,127.90
Miscellaneous refunds	3,456.27	6,862.62	10,318.89
State printing board	13,631.22	22,968.43	36,599.65
State parks	28,332.98	24,638.12	52,971.10
Treasurer of state, cigarette postage .....	.....	499.14	499.14
University hospital, indigent children .....	.....	238,198.26	238,198.26
Total	\$17,034,734.62	\$17,941,236.11	\$34,975,970.73

TABLE NO. 2—TRUST FUND RECEIPTS

	First Year	Second Year	Total
Banking department	\$ 136,400.00	\$ 124,750.00	\$ 261,150.00
Board of accounting examiners	510.00	485.00	995.00
Board of architect examiners .....	.....	1,420.00	1,420.00
Board of engineer examiners	889.00	3,871.00	4,760.00
Board of educational examiners	19,977.31	20,675.00	40,652.31
Board of court reporter examiners	80.00	25.00	105.00
Board of parole	97.00	93.00	190.00
Federal aid engineering	18,142.16	.....	18,142.16
Fish and game	204,029.71	238,293.69	442,323.40
Highway commission	640,109.16	201,857.47	841,966.63
Motor carriers	56,636.97	66,451.85	123,088.82
Motor vehicle suspense	782,882.95	804,314.61	1,587,197.56
National guard permanent improvement	150.00	.....	150.00
Plumbing code	26.75	26.75	53.50
Primary road	4,092,648.53	5,256,276.28	9,348,924.81
Primary road from motor vehicle draws	7,500,000.00	10,000,000.00	17,500,000.00
Primary road from gasoline fund	1,631,000.00	3,539,507.04	5,170,507.04
Total	\$15,083,579.54	\$20,258,146.69	\$35,341,726.23

TABLE NO. 3—RECONCILIATION OF TRUST AND GENERAL CASH ACCOUNTS

First Year:	
Balance in trust fund July 1, 1926.....	\$ 1,736,953.37
Balance in general fund July 1, 1926.....	2,247,387.04
Receipts in trust fund July 1, 1926, to June 30, 1927.....	15,083,579.54
Receipts in general fund July 1, 1926, to June 30, 1927.....	17,034,734.62
	<hr/>
	\$36,102,654.57
Warrants redeemed in trust fund.....	\$14,648,502.58
Warrants redeemed in general fund.....	16,927,567.73
Balance in trust fund June 30, 1927.....	2,088,373.61
Balance in general fund June 30, 1927.....	2,354,553.92
Net decrease in primary road contingent.....	85,656.75
	<hr/>
	\$36,102,654.57
Second Year:	
Balance in trust fund July 1, 1927.....	\$ 2,088,373.61
Balance in general fund July 1, 1927.....	2,354,553.92
Receipts in trust fund July 1, 1927, to June 30, 1928.....	20,258,146.69
Receipts in general fund July 1, 1927, to June 30, 1928.....	17,941,286.11
	<hr/>
	\$42,642,310.33
Warrants redeemed in trust fund.....	\$19,561,430.21
Warrants redeemed in general fund.....	17,467,804.82
Balance in trust fund June 30, 1928.....	2,980,301.52
Balance in general fund June 30, 1928.....	2,827,985.21
Transferred from trust fund to primary road contingent fund.....	150,000.00
	<hr/>
	\$42,987,521.76
Net increase in primary road contingent fund.....	845,211.43
	<hr/>
	\$42,642,310.33

TABLE NO. 4—GENERAL REVENUE EXPENDITURES
Warrants Issued During Biennial Period Ending June 30, 1928

	First Year	Second Year	Total
Attorney General:			
Salaries	\$ 30,716.08	\$ 31,861.83	\$ 62,577.91
Contingent	4,815.16	3,841.95	8,657.11
Traveling expense	1,529.40	2,038.55	3,567.95
Peace officers	34,537.87	50,332.91	84,870.78
State agents	11,395.07	10,434.15	21,829.22
Auditor of State:			
Salaries	22,708.06	24,033.81	46,741.87
Board of audit.....	3,787.09	4,200.00	7,987.09
Contingent	1,610.00	893.72	2,503.72
State examiners expense.....	898.39	528.69	1,427.08
County accounting	71,714.71	77,155.47	148,870.18
Municipal accounting	22,181.55	23,653.22	45,834.77
Bacteriological Laboratory:			
Salaries	10,230.00	15,152.48	25,382.48
Expense	4,130.62	22.31	4,152.93
Board of Control:			
Salaries	53,980.81	58,520.95	112,501.76
Inspectors county home.....	2,398.24	1,116.00	3,514.24
Traveling expense	2,846.38	5,280.96	8,127.34
Contingent	741.42	1,529.13	2,270.55
Publication of bulletins.....	2,729.44	1,733.86	4,463.30
State agents traveling	9,432.59	12,095.63	21,528.22
Quarterly conference	167.11	118.95	286.06
Investigation of tuberculosis.....	3,431.79	4,005.01	7,436.80
Aid to friendless girls.....	3,283.00	2,569.00	5,852.00
Protection of children.....	4,925.68	434.40	5,360.08
State roads maintenance.....	20,523.65	26,245.38	46,769.03
Board of Education:			
Salaries	17,610.60	20,329.80	37,940.40
Members per diem.....	4,717.02	490.00	5,207.02
Traveling expense	8,396.94	7,596.56	15,993.50
Contingent	91.33	.....	91.33
Aid to blind students.....	1,414.83	3,002.62	4,417.45
Instruction deaf children.....	9,385.00	9,500.00	18,885.00
State roads	8,669.66	19,681.04	28,350.70
Miscellaneous .....	.....	30.59	30.59
President's office expense.....	.....	81.53	81.53

TABLE NO. 4—GENERAL REVENUE EXPENDITURES—Continued

	First Year	Second Year	Total
Board of Parole:			
Salaries	21,550.00	21,600.00	43,150.00
Traveling expense	9,840.87	10,699.20	20,540.07
Reward for absconders.....	150.00	300.00	450.00
Reward for violators.....	781.75	.....	781.75
Bureau of Labor:			
Salaries	18,200.00	18,400.00	36,600.00
Traveling expense	3,059.62	3,173.38	6,233.00
Clerk of Supreme Court:			
Salaries	9,500.00	10,099.93	19,599.93
Contingent	68.00	433.22	501.22
Commission of inquiry.....	33.00	.....	33.00
Custodian:			
Salaries	55,889.30	56,945.27	112,834.57
Extra help	1,897.31	1,650.03	3,547.34
Washing towels	314.98	435.51	750.49
Department of Agriculture:			
Salaries	121,649.96	123,031.15	244,681.11
Traveling expense	26,544.90	32,284.14	58,829.04
Contingent	12,936.38	157.05	13,093.43
Office expense	4,385.20	.....	4,385.20
Animal industry	311,405.85	274,388.82	585,794.67
Board of veterinary examiners.....	382.34	211.56	593.90
Iowa beef producers.....	7,192.95	5,556.65	12,749.60
Iowa small grain growers.....	3,108.97	4,245.43	7,354.40
Iowa dairy association.....	5,928.02	5,483.33	11,411.35
Farmers institute	4,367.53	10,367.48	14,735.01
Horticultural society exposition.....	4,000.00	6,250.00	10,250.00
Horticultural society	9,500.00	4,000.00	13,500.00
Weather and crop salaries.....	6,900.00	7,099.73	13,999.73
Weather and crop expense.....	1,158.08	1,039.87	2,197.95
Poultry association state expense.....	500.00	100.00	600.00
Poultry association stenographer.....	150.00	.....	150.00
Poultry association county expositions.....	5,500.00	.....	5,500.00
Corn borers .....	.....	2,159.77	2,159.77
Short course .....	.....	114.10	114.10
Horse breeders association.....	.....	4,765.42	4,765.42
Department of Health:			
Salaries	41,969.21	39,275.19	81,244.40
Expense	10,098.08	1,422.16	11,520.24
Members traveling	420.45	579.31	999.76
Sanitary engineering	3,940.97	128.30	4,069.27
Chiropractic salaries	1,755.96	1,695.48	3,451.44
Chiropractic expense	833.88	878.15	1,712.03
Dental examinations	1,904.78	2,474.76	4,379.54
Embalmers examinations	676.23	792.14	1,468.37
Medical examinations	1,044.04	1,185.01	2,229.05
Nurses examinations	1,258.29	1,662.39	2,920.68
Optometry examinations	190.26	432.66	622.92
Podiatry examinations	64.40	128.35	192.75
Cosmetology examinations	113.25	6,006.39	6,119.64
Osteopathy examinations	2,634.82	1,932.48	4,567.30
State examinations .....	.....	146.00	146.00
Engineering and housing expense.....	.....	3,836.62	3,836.62
Equipment and laboratory expense.....	.....	993.08	993.08
Quarantine and contingent.....	.....	2,888.93	2,888.93
Miscellaneous expense .....	.....	221.05	221.05
Anti toxin expense.....	.....	3,641.42	3,641.42
Barbers examinations .....	.....	16,849.99	16,849.99
Department Public Instruction:			
Salaries	23,408.40	24,220.98	47,624.38
Extra help	1,614.70	.....	1,614.70
Teachers placement	3,476.26	.....	3,476.26
Traveling expense	3,320.32	4,998.68	8,319.00
Contingent	199.49	3,057.01	3,256.50
Normal training	151,861.36	149,467.08	301,328.44
Consolidated schools	152,424.45	146,573.12	298,997.57
Standard schools	99,004.19	97,428.83	196,433.02
Mining camp schools.....	50,657.74	49,727.75	100,385.49
Normal institute	4,900.00	4,800.00	9,700.00
Mining camp emergency.....	.....	9,282.00	9,282.00

TABLE NO. 4—GENERAL REVENUE EXPENDITURES—Continued

	First Year	Second Year	Total
Director of Budget:			
Salaries	26,425.80	26,893.72	53,319.52
Traveling expense	4,473.83	1,195.35	5,669.18
Extra help		914.71	914.71
District Court:			
Salaries	276,000.00	275,436.97	551,436.97
Traveling expense, out	28,834.09	23,524.30	52,358.39
Traveling expense, inside	228.33	2,938.05	3,166.38
Reporters traveling	113.38		113.38
Entomologist:			
Salaries	3,120.00	2,860.00	5,980.00
Traveling expense	2,125.54	1,924.14	4,049.68
Extra help	547.50	783.90	1,331.40
Miscellaneous	896.47	884.13	1,780.60
Executive Council:			
Salaries	20,146.67	20,458.07	40,604.74
Furniture and stores	155,426.65	163,142.60	318,569.25
Express, freight and dray	2,426.00	4,829.30	7,255.30
Necessary expense	2,239.65	3,229.25	5,468.90
Providential contingent	16,678.29	59,433.64	76,111.93
Traveling expense	874.66	991.10	1,865.66
Court cost	3,369.84	8,745.86	12,115.70
Great Lakes	2,754.22	6,096.23	8,850.45
Governor's conference	100.00		100.00
Clerical assistance	2,583.72	3,686.66	6,270.38
G. A. R. encampment	14,100.57		14,100.57
Spanish war veterans	9,965.14		9,965.14
Drainage Mud lake	1,456.15		1,456.15
Capitol repairs	9,542.04	99,432.53	108,974.57
Mississippi and Missouri improvement		5,000.00	5,000.00
Refund insurance companies		1,390.85	1,390.85
Commission uniform law	442.89	448.02	890.91
Preservation of war flags		14.00	14.00
Kirkwood memorial	1,500.00	1,907.68	3,407.68
Spanish war markers		968.37	968.37
Tabulation of census	7.31		7.31
Fire Marshal:			
Salaries	9,800.00	9,800.00	19,600.00
Traveling expense	3,020.49	2,879.07	5,899.56
Contingent	200.19	197.50	397.69
Reporting fires	3,039.65	3,400.90	6,440.55
General Assembly	377,773.95	27,711.59	405,485.54
Geological Survey:			
Salaries	5,400.00	5,400.00	10,800.00
Expense	3,265.32	4,169.91	7,435.23
Governor:			
Salaries	14,800.00	16,149.84	30,949.84
Contingent	566.63	65.55	632.18
Publications	146.30	276.24	422.54
G. A. R. support	750.00	750.00	1,500.00
Extra help		921.14	921.14
Rewards		1,000.00	1,000.00
Historical Department:			
Salaries	36,049.97	37,679.66	73,729.63
Expense	15,701.54	4,489.68	20,191.22
War work pictures	703.95	314.25	1,018.20
Historical Society:			
Salaries	19,199.50	19,692.73	38,892.23
Expense	14,226.73	14,212.19	28,438.92
Industrial Commission:			
Salaries	15,860.08	16,500.00	32,360.08
Expense	1,563.35	1,560.23	3,123.58
Workmen's compensation	13,382.09	16,267.72	29,649.81
Peace officers	5,102.17	6,166.10	11,268.27
Insane, Non-Resident:			
Expense transfer	1,313.58	1,624.67	2,938.25
Expense commitment	337.05	638.21	975.26

TABLE NO. 4—GENERAL REVENUE EXPENDITURES—Continued

	First Year	Second Year	Total
Insurance Commission:			
Salaries	37,215.99	42,171.84	79,387.83
Contingent	10,508.20	1,482.98	11,991.18
Examiners expense	44,887.49	44,989.52	89,877.01
Additional help		9,116.98	9,116.98
Commissioner's expense		790.42	790.42
Misc. and investigation fund		863.12	863.12
Iowa Commission for Blind:			
Expense and salaries	11,324.00	17,462.38	28,786.38
Library Commission:			
Salaries	13,666.90	13,975.80	27,642.70
Contingent	8,490.22	9,192.57	17,682.79
Mine Examiners:			
Per diem and traveling	2,477.55	1,655.74	4,133.29
Mine Inspectors:			
Salaries	10,100.00	11,100.00	21,200.00
Traveling No. 1	877.68		877.68
Traveling No. 2	837.29	2,331.47	3,168.76
Traveling No. 3	737.32		737.32
Office rent	323.55	312.03	635.58
National Guard:			
Salaries	24,747.74	22,410.21	47,157.95
Expense	196,269.05	183,081.70	379,350.75
Camp Dodge:			
Salaries	8,787.50	6,900.00	15,687.50
Support	5,480.63	5,218.99	10,699.62
War roster	5,922.66	3,767.45	9,690.11
Injury compensation	1,098.80	59.33	1,158.13
War trophies	149.05	205.38	354.43
Northern border brigade	3,400.00	1,808.67	5,208.67
Widows northern border brigade	3,692.67	3,748.00	7,440.67
Split Lake survivors	720.00	780.00	1,500.00
Extra help		502.68	502.68
Active service		995.95	995.95
Pharmacy Commission:			
Salaries	2,733.33	5,394.11	8,127.44
Examiners	2,630.00	360.00	2,990.00
Traveling expense	1,334.21	1,371.39	2,705.60
Contingent	16.60	5.00	21.60
Pioneer law makers			
	20.25		20.25
Printing Board:			
Salaries	15,900.00	15,594.94	31,494.94
Printing and binding	163,425.86	121,165.88	284,591.74
Traveling expense	3,489.03	588.44	4,077.47
Session laws	398.67	1,499.65	1,898.32
Publications	925.68		925.68
Prison breach	866.15	547.30	1,413.45
Railroad Commission:			
Salaries	44,558.14	44,663.39	89,221.53
Expense	9,165.04	8,716.62	17,881.66
Commerce Counsel:			
Salaries	11,500.06	12,209.68	23,709.74
Expense	1,561.48	3,692.56	5,254.04
Valuation Department:			
Salaries	9,650.81	10,124.19	19,775.00
Expense	4,157.73	4,079.71	8,237.44
Motor Carrier:			
Salaries	8,554.84	14,502.42	23,057.26
Expense	591.62	4,142.56	4,734.18
Relief:			
Mitchell cavalry	240.00	240.00	480.00
F. M. Hull	240.00	240.00	480.00
Reporter of Supreme Court:			
Salaries	13,472.45	13,813.97	27,286.42
Code, per diem	2,519.00	2,106.85	4,625.85

TABLE NO. 4—GENERAL REVENUE EXPENDITURES—Continued

	First Year	Second Year	Total
Secretary of State:			
Salaries	19,454.95	19,527.72	38,982.67
Contingent	178.76	265.13	443.89
Retrenchment and reform.....	8.00	3,188.25	3,196.25
State Fair Board:			
Aid to county fairs.....	167,014.62	158,918.49	325,933.11
Main building		20,000.00	20,000.00
Insurance on building.....		2,000.00	2,000.00
Construction grand stand.....		250,000.00	250,000.00
State Library:			
General, salaries	15,700.00	16,275.00	31,975.00
General, expense	6,093.58	6,644.53	12,738.11
Law, salaries	9,584.47	9,233.32	18,817.79
Law, expense	4,702.40	8,511.29	13,213.69
Medical, salaries	4,800.00	6,400.00	11,200.00
Medical, expense	1,503.34	2,448.86	3,952.20
Economic, salaries	2,700.00	3,000.00	5,700.00
Economic, expense	1,367.72	1,043.35	2,411.07
State Parks:			
Maintenance	85,939.70	100,510.29	186,449.99
State Roads, State Parks:			
Maintenance	33,073.67	45,989.75	79,063.42
Supreme Court:			
Salaries	58,825.00	70,419.14	129,244.14
Contingent	1,469.21	660.28	2,129.49
Treasurer of State:			
Salaries	36,604.68	37,532.29	74,136.97
Additional help	1,144.29	136.58	1,280.87
Traveling	3,276.02	1,886.41	5,162.43
Inheritance traveling	131.34	3,725.54	3,856.88
Contingent	3,300.42	430.57	3,730.99
Bond of treasurer and cashier.....	2,125.00	2,125.00	4,250.00
Embalmer account		1,559.00	1,559.00
Cigarette Department:			
Salaries	19,466.67	20,232.25	39,698.92
Expense	10,728.67	10,435.55	21,164.22
Refund	960.58	1,950.71	2,911.29
Inheritance tax	4,422.00	4,450.00	8,872.00
Inheritance refunds	7,944.92	7,889.11	15,834.03
Inheritance court cost.....		151.10	151.10
Invalidated warrants	1.00	7.25	8.25
Vocational Education:			
Salaries	6,860.00	6,553.33	13,413.33
Expense	2,048.69	2,196.87	4,245.56
Vocational Rehabilitation:			
Salaries	5,876.25	5,832.50	11,708.75
Expense	30,523.92	26,024.80	56,548.72
	\$ 3,945,737.32	\$ 4,017,359.45	\$ 7,963,096.77
School for the Deaf:			
Support	\$ 201,103.31	\$ 210,883.71	\$ 411,987.02
Repair and contingent.....	10,000.00		10,000.00
Library	1,000.00		1,000.00
Equipment	5,000.00	12,000.00	17,000.00
Scholarships	1,000.00		1,000.00
New generator		20,000.00	20,000.00
School for Blind:			
Support	84,676.92	85,272.02	169,948.94
New boilers and equipment.....		10,200.00	10,200.00
Children's cottage		50,000.00	50,000.00
Iowa State College:			
Administration	60,000.00	129,500.00	189,500.00
Physical plant	456,500.00	305,000.00	761,500.00
Library operation	61,291.00	70,000.00	131,291.00
Agriculture	222,500.00	210,000.00	432,500.00
Engineering	167,500.00		167,500.00
Home economics	117,500.00		117,500.00
Industrial science	441,500.00		441,500.00

TABLE NO. 4—GENERAL REVENUE EXPENDITURES—Continued

	First Year	Second Year	Total
Veterinary	47,500.00		47,500.00
Collegiate Admr.	80,000.00		80,000.00
Non collegiate work ..	70,000.00		70,000.00
Vacation courses	37,500.00		37,500.00
Agricultural extension ..	190,596.00		190,596.00
Engineering extension ..	32,500.00	35,000.00	67,500.00
Agricultural experiment ..	215,500.00	235,000.00	450,500.00
Engineering experiment ..	47,000.00	57,000.00	104,000.00
Veterinary investigation ..	20,000.00	40,000.00	60,000.00
State apiarist	1,500.00	3,000.00	4,500.00
Soldiers' tuition	8,196.00		8,196.00
Contingencies	155,000.00		155,000.00
Co-operative marketing ..		25,000.00	25,000.00
Educational purposes		1,145,500.00	1,145,500.00
Truck, crop and horticultural ..		10,000.00	10,000.00
Industrial research		25,000.00	25,000.00
New dairy building		295,000.00	295,000.00
General improvement		126,500.00	126,500.00
Equipment		50,000.00	50,000.00
State University:			
Administration	50,000.00	100,000.00	150,000.00
General expense	50,000.00		50,000.00
Physical plant	250,000.00	412,538.00	662,538.00
College liberal arts	470,000.00		470,000.00
College applied science	70,000.00		70,000.00
College medicine	148,000.00		148,000.00
College education	72,500.00		72,500.00
Graduate college	39,000.00		39,000.00
College of dentistry	82,500.00		82,500.00
College of commerce	61,500.00		61,500.00
College of law	37,000.00		37,000.00
College of pharmacy	12,500.00		12,500.00
Summer session	56,500.00		56,500.00
University library	90,192.00		90,192.00
Soldiers' tuition	10,000.00	13,219.00	23,219.00
Extension	63,750.00	63,750.00	127,500.00
Public health nursing	18,250.00		18,250.00
Child welfare	35,750.00	35,750.00	71,500.00
Epidemiology	17,250.00	17,250.00	34,500.00
Maternity and infancy	21,213.60	21,213.60	42,427.20
Capital expenditures	140,000.00		140,000.00
Contingencies	225,000.00	215,000.00	440,000.00
Central heating plant	65,000.00	100,000.00	165,000.00
Psychopathic hospital	99,000.00	117,000.00	216,000.00
Rockefeller foundation	950,000.00	450,000.00	1,400,000.00
University hospital	1,066,485.84	1,171,113.80	2,237,599.64
Educational purposes		1,365,000.00	1,365,000.00
State Teachers College:			
Administration	55,500.00	50,000.00	105,500.00
Educational purposes	330,000.00	413,000.00	743,000.00
Extension purposes	49,500.00	30,000.00	79,500.00
Summer school	35,000.00	25,000.00	60,000.00
Hospital	8,250.00		8,250.00
Summer school	83,000.00		83,000.00
Contingent fund	100,000.00		100,000.00
Capital expenditures	10,000.00		10,000.00
Physical plant	90,500.00	90,500.00	181,000.00
General improvement		10,000.00	10,000.00
Board of Control:			
Emergencies	24,383.41	27,169.99	51,553.40
Butter	26,242.98	132.02	26,375.00
Anamosa:			
Support	269,586.29	354,209.26	623,795.55
Special	66,829.88	110,371.55	177,201.43
Industries	371,037.82	524,906.11	895,943.93
Salaries	102,588.90	22,669.19	125,258.09
Rewards	450.00		450.00
Extra compensation		10,708.01	10,708.01
Cherokee:			
Support	311,792.82	333,587.46	645,380.28
Special	9,321.32	10,114.69	19,436.01
Escaped insane	102.62		102.62

TABLE NO. 4—GENERAL REVENUE EXPENDITURES—Continued

	First Year	Second Year	Total
Clarinda:			
Support	353,747.29	370,811.29	724,558.58
Special	24,065.20	7,171.75	31,236.95
Escaped insane	94.30		94.30
Davenport:			
Support	169,313.74	193,523.29	362,837.03
Special	18,987.05	3,171.88	22,158.93
Eldora:			
Support	169,513.64	189,982.68	359,496.32
Special	23,287.66	14,607.77	37,895.43
Ft. Madison:			
Support	275,939.91	418,377.32	694,317.23
Special	48,869.15	12,901.20	61,770.35
Industries	454,815.15	542,567.62	997,382.77
Salaries	106,819.96	13,487.72	120,307.68
Rewards	450.00		450.00
Extra compensation		12,807.56	12,807.56
Glenwood:			
Support	434,175.53	445,287.45	879,462.98
Special	18,055.60		18,055.60
Independence:			
Support	366,703.71	381,591.31	748,295.02
Special	21,003.62	4,748.96	25,752.58
Escaped insane	135.16		135.16
Marshalltown:			
Support	255,798.88	258,045.78	513,844.66
Special	4,976.08	410.84	5,386.92
Mitchellville:			
Support	86,421.94	94,219.97	180,641.91
Special	11,838.18	7,167.70	19,005.88
Mt. Pleasant:			
Support	325,091.64	352,526.61	677,618.25
Special	35,669.79	957.74	36,627.53
Escaped insane	7.54		7.54
Oakdale:			
Support	235,098.51	265,873.69	500,972.20
Special	31,711.10	19,806.72	51,517.82
Transfer of indigent	17.68	28.59	46.27
Rockwell City:			
Support	55,431.51	61,562.26	116,993.77
Special	4,594.13	983.62	5,577.75
Toledo:			
Support	96,186.76	107,488.12	203,674.88
Special	7,137.57	6,285.17	13,422.74
Woodward:			
Support	255,609.73	313,634.62	569,244.35
Special	35,285.28	7,282.15	42,567.43
Rewards for all institutions		510.00	510.00
Return of insane to institutions		730.01	730.01
Grand total warrants issued for institutions	\$12,807,193.70	\$13,352,609.80	\$26,159,803.50

TABLE NO. 5—TRUST FUND EXPENDITURES

July 1, 1926, to July 1, 1928

	First Year	Second Year	Total
Banking Department:			
Salaries and expense	\$ 120,808.20	\$ 119,774.13	\$ 240,582.33
Board of Accountancy:			
Expense	188.98	218.00	406.98
Board of Engineering Examiners:			
Per diem and expense	1,070.67	1,774.56	2,845.23
Board of Parole:			
Parole relief	228.34	125.00	353.34
Board of Educational Examiners:			
Expense	15,945.75	15,304.35	31,250.10
Board of Court Reporters:			
Traveling expense	54.01	54.28	108.29
Department of Health Plumbing:			
Traveling expense	14.20	.....	14.20
Board of Architects:			
Expense .....	.....	750.27	750.27
Federal Aid Engineering:			
Engineering work	382,881.55	52,570.91	435,452.46
Fish and Game:			
Salaries and expense	289,616.12	179,966.24	469,582.36
Highway Commission:			
Salaries and expense	838,091.27	281,480.59	1,119,571.86
Motor Carrier:			
Administration	10,547.66	3,415.23	13,962.89
Motor Carrier:			
Allotment	47,674.45	51,169.10	98,843.55
Motor Vehicle:			
Salaries and expense	162,042.95	200,219.03	362,261.98
Primary Road:			
Expense	13,165,797.31	18,106,378.14	31,272,175.45
Grand total trust warrants	\$15,034,961.46	\$19,013,199.83	\$34,048,161.29

TABLE NO. 6—CAPITOL GROUNDS EXTENSION FUND

First Year:		
Unexpended balance June 30, 1926	\$	31,788.47
Receipts of tax from miscellaneous sources		5,344.17
	\$	37,132.64
Disbursements from miscellaneous sources	\$	11,338.75
Unexpended balance June 30, 1927		25,793.89
	\$	37,132.64
Second Year:		
Unexpended balance July 1, 1927	\$	25,793.89
Receipts of tax collected by county treasurers		12.64
Receipts of tax collected from miscellaneous sources		789.00
	\$	26,595.53
Disbursements from miscellaneous sources	\$	11,886.14
Unexpended balance June 30, 1928		14,709.39
	\$	26,595.53
Warrant Account—First Year:		
Outstanding warrants July 1, 1926	\$	742.75
Warrants issued		10,780.75
	\$	11,523.50
Warrants redeemed by state treasurer	\$	11,338.75
Unredeemed warrants June 30, 1927		184.75
	\$	11,523.50
Second Year:		
Outstanding warrants July 1, 1927	\$	184.75
Warrants issued		11,769.89
	\$	11,954.64
Warrants redeemed	\$	11,886.14
Warrants outstanding June 30, 1928		68.50
	\$	11,954.64

TABLE NO. 7—SOLDIERS' BONUS FUND

First Year, July 1, 1926, to June 30, 1927

PART 1

Balance in state treasury July 1, 1926.....	\$ 108,319.49
Taxes collected from county treasurers.....	1,900,286.66
	\$ 2,008,606.15
Disbursements for payment of bonds.....	\$ 1,100,000.00
Disbursements for payment of interest.....	796,707.21
Balance cash in state treasury June 30, 1927.....	111,898.94
	\$ 2,008,606.15
Taxes collectable in hands of county treasurers June 30, 1927.....	\$ 681,786.93

PART 2

Balance unexpended July 1, 1926.....	\$ 1,858,270.00
Receipts from refunds.....	147.25
	\$ 1,858,417.25
Bonds purchased.....	\$ 611,000.00
Premiums on bonds.....	41,730.36
Accrued interest.....	701.15
Warrants cashed in payment of salaries and expense.....	31,195.98
Balance unexpended June 30, 1927.....	1,173,789.76
	\$ 1,858,417.25

PART 3
WARRANT ACCOUNT

Warrants outstanding July 1, 1926.....	\$ 5,708.65
Warrants issued.....	27,188.13
Warrants refunded for forgery, etc.....	5,075.00
	\$ 37,971.78
Warrants redeemed.....	31,195.98
Warrants cancelled.....	170.50
Warrants outstanding June 30, 1927.....	6,605.30
	\$ 37,971.78

Second Year, July 1, 1927, to June 30, 1928

PART 1

Balance in state treasury July 1, 1927.....	\$ 111,898.94
Taxes collected from the county treasurers.....	2,033,615.55
	\$ 2,145,514.49
Disbursements for payment of bonds.....	\$ 1,103,000.00
Disbursements for payment of interest.....	756,486.33
Balance of cash in state treasury June 30, 1928.....	286,028.11
	\$ 2,145,514.49
Taxes collectable in hands of county treasurers June 30, 1928.....	\$ 553,412.93

PART 2

Balance unexpended July 1, 1927.....	\$ 1,173,789.76
Refunds.....	41.25
	\$ 1,173,831.01
Bonds purchased.....	\$ 1,089,000.00
Premiums on bonds.....	70,972.26
Accrued interest.....	4,494.43
Warrants redeemed.....	5,500.85
Balance unexpended June 30, 1928.....	3,863.47
	\$ 1,173,831.01

PART 3
WARRANT ACCOUNT

Warrants outstanding July 1, 1927.....	\$ 6,605.30
Warrants issued.....	9,431.95
	\$ 16,037.25
Warrants redeemed, soldiers' bonus fund.....	\$ 5,500.85
Warrants redeemed out of soldiers' disability fund.....	5,589.60
Warrants outstanding in soldiers' bonus fund.....	4,711.80
Warrants outstanding in soldiers' disability fund.....	235.00
	\$ 16,037.25

Additional Bonus and Disability Fund

January 1, 1928, fund.....	\$ 24,642.50
June 5, 1928, receipts.....	37,948.75
	\$ 62,591.25
Warrants drawn against the fund.....	\$ 5,589.60
Balance unexpended June 30, 1928.....	57,001.65
	\$ 62,591.25

TABLE NO. 8—GASOLINE FUND

First Year:	
Balance July 1, 1926.....	\$ 30,552.70
Receipts of gasoline tax collected.....	5,590,691.64
	<u>\$ 5,621,244.34</u>
Disbursements to county and primary roads.....	\$ 5,358,000.00
Administration expenses	207,837.47
Balance on hand June 30, 1927.....	56,606.87
	<u>\$ 5,621,244.34</u>

WARRANT ACCOUNT

Warrants outstanding July 1, 1926.....	\$ 4,929.86
Warrants issued	224,553.46
	<u>\$ 229,483.32</u>
Warrants redeemed	\$ 207,638.27
Warrants cancelled	2,941.84
Warrants outstanding June 30, 1927.....	18,903.21
	<u>\$ 229,483.32</u>
Second Year:	
Balance on hand July 1, 1927.....	\$ 56,606.87
Receipts of gasoline tax collected.....	8,681,893.27
	<u>\$ 8,737,500.14</u>
Disbursements to county and primary roads.....	\$ 8,143,818.26
Administration expenses	521,199.96
Balance on hand June 30, 1928.....	72,481.92
	<u>\$ 8,737,500.14</u>

WARRANT ACCOUNT

Warrants outstanding July 1, 1927.....	\$ 18,903.21
Warrants issued	534,483.18
	<u>\$ 553,386.39</u>
Warrants redeemed	\$ 521,222.48
Warrants cancelled	7,079.72
Warrants outstanding June 30, 1928.....	25,084.19
	<u>\$ 553,386.39</u>

STATE SINKING FUND FOR PUBLIC DEPOSITS

First Year:	
Balance unexpended July 1, 1926.....	\$ 56,129.94
Received from county treasurers.....	5,967,147.08
	<u>\$ 6,023,277.02</u>
Disbursements	\$ 5,757,483.19
Balance on hand June 30, 1927.....	265,793.83
	<u>\$ 6,023,277.02</u>

WARRANT ACCOUNT

Outstanding warrants July 1, 1926.....	\$ 5,010.25
Warrants issued	5,826,276.71
	<u>\$ 5,831,286.96</u>
Warrants redeemed	\$ 5,732,931.31
Warrants outstanding June 30, 1927.....	98,355.65
	<u>\$ 5,831,286.96</u>
Second Year:	
Balance unexpended July 1, 1927.....	\$ 265,793.83
Received from county treasurers.....	3,600,024.26
	<u>\$ 3,865,818.09</u>
Disbursements	\$ 3,359,224.75
Balance on hand June 30, 1928.....	506,593.34
	<u>\$ 3,865,818.09</u>

TABLE NO. 9—GENERAL REVENUE WARRANT ACCOUNT

	Issued by State Auditor	Redeemed by State Treasurer	Outstanding at end of fiscal year
Outstanding July 1, 1926, as shown by last report			\$ 769,853.52
1926 July	\$ 1,301,892.19	\$ 1,566,099.88	
August	1,267,651.37	1,398,092.14	
September	1,132,477.89	1,079,369.95	
October	1,758,138.06	1,706,873.68	
November	1,269,360.36	1,385,320.69	
December	1,832,277.79	1,664,250.05	
1927 January	1,220,786.57	1,219,929.41	
February	1,227,614.22	1,228,457.66	
March	1,351,396.39	1,331,203.11	
April	1,237,546.18	1,246,216.05	
May	1,281,390.38	1,336,795.34	
June	1,881,001.13	1,764,959.77	
	\$16,761,532.43	\$16,927,567.73	
Warrants cancelled during year	8,611.69		
	\$16,752,920.74		
Outstanding July 1, 1926	769,853.52		
	\$17,522,774.26		
Warrants outstanding June 30, 1927			\$ 595,206.53
1927 July	\$ 2,192,398.65	\$ 2,199,949.35	
August	1,681,792.62	1,733,301.04	
September	1,383,119.46	1,072,145.62	
October	1,379,172.19	1,362,147.47	
November	1,410,422.93	1,784,628.59	
December	1,438,993.97	1,574,999.42	
1928 January	1,271,926.81	1,264,225.53	
February	1,231,973.51	1,706,229.61	
March	1,320,783.73	1,200,673.28	
April	1,310,132.56	1,058,915.84	
May	1,379,559.21	1,569,277.29	
June	1,369,964.67	1,079,928.07	
	\$17,370,240.31	\$17,467,804.82	
Warrants cancelled during year	271.06		
	\$17,369,969.25		
Outstanding warrants July 1, 1927	595,206.53		
	\$17,965,175.78		
Warrants outstanding June 30, 1928			\$ 497,370.96

TABLE NO. 10—TRUST FUND WARRANT ACCOUNT

	Issued by State Auditor	Redeemed by State Treasurer	Outstanding at end of fiscal year
Outstanding warrants July 1, 1926, as shown by last report.....			\$ 461,950.31
1926 July	\$ 1,129,908.19	\$ 1,317,569.56	
August	1,156,991.12	1,015,513.12	
September	1,146,886.02	1,091,085.16	
October	1,158,168.05	1,316,577.04	
November	1,250,429.36	999,506.21	
December	1,775,976.07	2,059,274.17	
1927 January	834,421.62	882,711.13	
February	1,753,440.46	1,615,425.88	
March	714,064.59	645,641.37	
April	1,545,182.66	1,693,117.23	
May	928,475.78	895,748.13	
June	1,643,872.52	1,114,333.56	
Warrants cancelled during year.....	\$15,037,816.44 3,234.23	\$14,646,502.56	
Outstanding warrants July 1, 1926.....	\$15,034,582.21 461,950.31		
Warrants outstanding June 30, 1927.....	\$15,496,532.52		850,029.96
1927 July	\$ 1,540,540.90	\$ 1,390,794.19	
August	1,669,847.24	2,131,901.55	
September	1,690,149.34	1,873,743.58	
October	1,660,591.19	1,768,019.85	
November	2,070,111.48	1,526,069.85	
December	1,653,715.67	2,140,124.88	
1928 January	1,780,956.77	1,492,728.91	
February	1,039,233.61	1,259,113.45	
March	763,309.81	858,481.85	
April	2,262,411.44	2,156,379.97	
May	1,241,428.58	1,442,964.51	
June	1,643,292.82	1,521,107.62	
Warrants cancelled during year.....	\$19,015,584.05 2,384.22	\$19,561,430.21	
Outstanding warrants July 1, 1927.....	\$19,013,199.83 850,029.96		
Outstanding warrants June 30, 1928.....	\$19,863,229.79		\$ 301,799.58



LAW.S
OF THE
Forty-Third General Assembly
OF THE
STATE OF IOWA

PASSED AT THE REGULAR SESSION THEREOF, AT DES MOINES, THE CAPITAL
OF THE STATE, BEGUN ON THE FOURTEENTH DAY OF JANUARY, AND
ENDED ON THE TWELFTH DAY OF APRIL, A. D. 1929, IN
THE EIGHTY-THIRD YEAR OF THE STATE.

GENERAL LAWS

CHAPTER 1

GENERAL ASSEMBLY. EXPENSES OF MEMBERS

AN ACT to amend the law as it appears in section fourteen (14) of the code, 1927, so
as to provide for the payment of the expenses of members of the general assembly.

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

1 SECTION 1. Each member of the general assembly and the lieutenant
2 ant governor shall be paid his actual necessary expenses incurred
3 while in attendance at a session of the legislature, which shall in no
4 case exceed five hundred dollars (\$500.00) for any regular session.
5 Sworn itemized claims therefor shall be filed with the state board of
6 audit and the provisions of chapter twenty-five (25) of the code shall
7 be applicable thereto. The members of the forty-third general assembly,
8 including the lieutenant governor, shall be entitled to the benefits
9 thereof.

1 SEC. 2. This act being deemed of immediate importance shall be in
2 full force and effect from and after its passage and publication in the
3 Jackson Sentinel, a newspaper published at Maquoketa, Iowa, and
4 the Telegraph Herald and Times Journal, a newspaper published at
5 Dubuque, Iowa.

House File No. 248. Approved April 3, A. D. 1929.

I hereby certify that the foregoing act was published in the Jackson Sentinel
(Maquoketa) April 5, 1929, and the Dubuque Telegraph-Herald and Times-Journal
April 4, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 2

SALARIES OF STATE OFFICERS

AN ACT to amend the law as it appears in chapters eight (8), ten (10), eleven (11), and twelve (12) of title II, code of Iowa, 1927, and chapter one hundred twenty-five (125) of title IX, code of Iowa, 1927, and section twenty-eight hundred eighty-two (2882) of the code, 1927, relating to the duties and compensation of certain public officers.

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

1 SECTION 1. That the law as it appears in chapter eight (8) of title
2 II, code of Iowa, 1927, be and the same is hereby amended by adding
3 to said chapter eight (8) of title II, the following:

4 "The salary of the secretary of state shall be five thousand dollars
5 (\$5,000.00) per annum."

1 SEC. 2. That the law as it appears in chapter ten (10) of title II,
2 code of Iowa, 1927, be and the same is hereby amended by adding to
3 said chapter ten (10) of title II, the following:

4 "The salary of the auditor of state shall be five thousand dollars
5 (\$5,000.00) per annum."

1 SEC. 3. That the law as it appears in chapter eleven (11), of title
2 II, code of Iowa, 1927, be and the same is hereby amended by adding
3 to said chapter eleven (11), of title II, the following:

4 "The salary of the treasurer of state shall be five thousand dollars
5 (\$5,000.00) per annum."

1 SEC. 4. That the law as it appears in chapter twelve (12) of title
2 II, code of Iowa, 1927, be and the same is hereby amended by adding
3 to said chapter twelve (12), of title II, the following:

4 "The salary of the attorney general shall be six thousand dollars
5 (\$6,000.00) per annum, and the salaries of the first assistant attorney
6 general and other assistant attorneys general shall be such as may be
7 fixed by law."

1 SEC. 5. That the law as it appears in chapter one hundred twenty-
2 five (125) of title IX, code of Iowa, 1927, be and the same is hereby
3 amended by adding to said chapter one hundred twenty-five (125)
4 of title IX, the following:

5 "The salary of the secretary of agriculture shall be five thousand
6 dollars (\$5,000.00) per annum."

1 SEC. 6. Section twenty-eight hundred eighty-two (2882), code,
2 1927, is amended by striking out the word "four" (4) in line four (4)
3 thereof and inserting in lieu thereof the word "five" (5).

Senate File No. 456. Approved May 11, A. D. 1929.

CHAPTER 3

FREE DISTRIBUTION OF LAWS

AN ACT to amend section two hundred thirty-five (235), code, 1927, relating to distribution of codes and session laws.

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

- 1 SECTION 1. Section two hundred thirty-five (235), code, 1927, is
- 2 amended by adding thereto the following:
- 3 "To library of congress.....two (2) copies."

Senate File No. 254. Approved April 16, A. D. 1929.

CHAPTER 4

FREE DISTRIBUTION OF LAWS

AN ACT to amend section two hundred thirty-seven (237), code, 1927, relating to the gratuitous distribution of laws.

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

- 1 SECTION 1. Section two hundred thirty-seven (237), code, 1927,
- 2 is amended by inserting immediately preceding the word "and" in line
- 3 five (5), the following, to wit:
- 4 "Code, 1924".

House File No. 434. Approved March 22, A. D. 1929.

CHAPTER 5

COOPERATIVE ASSOCIATIONS

AN ACT entitled: "An act to repeal the law as it appears in section eight thousand four hundred sixty-one (8461) of the code, 1927, relating to the filing of articles of incorporation of cooperative associations and to the issuance of certificates of incorporation to such associations, and to enact a substitute therefor; and providing that no notice of such incorporation shall be required."

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

- 1 SECTION 1. Section eighty-four hundred sixty-one (8461) code,
- 2 1927, is hereby repealed and the following is enacted in lieu thereof:
- 3 "The original articles of incorporation of associations organized under
- 4 this chapter shall be filed with the secretary of state, and be by him
- 5 recorded in a book kept for that purpose; and if such articles comply
- 6 with the provisions of sections eighty-four hundred fifty-nine (8459)
- 7 and eighty-four hundred sixty (8460), code, 1927, he shall issue a
- 8 certificate of incorporation to the association. The secretary of state
- 9 shall then forward said articles of incorporation to the recorder of
- 10 deeds of the county where the principal place of business is to be
- 11 located, and the same shall be there recorded by such recorder who
- 12 shall indorse thereon the book and page where the record will be

13 found and the date of the record. No publication of notice of the
14 incorporation of such an association shall be required."

1 SEC. 2. **Publication.** This act being deemed of immediate impor-
2 tance shall take effect and be in full force from and after its publica-
3 tion in the Laurens Sun, a newspaper published at Laurens, Iowa, and
4 Winnebago Republican, a newspaper published in Forest City, Iowa.

Senate File No. 47. Approved March 9, A. D. 1929.

I hereby certify that the foregoing act was published in the Laurens Sun March 14,
1929, and the Winnebago Republican March 21, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 6

CORPORATION STOCK WITHOUT PAR VALUE

AN ACT to provide for and regulate the issue of shares of stock of corporations without nominal or par value.

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

1 SECTION 1. Any corporation, heretofore or hereafter organized for
2 pecuniary profit under the laws of this state, except banks, savings
3 banks, trust companies, building and loan associations and insurance
4 companies, may create one or more classes of stock without any
5 nominal or par value, with such rights, preferences, privileges, voting
6 powers, limitations, restrictions and qualifications thereon not incon-
7 sistent with law as shall be expressed in its articles of incorporation,
8 or any amendment thereto. Stock without par value which is pre-
9 ferred as to dividends, or as to its distributive share of the assets of
10 the corporation upon dissolution, may be made subject to redemption
11 at such times and prices as may be determined in such articles of
12 incorporation, or any amendment thereto. In the case of stock with-
13 out par value which is preferred as to its distributive share of the
14 assets of the corporation upon dissolution, the amount of such prefer-
15 ence shall be stated in the articles of incorporation, or any amend-
16 ment thereto.

1 SEC. 2. In any case in which the par value of the shares of stock
2 of a corporation shall be required to be stated in the articles of incor-
3 poration, or any amendment thereto, or in any other place, it shall
4 be stated in respect to shares without par value that such shares are
5 without par value, and when the amount of such stock authorized,
6 issued or outstanding shall be required to be stated, the number of
7 shares thereof authorized, issued or outstanding, as the case may
8 be, shall be stated, and it shall also be stated that such shares are
9 without par value.

1 SEC. 3. For the purpose of any rule of law or of any statutory
2 provision relating to the amount of capital stock issued and repre-
3 sented by shares of stock without par value except as otherwise pro-
4 vided in this act, such amounts shall be taken to be the amount of
5 money or the actual value of the consideration, as fixed by the direc-

6 tors or otherwise, in accordance with law, as the case may be, for
7 which such shares of stock shall have been issued. In any such case
8 in which stock having a par value shall have been issued with stock
9 without par value for a specified combined consideration, in determin-
10 ing the amount of the capital stock issued and represented by shares
11 of stock without par value the then book value of such stock having
12 a par value shall first be deducted from the amount of the money or
13 actual value of the consideration determined as aforesaid, and the
14 excess thereof, if any, shall be taken to be the amount of capital
15 stock represented by the shares of stock without par value so issued.

1 SEC. 4. Subject to any limitations and restrictions set forth in the
2 articles of incorporation, or amendment thereto, any such corpora-
3 tion may issue its authorized capital stock without par value for such
4 consideration as may be prescribed in the articles of incorporation,
5 or amendment thereto, or, if not prescribed, then for such considera-
6 tion as may be fixed by resolution passed by the stockholders of such
7 corporation at any annual meeting thereof, or at any special meeting
8 thereof duly called for that purpose, or by the board of directors act-
9 ing under authority of such stockholders given in like manner. In
10 the absence of fraud in the transaction, the judgment of the board
11 of directors in fixing and determining such sale value as shall be con-
12 clusive as to the creditors and stockholders. Nothing in this act shall
13 be so construed as to repeal the law as it now appears in sections
14 eighty-four hundred thirteen (8413), eighty-four fourteen (8414),
15 and eighty-four fifteen (8415), code of Iowa, 1927.

1 SEC. 5. Any and all shares without par value issued for the con-
2 sideration as prescribed or fixed in the preceding paragraph of this
3 act shall be deemed fully paid and nonassessable and the holder of
4 such shares shall not be liable to the corporation or to its creditors
5 in respect thereto.

1 SEC. 6. Except as to any preferences, rights, limitations, privileges
2 and restrictions, lawfully granted or imposed with respect to any
3 stock or class thereof, shares of stock without nominal or par value
4 shall be deemed to be an aliquot part of the aggregate capital of the
5 corporation issuing the same and equal to every other share of stock
6 of the same class.

1 SEC. 7. Each stock certificate issued for shares without nominal or
2 par value shall have plainly written or printed upon its face the num-
3 ber of shares which it represents, and the number of such shares the
4 corporation is authorized to issue, and no such certificate shall state
5 any nominal or par value of such shares or express any rate of divi-
6 dend to which it shall be entitled in terms of percentage of any par
7 or other value.

1 SEC. 8. The number of authorized shares of stock without par
2 value may be increased or reduced in the manner and subject to the
3 conditions provided by law for the increase or reduction of the capital
4 stock of a similar corporation having shares with par value. All
5 other statutory provisions relating to stock having a par value shall
6 also apply to stock without par value, so far as the same may be

7 legally, necessarily or practically applicable to, and not inconsistent
8 with, the provisions of this act.

1 SEC. 9. Any such corporation may, by appropriate amendments to
2 its articles of incorporation, adopted by a two-third affirmative vote
3 of each class of stock then issued and outstanding and affected by
4 such amendment, change its stock (common or preferred) having a
5 par value to an equal, greater or less number of shares of stock hav-
6 ing no par value, and, in connection therewith, may fix the amount of
7 capital represented by such shares of stock without par value.

1 SEC. 10. The articles of incorporation, or any amendment thereto,
2 of any such corporation may provide that shares of stock of any class
3 shall be convertible into shares of stock of any other class upon such
4 terms and conditions as may be therein stated.

1 SEC. 11. For the purpose of computing the statutory fee for in-
2 corporating or for any other statutory provision based on the par
3 value of shares of stock, but for no other purpose, each share of stock
4 without par value shall be considered equivalent to a share having a
5 nominal or par value of one hundred dollars (\$100.00).

1 SEC. 12. Except as otherwise provided by this act, such corpora-
2 tions issuing shares without par value, under the provisions hereof,
3 shall be and remain subject to the laws of this state, now or hereafter
4 in force, relating to the formation, regulation, consolidation, or
5 merger, rights, powers and privileges of corporations organized for
6 pecuniary profit, and all other laws applicable thereto.

1 SEC. 13. All acts or parts of acts providing for the incorporation,
2 organization, administration and management of the affairs of cor-
3 porations organized for pecuniary profit and having shares of stock
4 with a par value are hereby made applicable to corporations having
5 shares of stock without par value, except where the same are incon-
6 sistent with the provisions of this act.

Senate File No. 328. Approved April 16, A. D. 1929.

CHAPTER 7

CORPORATIONS

AN ACT to amend, revise, and codify section ten thousand one hundred two (10102),
code, 1927, relating to acknowledgments.

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

1 SECTION 1. Section ten thousand one hundred two (10102), code,
2 1927, is amended, revised, and codified to read as follows:
3 "10102. **Officers of corporation.** If the acknowledgment is made
4 by the officers of a corporation, the certificate shall show that such
5 persons as such officers, naming the office of each person, acknowl-
6 edged the execution of the instrument as provided in section ten
7 thousand one hundred three (10103)."

Senate File No. 252. Approved April 16, A. D. 1929.

CHAPTER 8

LEGALIZATION OF INCORPORATIONS

AN ACT to amend the law as it appears in section ten thousand four hundred eleven (10411) of the code of Iowa, 1927, relating to the legalization of incorporations.

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

1 SECTION 1. That the law as it appears in section ten thousand four
2 hundred eleven (10411) of the code of Iowa, 1927, be and the same is
3 hereby amended by inserting after the word "state" in line two (2)
4 thereof the following:
5 "prior to January 1, 1929".

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect after its publication in Plain Talk, and Altoona
3 Herald, newspapers published in Polk county, Iowa, without expense
4 to the state.

House File No. 404. Approved April 11, A. D. 1929.

I hereby certify that the foregoing act was published in the Des Moines Plain Talk April 18, 1929, and the Altoona Herald April 18, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 9

RENEWALS OF CHARTERS

AN ACT to amend section ten thousand four hundred ten (10410) of the code, 1927, relating to renewals of charters for private corporations.

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

1 SECTION 1. Section ten thousand four hundred ten (10410) of
2 the code, 1927, is amended by striking out of line two (2) the words
3 and figures "taken prior to July 1, 1927" and inserting in lieu thereof
4 "or is taken prior to July 1, 1929".

1 SEC. 2. This act being deemed of immediate importance shall be
2 in force from and after its publication in the Iowa Legionaire, a news-
3 paper published in Des Moines, Iowa, and the Daily Times, a news-
4 paper published in Davenport, Iowa.

House File No. 83. Approved April 13, A. D. 1929.

I hereby certify that the foregoing act was published in the Iowa Legionaire May 3, 1929, and the Davenport Daily Times April 16, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 10

IOWA SECURITIES ACT

AN ACT to protect investors, by regulating sales and purchases and attempted sales and purchases within the state of Iowa, of stocks, bonds, notes, debentures, evidences of indebtedness, investment contracts, interests in or under profit sharing or participating agreements or schemes, and interests in trusts, all hereinafter called securities; by defining words, phrases, and terms used in this account; by fixing the scope of the regulation in this act provided and prescribing the conditions under which securities may be sold, bartered, or exchanged or offered therefor; by providing for enforcement of this act through public agencies and otherwise; and by prescribing and imposing penalties for violation of or non-compliance with this act, and repealing chapter three hundred ninety-three (393) of the code, 1927, relating to investment companies.

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

1 SECTION 1. Title: This act shall be known as the "Iowa Securities
2 Law".

1 SEC. 2. Administration. The administration of the provisions of
2 this act shall be vested in the secretary of state of the state of Iowa.
3 The secretary of state shall appoint a superintendent in charge of
4 the securities department and may appoint one or more assistants.
5 The superintendent appointed under this act shall perform such duties
6 as the secretary of state shall generally or specifically direct. In
7 case of vacancy in the office of secretary of state, by reason of ab-
8 sence, physical disability or other cause, to administer properly the
9 provisions of this act, the superintendent appointed under this chap-
10 ter shall act for and in the stead of the secretary of state, and
11 thereupon the superintendent shall have generally, for the time
12 being, all the power and authority of this act conferred upon the sec-
13 retary of state.

14 The secretary of state shall also employ from time to time, such
15 other officers, attorneys, clerks and employees as are necessary for
16 the administration of this act. They shall perform such duties as
17 the secretary of state shall assign to them. The amount hereafter
18 expended in any one year to carry out the provisions of this chapter,
19 shall not exceed the revenues derived from the provisions of this
20 chapter during such year.

21 The superintendent and each of the employees shall subscribe to
22 the oath of office prescribed by law.

23 The secretary of state, superintendent, or any other person ap-
24 pointed or employed by the secretary of state under the provisions
25 of this act shall be paid, in addition to their salary or compensation
26 when required to travel on official duties, transportation, board,
27 lodging and other traveling expenses necessary and actually incurred
28 by each of them in the performance of the duties required by this act
29 or performed by the direction of the secretary of state.

30 The executive council shall cause the secretary of state to be fur-
31 nished with such quarters, stationery, furniture, office equipment,
32 and other supplies as may be necessary for the efficient execution of
33 the functions vested in him by this chapter.

1 SEC. 3. Definitions. When used in this act the following terms
2 shall, unless the text otherwise indicates, have the following respec-
3 tive meanings:

4 1. "Security" shall include any note, stock, treasury stock, bond,
5 debenture, evidence of indebtedness, certificate of interest in an oil,
6 gas, or mining lease, collateral trust certificate, pre-organization cer-
7 tificate, pre-organization subscription, any transferable share, invest-
8 ment contract, or beneficial interest in title to property, interest in
9 or under a profit-sharing or participating agreement or scheme, or
10 any other instrument commonly known as a security.

11 2. "Person" shall include a natural person, a corporation created
12 under the laws of this or any other state, county, sovereignty, or
13 political subdivision thereof, a partnership, an association, a joint
14 stock company, a trust and any unincorporated organization. As
15 used herein the term "trust" shall be deemed to include a common
16 law trust, but shall not include a trust created or appointed under
17 or by virtue of a last will and testament, or by a court of law or
18 equity, or any public charitable trust.

19 3. "Sale" or "sell" shall include every disposition, or attempt to
20 dispose, of a security or interest in a security for value. Any secur-
21 ity given or delivered with, or as a bonus on account of, any pur-
22 chase of securities or any other thing, shall be conclusively presumed
23 to constitute a part of the subject of such purchase and to have been
24 sold for value. "Sale" or "sell" shall also include an exchange, an
25 attempt to sell, an option of sale, a solicitation of a sale, a subscription
26 or an offer to sell, directly or by an agent, or a circular, letter adver-
27 tisement or otherwise: provided, that a privilege pertaining to a
28 security giving the holder the privilege to convert such security into
29 another security of the same issuer shall not be deemed a sale, or
30 offer to sell, or option of sale of such other security within the mean-
31 ing of this definition and such privilege shall not be construed as
32 affecting the status of the security to which such privilege pertains
33 with respect to exemption or registration under the provisions of
34 this act, but when such privilege of conversion shall be exercised
35 such conversion shall be subject to the limitations hereinafter pro-
36 vided in subsection (h) of section 5; and provided further, that the
37 issue or transfer of a right pertaining to a security and entitling the
38 holder of such right to subscribe to another security of the same
39 issuer, when such right is issued or transferred with the security to
40 which it pertains, shall not be deemed a sale or offer to sell or option
41 of sale of such other security within the meaning of this definition,
42 and such right shall not be construed as affecting the status of the
43 security to which such right pertains with respect to exemption or
44 registration under the provisions of this act; but the sale of such
45 other security upon the exercise of such right shall be subject to the
46 provisions of this act.

47 4. "Dealer" shall include every person other than a salesman who
48 in this state engages either for all or part of his time directly or
49 through an agent in the business of selling any securities issued by
50 another person or purchasing or otherwise acquiring such securities
51 from another for the purpose of reselling them or of offering them
52 for sale to the public, or offering, buying, selling or otherwise dealing
53 or trading in securities as agent or principal for a commission or at
54 a profit, or who deals in futures or differences in market quotations
55 of prices or values of any securities or accepts margins on purchases
56 or sales or pretended purchases or sales of such securities; provided

57 that the word "dealer" shall not include a person having no place of
58 business in this state who sells or offers to sell securities exclusively
59 to brokers or dealers actually engaged in buying and selling securities
60 as a business.

61 5. "Issuer" shall mean and include every person who proposes to
62 issue, has issued, or shall hereafter issue any security. Any natural
63 person who acts as a promoter for and on behalf of a corporation,
64 trust or unincorporated association or partnership of any kind to be
65 formed shall be deemed to be an issuer.

66 6. "Salesman" shall include every natural person, other than a
67 dealer, employed or appointed or authorized by a dealer or issuer, to
68 sell securities in any manner in this state. The partners of a partner-
69 ship and the executive officers of a corporation or other association
70 registered as a dealer shall not be salesmen within the meaning of
71 this definition.

72 7. "Broker" shall mean dealer as herein defined.

73 8. "Agent" shall mean salesman as hereinabove defined.

74 9. "Secretary of state" shall mean the secretary of state of the
75 state of Iowa.

76 10. "Superintendent" shall mean the superintendent in charge of
77 securities department.

78 11. "Mortgage" shall be deemed to include a deed of trust to
79 secure a debt.

1 SEC. 4. **Exempt securities.** Except as hereinafter otherwise pro-
2 vided, the provisions of this act shall not apply to any of the follow-
3 ing classes of securities:

4 a. Any security issued or guaranteed by the United States or any
5 territory or insular possession thereof, or by the District of Colum-
6 bia or by any state or political subdivision or agency thereof.

7 b. Any security issued or guaranteed by any foreign government
8 with which the United States is at the time of the sale or offer of sale
9 thereof maintaining diplomatic relations, or by any state, province
10 or political subdivision thereof having the power of taxation or
11 assessment, which security is recognized at the time it is offered for
12 sale in this state as a valid obligation by such foreign government
13 or by such state, province or political subdivision thereof issuing
14 the same.

15 c. Any security issued by and representing an interest in or a
16 direct obligation of a national bank or by any federal land bank or
17 joint-stock land bank or national farm loan association under the
18 provisions of the Federal Farm Loan Act of July 17, 1916, or by any
19 corporation created and acting as an instrumentality of the govern-
20 ment of the United States pursuant to authority granted by the con-
21 gress of the United States.

22 d. Any security issued or guaranteed either as to principal, in-
23 terest or dividend by a corporation owning or operating a railroad
24 or any other public service utility; provided, that such corporation
25 is subject to regulation or supervision either as to its rates and
26 charges or as to the issue of its own securities by a public commis-
27 sion, board or officer of the government of the United States, or of
28 any state, territory or insular possession thereof, or of any munic-
29 ipality located therein, or of the District of Columbia, or of the

30 Dominion of Canada or any province thereof, and securities of all
31 other corporations operating public utilities in this state; also equip-
32 ment securities based on chattel mortgages, leases or agreements for
33 conditional sale of cars, motive power or other rolling stock mort-
34 gaged, leased or sold to or furnished for the use of or upon a rail-
35 road or other public service utility corporation, or equipment secur-
36 ities where the ownership or title of such equipment is pledged or
37 retained in accordance with the provisions of the laws of the United
38 States or of any state, or of the Dominion of Canada, to secure the
39 payment of such equipment trust certificates, bonds or notes; also
40 bonds, notes or other evidences of indebtedness issued by a holding
41 corporation and secured by collateral consisting of any securities
42 hereinabove in this clause (d) described; provided, that the collat-
43 eral securities equal in fair value at least one hundred twenty-five
44 per centum (125%) of the par value of the bonds, notes or other
45 evidences of indebtedness so secured.

46 e. Any security issued by a corporation organized exclusively for
47 educational, benevolent, fraternal, charitable or reformatory purposes
48 and not for pecuniary profit, and no part of the net earnings of which
49 inures to the benefit of any private stockholder or individual.

50 f. Securities appearing in any list of securities dealt in on the
51 New York, Boston or Chicago stock exchange or on any other recog-
52 nized and responsible stock exchange which has been previously ap-
53 proved by the secretary of state and which securities have been so
54 listed pursuant to official authorization by such exchange, and also
55 all securities senior to or on a parity with any securities so listed,
56 or represented by subscription rights which have been so listed, or
57 evidences of indebtedness guaranteed by companies any stock of
58 which is so listed, such securities to be exempt only so long as such
59 listing shall remain in effect. The secretary of state shall have power
60 at any time to withdraw approval theretofore granted by him to any
61 exchange, and thereupon no security listed on such exchange shall
62 be longer entitled to the benefit of such exemption.

63 g. Any security issued by and representing an interest in or a
64 direct obligation of a state bank, trust company or savings institu-
65 tion incorporated under the laws of and subject to the examination,
66 supervision, and control of any state or territory of the United States
67 or of any insular possession thereof; or issued by any building and
68 loan association of this state or by any insurance company under the
69 insurance department of this state.

70 h. Negotiable promissory notes or commercial paper issued in
71 good faith in the usual course of carrying on and conducting the
72 business of the issuer: provided, that such issue of notes or commer-
73 cial paper mature in not more than twelve months from date of issue
74 and shall be issued within three months after the date of sale.

75 i. Any security other than common stock outstanding and in the
76 hands of the public for a period of not less than five years upon
77 which no default in payment of principal, interest or dividend exists
78 and upon which no such default has occurred for a continuous imme-
79 diately preceding period of five years.

80 j. Securities evidencing indebtedness due under any contract
81 made in pursuance to the provisions of any statute of any state of

82 the United States providing for the acquisition of personal property
83 under conditional sales contracts.

84 k. *Cooperative associations.* Securities of any co-operative asso-
85 ciation organized in good faith under the laws of this state
86 exclusively for the purpose of conducting upon the co-operative plan
87 among its stockholders any or all of the following businesses: Any
88 agricultural, dairy, livestock or produce business; the business of
89 selling, marketing or otherwise handling, any agricultural, dairy or
90 livestock products, or other produce, by any co-operative association;
91 the manufacture of any products from any agricultural, dairy, or
92 livestock products, or other produce; any business incidental to any
93 of the above purposes; the operation of a rural telephone among
94 its stockholders.

1 SEC. 5. *Exempt transactions.* Except as hereinafter expressly
2 provided, the provisions of this act shall not apply to the sale of any
3 security in any of the following transactions:

4 a. At any judicial, executor's, administrator's, guardian's, or con-
5 servator's sale, or at any sale by a receiver or trustee in insolvency
6 or bankruptcy.

7 b. By or for the account of a pledge holder or mortgagee selling
8 or offering for sale or delivery in the ordinary course of business and
9 not for the purpose of avoiding the provisions of this act, to liquidate
10 a bona fide debt, a security pledged in good faith as security for such
11 debt.

12 c. An isolated transaction in which any security is sold, offered
13 for sale, subscription or delivery by the owner thereof, or by his
14 representative for the owner's account, such sale or offer for sale,
15 subscription or delivery not being made in the course of repeated and
16 successive transactions of a like character by such owner, or on his
17 account by such representative, and such owner or representative
18 not being the underwriter of such security.

19 d. The distribution by a corporation actively engaged in the
20 business authorized by its charter of capital stock, bonds or other
21 securities to its stockholders or other security holders as a stock
22 dividend or other distribution out of earnings or surplus; or the
23 issuance of securities to the security holders or other creditors of a
24 corporation in the process of a bona fide reorganization of such cor-
25 poration made in good faith and not for the purpose of avoiding the
26 provisions of this act, either in exchange for the securities of such
27 security holders or claims of such creditors or partly for cash and
28 partly in exchange for the securities or claims of such security hold-
29 ers or creditors; or the issuance of additional capital stock of a cor-
30 poration sold or distributed by it among its own stockholders ex-
31 clusively, where no commission or other remuneration is paid or
32 given directly or indirectly in connection with the sale or distribution
33 of such increased capital stock.

34 e. The sale, transfer or delivery to any bank, savings institution,
35 trust company, insurance company or to any corporation or to any
36 broker or dealer; provided that such broker or dealer is actually en-
37 gaged in buying and selling securities as a business.

38 f. The transfer or exchange by one corporation to another cor-

39 poration of their own securities in connection with a consolidation
40 or merger of such corporations.

41 g. Bonds or notes secured by mortgage upon real estate or
42 tangible personal property where the entire mortgage together with
43 all of the bonds or notes secured thereby are sold to a single pur-
44 chaser at a single sale.

45 h. The issue and delivery of any security in exchange for any
46 other security of the same issuer pursuant to a right of conversion
47 entitling the holder of the security exchanged to make such con-
48 version, provided that the security exchanged has been registered
49 under the law or was when sold, exempt from the provisions of the
50 law and that the security issued and delivered in exchange if sold
51 at the conversion price would at the time of such conversion fall
52 within the class of securities entitled to registration by notification
53 under the law. Upon such conversion the par value of the security
54 surrendered in such exchange shall be deemed the price at which
55 the securities issued and delivered in such exchange are sold.

56 i. Subscriptions for shares of the capital stock of a corporation
57 organized under the laws of this state, when no expense is incurred,
58 or no commission, compensation or remuneration is paid or given for
59 or in connection with the sale or disposition of such securities.

60 j. Bonds or notes secured by mortgage upon real estate or
61 tangible personal property situated within the state of Iowa where
62 the bonds or notes are sold to not more than twenty purchasers and
63 the total face amount of all bonds or notes secured by a single mort-
64 gage does not exceed fifty thousand dollars (\$50,000.00).

1 **SEC. 6. Registration of securities.** No securities except of a class
2 exempt under any of the provisions of section 4 hereof or unless
3 sold in any transaction exempt under any of the provisions of section
4 5 hereof shall be sold within this state unless such securities shall
5 have been registered by notification or by qualification as hereinafter
6 defined. Registration of stock shall be deemed to include the regis-
7 tration of rights to subscribe to such stock if the notice under section
8 7 or the application under section 8 for registration of such stock
9 includes a statement that such rights are to be issued.

10 A record of the registration of securities shall be kept in a reg-
11 ister of securities to be kept in the office of the secretary of state,
12 in which register of securities shall also be recorded any orders en-
13 tered by the secretary of state with respect to such securities. Such
14 register, and all information with respect to the securities registered
15 therein shall be open to public inspection.

1 **SEC. 7. Registration by notification.** The following classes of
2 securities shall be entitled to registration by notification in the man-
3 ner provided in this section:

4 1. Securities issued by a corporation, partnership, association,
5 company, syndicate or trust owning a property, business or industry
6 which has been in continuous operation not less than three years
7 and which has shown during a period of not less than two years or
8 more than ten years next prior to the close of its last fiscal year pre-
9 ceding the offering of such securities, average annual net earnings,
10 after deducting all prior charges not including the charges upon se-
11 curities to be retired out of the proceeds of sale, as follows:

12 a. In the case of interest bearing securities, not less than one
13 and one-half times the annual interest charge thereon and upon all
14 other outstanding interest bearing obligations of equal rank, and
15 assets at least equal to one hundred twenty-five per centum (125%)
16 of the face value of such interest-bearing securities, and all other
17 obligations of equal or prior rank outstanding and not to be retired
18 out of the proceeds of the sale of such securities.

19 b. In the case of preferred stock, not less than one and one-half
20 times the annual dividend requirements on such preferred stock and
21 on all other outstanding stock of equal rank and assets at least equal
22 to one hundred twenty-five per centum (125%) of the par value of
23 the aggregate amount of such preferred stock and all other out-
24 standing preferred stock of equal rank, after the deduction from such
25 assets of all indebtedness, which will be existing, and all stock of
26 senior rank which will be outstanding after the application of the
27 proceeds of the preferred stock offered for sale.

28 c. In the case of common stock not less than five per centum
29 (5%) upon all outstanding common stock of equal rank, together
30 with the amount of common stock then offered for sale reckoned upon
31 the price at which such stock is then offered for sale or sold.

32 The ownership by a corporation, partnership, association, company,
33 syndicate or trust of more than fifty per cent (50%) of the outstand-
34 ing voting stock of a corporation shall be construed as the propor-
35 tionate ownership of the property, business or industry of such cor-
36 poration, and shall permit the inclusion of the earnings of such cor-
37 poration applicable to the payment of dividends upon the stock so
38 owned in the earnings of the corporation, partnership, association,
39 company, syndicate, or trust issuing the securities sought to be
40 registered by notification.

41 2. Bonds or notes secured by first mortgage upon real estate
42 leased to a corporation for a term of years at a net rental sufficient
43 to pay the interest and to retire the principal of all bonds or notes
44 secured by said mortgage during the term of the lease where the
45 lease is irrevocable and is pledged under the mortgage securing said
46 bonds or notes, provided any class of stock of the lessee is exempt
47 under any of the provisions of section 4 except clause (e) and
48 clause (i) thereof or will fall within subdivision one (1) of this sec-
49 tion 7.

50 3. Bonds or notes secured by first mortgage on real estate in any
51 state or territory of the United States or in the District of Columbia
52 or in the Dominion of Canada where such real estate consists of agri-
53 cultural lands used and valuable for agricultural purposes (not in-
54 cluding oil, gas or mining property) and where the aggregate face
55 value of the bonds or notes, not including interest notes or coupons,
56 secured on such property does not exceed seventy per centum (70%)
57 of the then fair market value of said lands, including any improve-
58 ments appurtenant thereto.

59 4. Bonds or notes secured by first mortgage on real estate in any
60 state or territory of the United States or in the District of Columbia
61 or in the Dominion of Canada where such real estate consists of im-
62 proved city, town or village property and where the aggregate face
63 value of such bonds or notes, not including interest notes or coupons,
64 secured on such property does not exceed seventy per centum (70%)

65 of the then fair market value of such property, including any im-
66 provement appurtenant thereto, and when said property is used prin-
67 cipally to produce through rental a net annual income, after deduct-
68 ing operating expenses and taxes, or has a fair rental value after de-
69 ducting operating expenses and taxes, at least equal to the annual
70 interest plus not less than three per centum (3%) of the principal
71 of said mortgage indebtedness.

72 5. Bonds or notes secured by a mortgage consisting of a first lien
73 on a leasehold of real estate in any state or territory of the United
74 States or in the District of Columbia where such real estate consists
75 of improved city, town or village property and where the aggregate
76 face value of such bonds or notes, not including interest notes or
77 coupons, secured by such first mortgage does not exceed seventy per
78 centum (70%) of the then fair market value of said leasehold, in-
79 cluding any improvements appurtenant thereto, and when said prop-
80 erty is used principally to produce through rental a net income after
81 deducting operating expenses and taxes or has a fair rental value
82 after deducting operating expenses and taxes at least equal to the
83 annual interest plus not less than three per centum (3%) of the prin-
84 cipal of said mortgage indebtedness; provided, all advertisements,
85 circulars and letters advertising the sale of said bonds or notes, and
86 all receipts of payments therefor, and said bonds and notes shall bear
87 in bold type not less than eighteen (18) point upon the face thereof
88 a legend stating that said bonds or notes are secured by mortgage on
89 a leasehold, and all other written or printed offerings shall contain
90 a statement to the same effect.

91 6. Bonds or notes secured by a first mortgage upon real estate
92 in any state or territory of the United States or in the District of
93 Columbia where the mortgage is a first mortgage upon city, town or
94 village real estate, or leaseholds upon which a building or buildings
95 is or are about in good faith forthwith to be erected according to the
96 expressed terms of the mortgage and where reasonably adequate provi-
97 sion has been made for financing the full completion of said building
98 clear of any lien superior to said mortgage and where the aggregate
99 face value of the bonds or notes, not including interest notes or
100 coupons, secured by such first mortgage does not exceed seventy per
101 centum (70%) of the fair market value of such mortgaged property,
102 including the building or buildings to be erected thereon as aforesaid,
103 and where said mortgaged property is to be used principally to pro-
104 duce through rental a net annual income, after deducting operating
105 expenses and taxes, or will have a fair rental value, after deducting
106 operating expenses and taxes, at least equal to the annual interest
107 plus not less than three per centum (3%) of the principal of said
108 mortgage indebtedness: provided, that all advertisements, circulars
109 and letters advertising the sale of said bonds or notes and all receipts
110 of payments therefor shall bear in bold type upon the face thereof a
111 legend stating that said bonds or notes are construction bonds or
112 notes, and all other written or printed offerings of said bonds or
113 notes shall bear a statement to the like effect: and provided, further,
114 that where said bonds or notes are secured wholly or partly by first
115 mortgage on leaseholds, the value of such leaseholds is required to
116 meet the ratio of property value to face value obligations above in
117 this subsection provided, and all advertisements, circulars and letters

118 advertising the sale of said bonds or notes, and all receipts of pay-
119 ments therefor, and said bonds and notes, shall bear in bold type not
120 less than eighteen (18) point upon the face thereof a legend stating
121 that said bonds or notes are secured wholly or partly by mortgage on
122 a leasehold as the case may be, and all other written or printed offer-
123 ings of said bonds or notes shall contain a statement to the same
124 effect.

125 7. Bonds or notes secured by first lien on collateral pledged as
126 security for such bonds or notes with a bank or trust company as
127 trustee, which bank or trust company is incorporated under the laws
128 of and subject to examination and supervision by the United States
129 or by a state of the United States, which collateral shall consist of
130 (a) a principal amount of first mortgage bonds or notes conforming
131 to the requirements of any one or more of subsection two (2), three
132 (3), four (4), five (5) and six (6) of this section 7 and/or (b) a
133 principal amount of obligations secured as hereinafter in this sub-
134 section provided, and/or (c) a principal amount of obligations of
135 the United States, and/or (d) cash, equal to not less than one hun-
136 dred per cent (100%) of the aggregate principal amount of all bonds
137 or notes secured thereby. The portion of such collateral referred
138 to in clause (b) shall consist of obligations secured by a first lien
139 on a principal amount of first mortgage bonds or notes conforming
140 to the requirements of any one or more of subsections two (2),
141 three (3), four (4), five (5) and six (6) of this section 7, and/or
142 a principal amount of obligations of the United States and/or cash
143 equal to not less than one hundred per cent (100%) of the aggregate
144 principal amount of such obligations so secured thereby, and all
145 such pledged securities including cash so securing such obligations
146 shall have been deposited with a bank or trust company as trustee,
147 which bank or trust company is incorporated under the laws of and
148 subject to examination and supervision by the United States or by
149 a state of the United States.

150 Securities entitled to registration by notification shall be regis-
151 tered by the filing by the issuer or by any registered dealer interested
152 in the sale thereof in the office of the secretary of state of a state-
153 ment with respect to such securities containing the following:

154 a. Name of issuer, location, and, if incorporated, place of incor-
155 poration.

156 b. A brief description of the security including amount of the
157 issue.

158 c. Amount of securities to be offered in the state.

159 d. A brief statement of the facts which show that the security
160 falls within one of the classes in this section defined.

161 e. The price at which the securities are to be offered for sale.

162 In the case of securities falling within the class defined by sub-
163 sections one (1) or two (2), if the circular to be used for the public
164 offering is not filed with the statement, then a copy of such circular
165 shall be filed in the office of the secretary of state within two days
166 thereafter or within such further time as the secretary of state shall
167 allow.

168 In the case of securities falling within the classes defined by sub-
169 sections three (3), four (4), five (5), six (6) and seven (7), the

170 circular to be used for the public offering shall be filed with the
171 statement.

172 The secretary of state shall, for a period of twenty-four (24) hours
173 exclusive of Sundays, and legal holidays, only from and after the
174 receipt of any such notification accompanied by proper fee as in this
175 section provided, have the same powers on such notifications as it
176 has on applications for registration by qualification and the same
177 powers to deny the registration or to register the securities. Failure
178 of the secretary of state to take any formal action on a notification
179 within said period of twenty-four (24) hours exclusive of Sundays
180 and legal holidays shall constitute a registration, subject to the
181 terms of the notification, for those in whose behalf the notification
182 was given.

183 If, at any time in the opinion of the secretary of state, the informa-
184 tion contained in the statement or circular filed is misleading, in-
185 correct, inadequate or incomplete, or the sale or offering for sale of
186 the security may work or tend to work a fraud, the secretary of
187 state may require from the person filing such statement such further
188 information as may in his judgment be necessary to establish the
189 classification of such security as claimed in said statement or to
190 enable the secretary of state to ascertain whether the sale of such
191 security would be fraudulent, or would result in fraud, and the
192 secretary of state may also suspend the right to sell such security
193 pending further investigation by entering an order specifying the
194 grounds for such action, and by notifying personally by mail, tele-
195 phone or telegraph the person filing such statement and every regis-
196 tered dealer who shall have notified the secretary of state of an
197 intention to sell such security. The refusal to furnish information
198 required by the secretary of state within a reasonable time to be
199 fixed by the secretary of state may be a proper ground for the entry
200 of such order of suspension. Upon the entry of any such order of
201 suspension no further sales of such security shall be made until the
202 further order of the secretary of state.

203 In the event of the entry of such order of suspension the secretary
204 of state shall upon request give a prompt hearing to the parties
205 interested. If no hearing is requested within a period of twenty
206 (20) days from the entry of such order, or if upon such hearing the
207 secretary of state shall determine that any such security does not
208 fall within a class entitled to registration under this section, or that
209 the sale thereof would be fraudulent or would result in fraud, he
210 shall enter a final order prohibiting sales of such security, with his
211 findings with respect thereto, provided that if the finding with
212 respect to such security is that it is not entitled to registration
213 under this section, the applicant may apply for registration by qual-
214 ification by complying with the requirements of section eight (8).
215 Appeals from such final order may be taken as hereinafter provided.
216 If, however, upon such hearing, the secretary of state shall find that
217 the security is entitled to registration under this section, and that
218 its sale will neither be fraudulent nor result in fraud, he shall forth-
219 with enter an order revoking such order of suspension and such
220 security shall be restored to its status as a security registered
221 under this section, as of the date of such order of suspension.

222 At the time of filing the statement, as hereinbefore prescribed in

223 this section, the applicant shall pay to the secretary of state one-
224 twentieth (1/20) of one per cent (1%) of the aggregate par value
225 of the securities to be sold in this state for which the applicant is
226 seeking registration, but in no case shall such fee be less than ten
227 dollars (\$10.00) or more than one hundred dollars (\$100.00). In
228 the case of stock having no par value, the price at which such stock
229 is to be offered to the public, shall be deemed to be the par value
230 of such stock.

1 **SEC. 8. Registration by qualification.** All securities required by
2 this act to be registered before being sold in this state, and not
3 entitled to registration by notification shall be registered only by
4 qualification in the manner provided by this section.

5 The secretary of state shall receive and act upon applications to
6 have securities registered by qualification, and may prescribe forms
7 on which he may require such applications to be submitted. Appli-
8 cations shall be in writing and shall be duly signed by the applicant
9 and sworn to by any person having knowledge of the facts, and filed
10 in the office of the secretary of state and may be made either by the
11 issuer of the securities for which registration is applied or by any
12 registered dealer desiring to sell the same within this state.

13 The secretary of state may require the applicant to submit to him
14 the following information respecting the issuer and such other in-
15 formation as he may in his judgment deem necessary to enable him
16 to ascertain whether such securities shall be registered pursuant
17 to the provisions of this section:

18 a. The names and addresses of the directors, trustees and officers,
19 if the issuer be a corporation or association or trust organized or
20 existing under the common law (as hereinbefore defined), of all
21 partners, if the issuer be a partnership, and of the issuer, if the
22 issuer be an individual.

23 b. The location of the issuer's principal business office and of
24 its principal office in this state, if any.

25 c. The purposes of incorporation (if incorporated) and the gen-
26 eral character of the business actually to be transacted by the issuer,
27 and the purpose of the proposed issue.

28 d. A statement of the capitalization of the issuer; a balance
29 sheet showing the amount and general character of its assets and
30 liabilities on a day not more than sixty (60) days prior to the date
31 of filing such balance sheet; a detailed statement of the plan upon
32 which the issuer proposes to transact business; a copy of the security
33 for the registration of which application is made; and a copy of all
34 circulars, prospectuses, advertisements or other descriptions of such
35 securities then prepared by or for such issuer and/or by or for such
36 applicant (if the applicant shall not be the issuer) to be used for
37 distribution or publication in this state.

38 e. A statement of the amount of the issuer's income, expenses,
39 and fixed charges during the last fiscal year, or if in actual business
40 less than one year, then for such time as the issuer has been in
41 actual business.

42 f. A statement showing the price at which such security is pro-
43 posed to be sold, together with the maximum amount of commission
44 or other form of remuneration to be paid in cash or otherwise,

45 directly or indirectly, for or in connection with the sale or offering
46 for sale of such securities.

47 g. A detailed statement showing the items of cash, property,
48 services, patents, good will and any other consideration for which
49 such securities have been or are to be issued in payment.

50 h. The amount of capital stock which is to be set aside and dis-
51 posed of as promotion stock, and a statement of all stock issued from
52 time to time as promotion stock.

53 i. If the issuer is a corporation, there shall be filed with the ap-
54 plication a certified copy of its articles of incorporation with all
55 amendments and of its existing by-laws. If the issuer is a trustee
56 there shall be filed with the application a copy of all instruments by
57 which the trust is created or declared and in which it is accepted and
58 acknowledged. If the issuer is a partnership or an unincorporated
59 association, or joint stock company, or any other form of organiza-
60 tion whatsoever, there shall be filed with the application a copy of
61 its articles of partnership or association and all other papers pertain-
62 ing to its organization.

63 All of the statements, exhibits and documents of every kind re-
64 quired by the secretary of state under this section, except properly
65 certified public documents, shall be verified by the oath of the appli-
66 cant or of the issuer in such manner and form as may be required by
67 the secretary of state.

68 The secretary of state shall have power to place such conditions,
69 limitations and restrictions on any registration as may be necessary
70 to carry out the purposes of this act and the conditions, limitations
71 and restrictions, if any, shall be entered in the register of securities
72 or an entry shall be made in the register of securities referring to a
73 formal order of the secretary of state on file showing such conditions,
74 limitations and restrictions.

75 At the time of filing the information, as hereinbefore prescribed in
76 this section, the applicant shall pay to the secretary of state a fee
77 of one-tenth (1/10) of one per cent (1%) of the aggregate par value
78 of the securities to be sold in this state, for which the applicant is
79 seeking registration, but in no case shall such fee be less than twenty-
80 five dollars (\$25.00) or more than two hundred dollars (\$200.00).
81 In case of stock having no par value the price at which such stock is
82 to be offered to the public shall be deemed to be the par value of
83 such stock.

84 If upon examination of any application the secretary of state
85 shall find that the sale of security referred to therein would not be
86 fraudulent or would not work or tend to work a fraud upon the pur-
87 chaser, or that the enterprise or business of the issuer is not based
88 upon unsound business principles, then upon the payment of the fee
89 provided in this section, he shall record the registration of such
90 security in the register of securities, and thereupon such security so
91 registered may be sold by the issuer or by any registered dealer,
92 subject, however, to the further order of the secretary of state as
93 hereinafter provided.

94 So long as any security is sold or offered for sale pursuant to reg-
95 istration by qualification under this section 8 of this act, there shall
96 be filed with the secretary of state, each year, within thirty days
97 after the termination of the fiscal year of the issuer of such security,

98 a statement properly verified, which statement shall set forth the
99 financial condition, the amount of assets and liabilities and such other
100 information concerning the financial affairs or the plan of business
101 of the issuer as the secretary of state may require in order to deter-
102 mine whether the continued sale of such securities would result or
103 tend to result in fraud.

1 **SEC. 9. Consent to service.** Upon any application for registration
2 by notification under section 7 made by an issuer, and upon any ap-
3 plication for registration by qualification under section 8, whether
4 made by an issuer or registered dealer, where the issuer is not
5 domiciled in this state, there shall be filed with such application the
6 irrevocable written consent of the issuer that suits and actions, grow-
7 ing out of the violation of any provision or provisions of this act,
8 may be commenced against it in the proper court of any county in
9 this state in which a cause of action may arise or in which the plain-
10 tiff may reside, by the service of any process or pleading authorized
11 by the laws of this state, on the secretary of state, said consent
12 stipulating and agreeing that such service of such process or plead-
13 ings on such secretary of state shall be taken and held in all courts
14 to be as valid and binding as if due service had been made upon the
15 issuer himself, and said written consent shall be authenticated by
16 the seal of said issuer, if it has a seal, and by the acknowledged sig-
17 nature of any officer of the incorporated or unincorporated associa-
18 tion, if it be an incorporated or unincorporated association, duly
19 authorized by resolution of the board of directors, trustees or man-
20 agers of the corporation or association, and shall in such case be
21 accompanied by a duly certified copy of the resolution of the board
22 of directors, trustees or managers of the corporation or association,
23 authorizing the officers to execute the same. In case any process
24 or pleadings mentioned in this act are served upon the secretary of
25 state, it shall be by duplicate copies, one of which shall be filed in the
26 office of the secretary of state and another immediately forwarded
27 by registered mail to the principal office of the issuer against which
28 said process or pleadings are directed.

1 **SEC. 10. Revocation of registration of securities.** The secretary
2 of state may revoke the registration of any security by entering an
3 order to that effect, with his findings in respect thereto, if upon ex-
4 amination into the affairs of the issuer of such security it shall
5 appear that the issuer:
6 1. is insolvent; or
7 2. has violated any of the provisions of this act or any order of
8 the secretary of state of which such issuer has notice; or
9 3. has been or is engaged or is about to engage in fraudulent
10 transactions; or
11 4. is in any other way dishonest or has made any fraudulent rep-
12 resentations in any prospectus or in any circular or other literature
13 that has been distributed concerning the issuer or its securities; or
14 5. is of bad business repute; or
15 6. does not conduct its business in accordance with law; or
16 7. that its affairs are in an unsound condition; or
17 8. that the enterprise or business of the issuer is not based upon
18 sound business principles.

19 In making such examination the secretary of state shall have
20 access to and may compel the production of all the books and papers
21 of such issuer, and he or the superintendent may administer oaths
22 to and examine the officers of such issuer or any other person con-
23 nected therewith as to its business and affairs and may also require
24 a balance sheet exhibiting the assets and liabilities of any such
25 issuer or his income statement, or both, to be certified to by a public
26 accountant either of this state or of any other state where the
27 issuer's business is located, approved by the secretary of state.

28 Whenever the secretary of state may deem it necessary, he may
29 also require such balance sheet or income statement, or both to be
30 made more specific in such particulars as the secretary of state shall
31 point out or to be brought down to the latest practicable date.

32 If any issuer shall refuse to permit an examination to be made by
33 the secretary of state, it shall be proper ground for cancellation of
34 registration.

35 If the secretary of state shall deem it necessary he may enter an
36 order suspending the right to sell securities pending any investiga-
37 tion, provided that the order shall state the grounds of the secretary
38 of state for taking such action.

39 Notice of the entry of such order shall be given personally or by
40 telephone, telegraph, or mail to the issuer and every registered dealer
41 who shall have notified the secretary of state of an intention to sell
42 such security.

1 **SEC. 11. Registration of dealers and salesmen.** No dealer or sales-
2 man shall engage in business in this state as such dealer or salesman
3 or sell any securities including securities exempted in section 4 of
4 this act, except in transactions exempt under section 5 of this act,
5 unless he has been registered as a dealer or salesman in the office
6 of the secretary of state pursuant to the provisions of this section.

7 An application for registration in writing shall be filed in the office
8 of the secretary of state in such form as the secretary of state may
9 prescribe, duly verified by oath, which shall state the principal office
10 of the applicant, wherever situated, and the location of the principal
11 office and all branch offices in this state, if any, the name or style
12 of doing business, the names, residence and business addresses of all
13 persons interested in the business as principals, co-partners, officers
14 and directors, specifying as to each his capacity and title, the general
15 plan and character of business and the length of time the dealer has
16 been engaged in business. The secretary of state may also require
17 such additional information as to applicant's previous history, record
18 and association, as he may deem necessary to establish the good
19 repute in business of the applicant.

20 There shall be filed with such application an irrevocable written
21 consent to the service of process upon the secretary of state in
22 actions against such dealer in manner and form as hereinabove pro-
23 vided in section 9.

24 If the secretary of state shall find that the applicant is of good
25 repute and has complied with the provisions of this section including
26 the payment of the fee hereinafter provided he shall register such
27 applicant as a dealer upon his filing a bond as in section 13a of this
28 act provided.

29 Upon the written application of a registered dealer and general
30 satisfactory showing as to good character and the payment of the
31 proper fee the secretary of state shall register as salesmen of such
32 dealer such natural persons as the dealer may request. Such regis-
33 tration shall cease upon the termination of the employment of such
34 salesman by such dealer.

35 The names and addresses of all persons approved by registration
36 as dealers or salesmen and all orders with respect thereto shall be
37 recorded in a register of dealers and salesmen kept in the office of
38 the secretary of state which shall be open to public inspection. The
39 fee for such registration and for each annual renewal shall be twenty-
40 five dollars (\$25.00) in the case of dealers and three dollars (\$3.00)
41 in the case of salesmen. Every registration under this section shall
42 expire one year from date of issuance, but new registrations for the
43 succeeding year may be issued upon written application and upon
44 payment of said fee without filing of further statements or furnish-
45 ing any further information unless specifically required by the sec-
46 retary of state.

47 Changes in registration occasioned by changes in the personnel of
48 a partnership or in the principals, co-partners, officers or directors
49 of any dealer may be made from time to time by written application
50 setting forth the facts with respect to such change.

51 The secretary of state shall have the power, in connection with
52 any dealer's or salesman's registration, to require the dealer or sales-
53 man to furnish the secretary of state, in such form as he may desig-
54 nate, any information or reports deemed necessary to assist the
55 secretary of state in determining whether such registration should
56 remain in force, and to make an investigation of the books, records,
57 property, business and affairs of such dealer or salesman.

58 Any issuer of a security required to be registered under the pro-
59 visions of this act, selling such securities except in exempt transac-
60 tions as defined in section 5 hereof, shall be deemed a dealer within
61 the meaning of this section and required to comply with all the
62 provisions hereof, but such issuer shall be required to pay only one
63 fee which shall be either the fee for registration of the security or
64 for dealer's registration, whichever is the greater, and shall not be
65 required to furnish the bond herein prescribed.

1 SEC. 12. **Deposits for special examinations.** Whenever it is neces-
2 sary for the secretary of state to incur any expense in connection
3 with any application, notification, registration or license, he shall
4 have the power by written order to require the interested person to
5 make an advance deposit with the secretary of state in an amount
6 estimated as sufficient to cover such expense. All such deposits
7 shall be covered into the state treasury and credited to "securities
8 department investigation fund", from which fund disbursements
9 shall be made upon order of the secretary of state to pay such ex-
10 penses. Any unexpended portion shall be refunded. On field exam-
11 inations made by the secretary of state or superintendent or other
12 employee away from the seat of government a per diem pro rated
13 upon the salary of such official or employee may be charged in addi-
14 tion to the actual expenses.

1 SEC. 13. **Revocation of dealers' and salesman's registrations.** Reg-

2 istration under section 11 may be refused or any registration granted
3 may be revoked by the secretary of state if after a reasonable notice
4 and a hearing the secretary of state determines that such applicant
5 or registrant so registered:

6 1. Has violated any provision of this act or any regulation made
7 hereunder; or

8 2. Has made a material false statement in the application for
9 registration; or

10 3. Has been guilty of a fraudulent act in connection with any
11 sale of securities, or has been or is engaged or is about to engage in
12 making fictitious or pretended sales or purchases of any of such
13 securities or has been or is engaged or is about to engage in any
14 practice or sale of securities which is fraudulent or in violation of
15 the law; or

16 4. Has demonstrated his unworthiness to transact the business
17 of dealer or salesman.

18 In cases of charges against a salesman notice thereof shall also
19 be given the dealer employing such salesman.

20 Pending the hearing the secretary of state shall have the power to
21 order the suspension of such dealer's or salesman's registration; pro-
22 vided, such order shall state the cause for such suspension.

23 In the event the secretary of state determines to refuse or revoke
24 a registration as hereinabove provided he shall enter a final order
25 thereon with his findings on the register of dealers and salesman
26 and suspension or revocation of the registration of a dealer shall also
27 suspend or revoke the registration of all his salesman.

28 It shall be sufficient cause for refusal or cancellation of registra-
29 tion in case of a partnership or corporation or any unincorporated
30 association, if any member of a partnership or any officer or director
31 of the corporation or association has been guilty of any act or omis-
32 sion which would be cause for refusing or revoking the registration
33 of an individual dealer or salesman.

1 SEC. 13a. **Bond and conditions.** Any bond required by section 11
2 of this act shall be conditioned that the dealer shall properly account
3 for any monies or securities received from or belonging to another
4 and shall pay, satisfy and discharge any judgment or decree that
5 may be rendered against such dealer in a court of competent juris-
6 diction in a suit or action brought by a purchaser of securities
7 against such dealer in which it shall be found or adjudged that such
8 securities were sold by the dealer in violation of this act or that such
9 purchaser was defrauded in the sale of such securities. Such bond
10 may be drawn to cover the original license and any renewals thereof.

11 Every such bond shall run in favor of the state of Iowa for the
12 use and benefit of any purchaser of securities sustaining damages
13 as a result of any breach of the conditions thereof, in the sum of
14 five thousand dollars (\$5,000.00) and shall be in such form consistent
15 with the provisions hereof as the secretary of state may prescribe,
16 and shall be executed with surety by a surety company authorized
17 to do business in this state. In suits against the surety upon such
18 bond it shall not be necessary to join such dealer as a party.

19 Banks or trust companies under the supervision of this state or
20 of the United States which would otherwise be required under the

21 provisions of this act to execute as dealers the bond required herein
22 may execute said bond without surety.

23 One or more recoveries upon any such bond shall not vitiate the
24 same but it shall remain in full force and effect, but no recoveries
25 from the surety upon any such bond shall ever exceed the full amount
26 of the same, and upon suits being commenced in excess of the amount
27 of same the secretary of state may require additional bond, and if
28 the same is not given within ten (10) days the secretary of state
29 may revoke the registration of such dealer.

30 Any person injured by any breach of the bond given by any dealer
31 may sue on the bond of such dealer in any proper court of the state
32 of Iowa of competent jurisdiction for the recovery of damages, not
33 exceeding the amount of the bond, sustained in consequence of such
34 breach, but no such action shall be brought after two (2) years after
35 the accruing of the cause of action thereon.

1 **SEC. 14. Burden of proof.** It will not be necessary to negative any
2 of the exemptions in this act provided in any complaint, information,
3 indictment or any other writ or proceedings laid or brought under
4 this act and the burden of proof of any such exemption shall be upon
5 the party claiming the benefit of such exemption and any person
6 claiming the right to register any securities by notification under
7 section 7 of this act shall also have the burden of proving the right
8 so to register such securities.

1 **SEC. 15. Escrow agreement.** If the statement containing informa-
2 tion as to securities to be registered, as provided for in section 8
3 of this act, shall disclose that any such securities or any securities
4 senior thereto shall have been or shall be intended to be issued for
5 any patent right, copyright, trade-mark, process, formulae or good
6 will, or for promotion fees or expenses or for other intangible assets,
7 the amount and nature thereof shall be fully set forth and the secre-
8 tary of state may require that such securities so issued in payment
9 of such patent right, copyright, trade-mark, process, formulae or
10 good will, or for promotion fees or expenses, or for other intangible
11 assets shall be delivered in escrow to the secretary of state under an
12 escrow agreement that the owners of such securities shall not be
13 entitled to withdraw such securities from escrow until all other stock-
14 holders who have paid for their stock in cash shall have been paid
15 a dividend or dividends aggregating not less than six per cent (6%),
16 shown to the satisfaction of said secretary of state to have been actu-
17 ally earned on the investment in any common stock so held, and in
18 case of dissolution or insolvency during the time such securities are
19 held in escrow, that the owners of such securities shall not participate
20 in the assets until after the owners of all other securities shall have
21 been paid in full.

1 **SEC. 16. Injunctions.** Whenever it shall appear to the secretary
2 of state, either upon complaint or otherwise, that in the issuance,
3 sale, promotion, negotiation, advertisement, or distribution of any
4 securities within this state, including any security exempted under
5 the provisions of section 4, and including any transaction exempted
6 under the provisions of section 5, any person, as defined in this act,
7 shall have employed or employs, or is about to employ any device,

8 scheme or artifice to defraud or for obtaining money or property by
9 means of any false pretense, representation or promise, or that any
10 such person shall have made, makes or attempts to make in this state
11 fictitious or pretended purchases or sales of securities or shall have
12 engaged in or engages in or is about to engage in any practice or
13 transaction or course of business relating to the purchase or sale of
14 securities which is in violation of law or which is fraudulent or which
15 has operated or which would operate as a fraud upon the purchaser,
16 any one or all of which devices, schemes, artifices, fictitious or pre-
17 tended purchases or sales of securities, practices, transactions and
18 courses of business are hereby declared to be and are hereinafter
19 referred to as fraudulent practices; or that any person is acting as
20 dealer or salesman within this state without being duly registered
21 as such dealer or salesman as provided in this act, the secretary of
22 state may investigate, and whenever he shall believe from evidence
23 satisfactory to him that any such person has engaged in, is engaged
24 or is about to engage in any of the practices or transactions hereto-
25 fore referred to as and declared to be fraudulent practices, or is
26 selling or offering for sale any securities in violation of this act or
27 is acting as a dealer or salesman without being duly registered as
28 provided in this act the secretary of state may, in addition to any
29 other remedies, bring action in the name and on behalf of the state
30 of Iowa against such person and any other person or persons hereto-
31 fore concerned in or in any way participating in or about to par-
32 ticipate in such fraudulent practices or acting in violation of this act
33 to enjoin such person and such other person or persons from con-
34 tinuing such fraudulent practices or engaging therein or doing any
35 act or acts in furtherance thereof or in violation of this act. In any
36 such court proceedings the secretary of state may apply for and on
37 due showing be entitled to have issued the court's subpoena requiring
38 the forthwith appearance of any defendant and his employees, sales-
39 men or agents and the production of documents, books and records
40 as may appear necessary for the hearing of such petition, to testify
41 and give evidence concerning the acts or conduct or things com-
42 plained of in such application for injunction. In such action the
43 equity courts shall have jurisdiction of the subject matter and a
44 judgment may be entered awarding such injunction as may be proper.

1 **SEC. 17. Remedies.** Every sale or contract for sale made in viola-
2 tion of any of the provisions of this act shall be voidable at the
3 election of the purchaser and the person making such sale or con-
4 tract for sale and every director, officer or agent of or for such seller
5 who shall have personally participated in making such sales and at
6 the time knew of such violations shall be jointly and severally liable
7 to such purchaser in an action at law in any court of competent juris-
8 diction upon tender to the seller in person or in open court of the
9 securities sold or of the contract made for the full amount paid by
10 such purchaser, together with all taxable court costs and reasonable
11 attorney's fees in any action or tender under this section; provided,
12 that no action shall be brought for the recovery of the purchase
13 price after two years from the date of such sale or contract for sale;
14 and provided further, that no purchaser otherwise entitled shall
15 claim or have the benefit of this section who shall have refused or

16 failed within thirty (30) days from the date thereof to accept an
17 offer in writing of the seller to take back the security in question
18 and to refund the full amount paid by such purchaser, together with
19 interest on such amount for the period from the date of payment by
20 such purchaser down to the date of repayment, such interest to be
21 computed:

22 a. In case such securities consist of interest bearing obligations
23 at the same rate as provided in such obligations; and

24 b. In case such securities consist of other than interest bearing
25 obligations at the rate of six per centum (6%) per annum; less, in
26 every case, the amount of any income from said securities that may
27 have been received by such purchaser.

1 **SEC. 18. Appeals.** An appeal may be taken by any person inter-
2 ested from any final order of the secretary of state to the district
3 court of Polk county, Iowa, by serving upon the secretary of state
4 within twenty (20) days after the date of the entry of such order
5 a written notice of such appeal stating the grounds upon which a
6 reversal of such final order is sought; a demand in writing for a cer-
7 tified transcript of the record and of all papers on file in his office
8 affecting or relating to such order and executing a bond in the penal
9 sum of one thousand dollars (\$1,000.00) to the state of Iowa, with
10 sufficient surety, to be approved by the clerk of said court con-
11 ditioned upon the faithful prosecution of such appeal to final judg-
12 ment, and the payment of all costs as shall be adjudged against
13 the appellant. Thereupon the secretary of state shall within ten
14 (10) days make, certify and deliver to the appellant such a tran-
15 script; and the appellant shall within five (5) days thereafter file
16 the same and a copy of the notice of appeal with the clerk of said
17 court, which said notice of appeal shall stand as appellant's complaint
18 and thereupon said cause shall be entered on the trial calendar of said
19 court for trial de novo and given precedence over all matters pending
20 in said court. The court shall receive and consider any pertinent
21 evidence, whether oral or documentary, concerning the order of the
22 secretary of state from which the appeal is taken. If the order of
23 the secretary of state shall be reversed said court shall by its man-
24 date specifically direct said secretary of state as to his further action
25 in the matter, including the making and entering of any order or
26 orders in connection therewith, and the conditions, limitations or
27 restrictions to be therein contained, provided that the secretary of
28 state shall not thereby be barred from thereafter revoking or alter-
29 ing such order for any proper cause which may thereafter accrue or
30 be discovered. If said order shall be affirmed, said appellant shall
31 not be barred after thirty (30) days from filing a new application
32 provided such application is not otherwise barred or limited. Such
33 appeal shall not in any wise suspend the operation of the order ap-
34 pealed from during the pendency of such appeal unless upon proper
35 order of the court. An appeal may be taken from the judgment of
36 the said district court on any such appeal on the same terms as an
37 appeal is taken in civil actions.

1 **SEC. 19. Fees.** All fees herein provided for shall be collected by
2 the secretary of state, shall be accounted for and paid over to the
3 treasurer of the state at the time and in the manner provided by

4 law; and the secretary of state shall keep a record of the receipts and
5 expenditures incurred in carrying out the provisions of this chapter.

1 **SEC. 20. False statements, entries and representations.** Any
2 person, firm, association, company or corporation subject to the
3 provisions of this chapter, that shall subscribe or cause to be made
4 any false statement or false entry in any book required to be kept
5 or relating to any business to be transacted in this state pursuant
6 to the provisions of this chapter, or make or subscribe to any false
7 statement, exhibit or paper filed with the secretary of state, or shall
8 make to the secretary of state, his superintendent, agent or repre-
9 sentative any false or fraudulent statement concerning the proposed
10 plan of business to be transacted, or the nature, value or character
11 of securities to be sold in this state, or shall make to said secretary
12 of state, his superintendent, agent or representative any false state-
13 ment as to the financial condition of such person, firm, association,
14 company or corporation shall be deemed guilty of a felony, and upon
15 conviction shall be fined in the sum of not more than five thousand
16 dollars (\$5000.00), or imprisoned not to exceed five (5) years in the
17 penitentiary or reformatory, or by both such fine and imprisonment
18 in the discretion of the court.

1 **SEC. 21. General violations.** Any person, firm, association, com-
2 pany or corporation subject to the provisions of this chapter that
3 shall knowingly and with intent to evade the provisions of this act
4 sell or negotiate for the sale of any securities within this state with-
5 out complying with the provisions of this chapter, or that knowingly
6 and with intent to evade the provisions of this act continues to sell,
7 offer for sale or knowingly and with intent to evade the provisions
8 of this act negotiates for the sale of securities in this state after his
9 registration has been revoked or cancelled by the secretary of state,
10 or that shall otherwise neglect or refuse to comply with any of the
11 provisions of this chapter, shall be guilty of a felony and upon con-
12 viction thereof shall be fined not to exceed five thousand dollars
13 (\$5000.00) or be imprisoned not to exceed five (5) years in the
14 penitentiary or reformatory or by both such fine and imprisonment
15 in the discretion of the court.

1 **SEC. 22. False representations.** Any person, firm, association,
2 company or corporation, or any agent or representative thereof,
3 whether subject to the provisions of this chapter or otherwise, that
4 sells, offers for sale or negotiates for the sale of any securities within
5 this state, and knowingly makes any false representations or state-
6 ments as to the nature, character or value of such security, or the
7 amount of the earning power of such security whether in the nature
8 of interest, dividends or otherwise, or knowingly makes any other
9 false or fraudulent representation to any person for the purpose of
10 inducing said person to purchase said security, or conceals any ma-
11 terial fact in the advertisement or prospectus of such security for
12 the purpose of defrauding the purchaser, or knowingly violates any
13 of the provisions of this chapter with intent to defraud, shall be
14 deemed guilty of a felony and upon conviction thereof shall be pun-
15 ished by a fine of not less than five hundred dollars (\$500.00) nor
16 more than five thousand dollars (\$5000.00) or by imprisonment in

17 the penitentiary or reformatory for not more than five (5) years or
18 by both such fine and imprisonment.

1 **SEC. 23. Promotion by state officials and employees.** No state
2 official or employee of the state shall use his name in his official
3 capacity in connection with the indorsement or recommendation of
4 the organization or the promotion of any company or in the disposal
5 to the public of its securities, nor shall anyone use the stationery
6 of the state or of any official thereof in connection with any such
7 transaction. Whoever violates the aforesaid provision shall, upon
8 conviction by any court of competent jurisdiction, be deemed guilty
9 of a misdemeanor and fined in any sum not to exceed five hundred
10 dollars (\$500.00) or be punished by confinement in a county jail for
11 not more than ninety (90) days, or by both such fine and imprison-
12 ment.

1 **SEC. 24. Secret agents—failure to disclose interest.** Any indi-
2 vidual, not licensed as a dealer or salesman, who, with intent to
3 secure financial gain for himself, advises and procures or assists in
4 procuring any person to purchase any securities contemplated by
5 this chapter and who received for such service any commission or
6 reward, without disclosing to the purchaser the fact of his interest
7 shall, in addition to any other penalty, be guilty of a misdemeanor.

1 **SEC. 25. Statement not open to public.** Any statement, report or
2 information required to be made or furnished by any person by this
3 chapter shall be for the information of the secretary of state, the
4 attorney general or any public official who may be interested in an
5 official way in receiving such statement, report or information, but
6 such statement, report or information shall not be open to public
7 inspection, nor shall it be published or used for private purposes but
8 may be used in an official, legitimate way if need be.

1 **SEC. 26. Constitutionality.** Should the court declare any section
2 or clause of this act unconstitutional then such decision shall affect
3 only the section or clause so declared to be unconstitutional and
4 shall not affect any other section or clause of this act.

1 **SEC. 27. Repeal.**

2 a. Chapter three hundred ninety-three (393) of code of Iowa,
3 1927, and all laws and clauses of laws in conflict with this act, are
4 hereby repealed, to take effect upon the day this act goes into force,
5 subject to the limitations provided in subdivisions b, c and d.

6 b. The provisions of all laws which are repealed by this act shall
7 remain in force for the prosecution and punishment of any person
8 who, before the effective date of this act, shall have committed any
9 act contrary to the provisions of any law in force at the time such
10 act was done, and such person may be prosecuted and punished under
11 the law as it existed when such violation occurred.

12 c. In the case of sales, contracts, or agreements made prior to
13 the effective date of this act, the civil rights and liabilities of the
14 parties thereto shall remain as provided by the law as it existed at
15 the time such sales, contracts or agreements were made, and all
16 parts of laws repealed by this act shall remain in force for the
17 enforcement of such rights and liabilities.

18 d. All securities which shall have been admitted to record and
 19 recorded in the register of qualified securities, as provided by the
 20 said chapter three hundred ninety-three (393) prior to the effective
 21 date of this act, shall be legally saleable unless otherwise ordered by
 22 the secretary of state under this act.

23 e. No law or parts of laws which were repealed by the said chap-
 24 ter three hundred ninety-three (393), shall be deemed to be revived
 25 by the repeal of the said chapter.

House File No. 201. Approved March 19, A. D. 1929.

CHAPTER 11

ARTICLES OF INCORPORATION

AN ACT to repeal section eighty-three hundred forty-three (8343), and to enact a substitute therefor; to amend section eighty-three hundred forty-nine (8349), section eighty-three hundred fifty-three (8353), section eighty-three hundred fifty-four (8354), section eighty-three hundred sixty-seven (8367), section eighty-three hundred sixty-eight (8368) and section eighty-three hundred sixty-nine (8369), code of 1927, relating to the adoption and recording of articles of incorporation, incorporation fees, place of business of corporations, place of meetings of corporation directors, recording of articles of renewal and the exemption from incorporation fee.

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

1 SECTION 1. That the law as it appears in section eighty-three hun-
 2 dred forty-three (8343), code of 1927, is hereby repealed and there is
 3 enacted in lieu thereof the following:

4 "Before commencing any business except their own organization,
 5 they must adopt articles of incorporation, which must be signed and
 6 acknowledged by the incorporators. Said articles shall then be for-
 7 warded to the secretary of state. Upon the filing of such articles,
 8 the secretary of state shall issue a certificate of incorporation and
 9 record said articles in a book kept for that purpose. The secretary
 10 of state shall then forward said articles to the county recorder of
 11 deeds of the county where the principal place of business is to be
 12 located and there be recorded in a book kept therefor, and the re-
 13 corder shall indorse thereon the book and page where the record will
 14 be found.

15 Such articles shall contain,

- 16 1. Name of corporation and its principal place of business.
- 17 2. The objects for which it is formed.
- 18 3. The amount of authorized capital stock, the classes of stock
- 19 authorized, with the par value and conditions of each class of such
- 20 shares, and the time when and conditions under which it is to be
- 21 paid in.
- 22 4. The time of commencement and termination of the corporation.
- 23 5. The names and addresses of the incorporators and the officers
- 24 or persons its affairs are to be conducted by, and the times when and
- 25 manner in which such officers will be elected.
- 26 6. Whether private property is to be exempt from corporate debts.
- 27 7. The manner in which the articles may be amended."

1 SEC. 2. That the law as it appears in section eighty-three hundred

2 forty-nine (8349), code of 1927, be and is hereby amended by adding
3 after the word "dollars" in line four (4), the following words:
4 "together with a recording fee of ten cents (10c) per hundred (100)
5 words".

1 SEC. 3. That the law as it appears in section eighty-three hundred
2 fifty-three (8353), code of 1927, be and is hereby amended by adding
3 thereto, at the end thereof, the following words:

4 "No change of the principal place of business of any corporation
5 from one county to another county shall be valid until the articles of
6 incorporation and all amendments shall have been recorded in the
7 office of the recorder of deeds of the county to which said corpora-
8 tion's principal place of business is changed, and proof of same duly
9 certified to the secretary of state for filing."

1 SEC. 4. That the law as it appears in section eighty-three hundred
2 fifty-four (8354), code of 1927, be and is hereby amended by inserting
3 after the word "its" in line three (3) the word "stockholders".

1 SEC. 5. That the law as it appears in section eighty-three hundred
2 sixty-seven (8367), code of 1927, be and is hereby amended by strik-
3 ing from line one (1) the word "five" and inserting in lieu thereof,
4 the word "ten", and is further amended by striking all of the words
5 in said section following the word "filed" in line ten (10) and sub-
6 stituting therefor, the following words:

7 "with the secretary of state and be by him recorded in a book kept
8 for that purpose. The secretary of state shall then forward said re-
9 newal articles to the recorder of deeds of the county where the
10 principal place of business is located, and the recorder shall record
11 said renewal articles and indorse thereon the book and page where
12 the record will be found."

1 SEC. 6. That the law as it appears in section eighty-three hundred
2 sixty-eight (8368), code of 1927, be and is hereby amended by striking
3 therefrom the words:

4 "within ten (10) days after they are filed with the recorder", found
5 in lines three (3) and four (4) of said section and by striking the
6 words:

7 "record the said certificate and the said articles of incorporation
8 in a book to be kept by him for that purpose, and shall", as found
9 in lines ten (10), eleven (11), twelve (12) and thirteen (13) thereof.

1 SEC. 7. That the law as it appears in section eighty-three hundred
2 sixty-nine (8369), code of 1927, be and is hereby amended by sub-
3 stituting a comma (,) for the period (.) at the end of said section and
4 adding the following words:

5 "in excess of twenty-five dollars (\$25.00)".

Senate File No. 236. Approved April 5, A. D. 1929.

CHAPTER 12

NOTICE OF INCORPORATION

AN ACT to repeal section eighty-three hundred fifty-one (8351) of chapter three hundred eighty-four (384) code of 1927 relating to the limit of indebtedness that a corporation for pecuniary profit may incur; to repeal section eighty-three hundred fifty-two (8352) of chapter three hundred eighty-four (384) code of 1927 relating to the exceptions to section eighty-three hundred fifty-one (8351) of chapter three hundred eighty-four (384) code of 1927; to repeal section eighty-three hundred eighty (8380) of chapter three hundred eighty-four (384) code of 1927 relating to the liability of officers and directors on excessive indebtedness; to repeal section eighty-four hundred eighty-five (8485) of chapter three hundred eighty-nine (389) relating to the limit of indebtedness that cooperative associations may incur; and to amend section eighty-three hundred fifty-seven (8357), code, 1927, relating to notice of incorporation.

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

1 SECTION 1. That the law as it appears in section eighty-three hun-
2 dred fifty-one (8351) of chapter three hundred eighty-four (384)
3 code of 1927 relating to the limit of indebtedness that a corporation
4 for pecuniary profit may incur be and is hereby repealed.

1 SEC. 2. That the law as it appears in section eighty-three hundred
2 fifty-two (8352) of chapter three hundred eighty-four (384) code of
3 1927 relating to the exceptions of section eighty-three hundred fifty-
4 one (8351) of chapter three hundred eighty-four (384) code of 1927
5 be and is hereby repealed.

1 SEC. 3. That the law as it appears in section eighty-three hundred
2 eighty (8380) of chapter three hundred eighty-four (384) code of
3 1927 relating to the liability of officers and directors on excessive
4 indebtedness that a corporation for pecuniary profit may incur be
5 and is hereby repealed.

1 SEC. 4. That the law as it appears in section eighty-four hundred
2 eighty-five (8485) of chapter three hundred eighty-nine (389) code
3 of 1927 relating to limit of indebtedness that a cooperative association
4 may incur be and is hereby repealed.

1 SEC. 5. Nothing in this act shall affect pending litigation or existing
2 liabilities.

1 SEC. 6. Section eighty-three hundred fifty-seven (8357) is amended
2 by striking therefrom subdivision six (6) thereof.

1 SEC. 7. This act being deemed of immediate importance shall take
2 effect and be in full force from and after its publication in the Van
3 Buren Barometer, a newspaper published in Bonaparte, Iowa, and the
4 Fairfield Daily Ledger, a newspaper published in Fairfield, Iowa.

Senate File No. 235. Approved April 17, A. D. 1929.

I hereby certify that the foregoing act was published in the Van Buren Barometer April 25, 1929, and the Fairfield Daily Ledger April 22, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 13

CORPORATIONS

AN ACT to amend the law as it appears in section eighty-three hundred seventy-three (8373), code of 1927, relating to the execution of renewal of articles of incorporation.

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

- 1 SECTION 1. That the law as it appears in section eighty-three hun-
 2 dred seventy-three (8373), code of 1927, be and is hereby amended by
 3 inserting after the word "be" in line ten (10), the following words:
 4 "submitted to the superintendent of banking for approval," and by
 5 striking from lines ten (10), eleven (11) and twelve (12) the fol-
 6 lowing words:
 7 "recorded in the office of the recorder of deeds of the proper county
 8 and".

Senate File No. 241. Approved April 5, A. D. 1929.

CHAPTER 14

CORPORATIONS

AN ACT to amend the law as it appears in section eighty-four hundred sixteen (8416), code of 1927, relative to the filing of a certificate of issuance of stock.

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

- 1 SECTION 1. That the law as it appears in section eighty-four hun-
 2 dred sixteen (8416), code of 1927, be and is hereby amended by adding
 3 after the word "corporation" in line two (2), the following words:
 4 "except corporations qualified under chapter three hundred eighty-
 5 six (386)".

Senate File No. 239. Approved April 5, A. D. 1929.

CHAPTER 15

FILING OF CERTIFICATES

AN ACT to amend the law as it appears in section eighty-four hundred sixteen (8416), code, 1927, relative to the filing of a certificate of issuance of stock.

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

- 1 SECTION 1. That the law as it appears in section eighty-four hun-
 2 dred sixteen (8416), code, 1927, be and is hereby amended by adding
 3 after the word "corporation" in line two (2) the following words:
 4 "except corporations qualified under chapter four hundred seven-
 5 teen (417)".

House File No. 433. Approved April 13, A. D. 1929.

CHAPTER 16

CORPORATIONS

AN ACT to amend the law as it appears in section eighty-four hundred fifty-one (8451), code of 1927, relating to the compromise authorized to be made with delinquent corporations.

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

1 SECTION 1. That the law as it appears in section eighty-four hun-
2 dred fifty-one, code of 1927, be amended by striking the words "ex-
3 ecutive council in the manner provided in section two hundred eighty-
4 eight (288)" as found in lines six (6) and seven (7) thereof and by
5 substituting in lieu thereof, the words "secretary of state" and by
6 further amending said section by striking the words "executive coun-
7 cil" in line thirteen (13) and substituting in lieu thereof, the words
8 "secretary of state".

Senate File No. 242. Approved April 5, A. D. 1929.

CHAPTER 17

CORPORATIONS

AN ACT to amend the law as it appears in section eighty-four hundred eighty-a three (8480-a3) and section eighty-five hundred eight-a three (8508-a3), code of 1927, relating to notice to be given to delinquent corporations.

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

1 SECTION 1. That the law as it appears in section eighty-four hun-
2 dred eighty-a three (8480-a3), code of 1927, be and is hereby amended
3 by striking from line four (4) of said section, the following words,
4 "and directors".

1 SEC. 2. That the law as it appears in section eighty-five hundred
2 eight-a three (8508-a3), code of 1927, be and is hereby amended by
3 striking from line four (4) of said section, the following words, "and
4 directors".

1 SEC. 3. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 the Keosauqua Republican, a newspaper published at Keosauqua,
4 Iowa, and in the Ottumwa Currier, a newspaper published at Ottum-
5 wa, Iowa.

Senate File No. 244. Approved April 5, A. D. 1929.

I hereby certify that the foregoing act was published in the Keosauqua Republican April 11, 1929, and the Ottumwa Courier April 8, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 18

COOPERATIVE ASSOCIATIONS

AN ACT to amend section eighty-four hundred eighty-one (8481) and section eighty-five hundred nine (8509), code of 1927, relating to the filing of amended and substituted articles of incorporation by co-operative associations.

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

1 SECTION 1. That the law as it appears in section eighty-four hun-
2 dred eighty-one (8481), code of 1927, be and is hereby amended by
3 inserting after the word "state" in line seven (7) the following words,
4 "and the county recorder of the county in which the principal place of
5 business is located, amended and substituted articles of incorporation
6 drawn in accordance with the provisions of this chapter and".

1 SEC. 2. That the law as it appears in section eighty-five hundred
2 nine (8509), code of 1927, be and is hereby amended by inserting
3 after the word "state" in line seven (7), the following words,
4 "amended and substituted articles of incorporation drawn in accord-
5 ance with the provisions of this chapter and".

1 SEC. 3. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 the Fairfield Daily Ledger, a newspaper published at Fairfield, Iowa,
4 and in the Harlan Republican, a newspaper published at Harlan, Iowa.

Senate File No. 245. Approved April 5, A. D. 1929.

I hereby certify that the foregoing act was published in the Fairfield Daily Ledger April 8, 1929, and the Harlan Republican April 11, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 19

APPEALS TO DIRECTOR OF THE BUDGET

AN ACT to repeal section three hundred eighty-eight (388) and to enact a substitute therefor, and to amend sections three hundred fifty-four (354), three hundred fifty-seven (357), three hundred sixty-six (366), and three hundred seventy-eight (378) all of the code, 1927, and relating to appeals to the director of the budget, to hearings before said director on the question of the issuance of bonds by municipalities, to the duty of tax certifying and tax levying boards, and to the matter of transfer of municipal funds with the approval of said director of the budget.

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

1 SECTION 1. Section three hundred fifty-four (354), code, 1927, is
2 amended by striking from line nine (9) the words, "towns and".

1 SEC. 2. Section three hundred fifty-seven (357), code 1927, is
2 amended:

3 1. By striking from line six (6) the words, "plans and specifica-
4 tions and", and

5 2. By striking from line seven (7) the word, "are", and by insert-
6 ing in lieu thereof the word, "is", and

7 3. By striking from lines eight (8) and nine (9) the words, "and
8 that it is for the best interests of the municipality".

1 SEC. 3. Section three hundred sixty-six (366), code, 1927, is
2 amended by striking out the first two (2) lines thereof, and by in-
3 serting in lieu thereof the following, to wit:

4 "The director shall examine the entire record and if he finds that
5 the bonds are to be issued and arrangements for payment have been
6 made in accordance with law he shall approve the same, otherwise the
7 director shall recommend such modifications as in his judgment are
8 necessary to comply with the provisions of the state law and if such
9 modifications are so made the director shall approve the same, and
10 his decision shall be final."

1 SEC. 4. Section three hundred seventy-eight (378), code, 1927, is
2 amended by striking from lines three (3), four (4), and five (5), the
3 words, "also the amount of the separate appropriations for each
4 fund."

1 SEC. 5. Section three hundred eighty-eight (388), code, 1927, is
2 repealed and the following is enacted in lieu thereof:

3 "388. **Permanent and temporary transfers.** Upon the approval of
4 the director, it shall be lawful to make temporary or permanent trans-
5 fers of money from one fund of the municipality to another fund
6 thereof. The certifying board or levying board, as the case may be,
7 shall provide that money temporarily transferred shall be returned
8 to the fund from which it was transferred within such time and upon
9 such conditions as the director shall determine, provided that it shall
10 not be necessary to return to the emergency fund, or to any other
11 fund no longer required, any money transferred therefrom to any
12 other fund."

1 SEC. 6. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Grundy
3 Register, a newspaper published in Grundy Center, Iowa, and the
4 Center Point Independent, a newspaper published in Center Point,
5 Iowa.

Senate File No. 339. Approved April 6, A. D. 1929.

I hereby certify that the foregoing act was published in the Grundy Register April
11, 1929, and the Center Point Independent April 11, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 20

SECONDARY ROADS

AN ACT to define and designate the secondary roads of the state, to provide for the construction and maintenance of such roads, to authorize levies of taxes in order to effect such construction and maintenance, to set aside certain public funds in order to supplement said taxes, to provide for a road poll tax, and for the collection thereof, to provide for and regulate the anticipation and expenditure of said funds, to define the powers and duties of public officers and employees in reference to such work, to coordinate and harmonize various statutes which relate to roads and highways, and to this end to repeal sections forty-five hundred ninety (4590), forty-six hundred fifty-nine (4659), seventy-six hundred forty-three (7643), and seventy-six hundred forty-five (7645), and to enact substitutes therefor; to amend sections three hundred fifty-one (351), forty-six hundred five (4605), forty-six hundred eight (4608), forty-six hundred fifty-three (4653), forty-six hundred sixty (4660), forty-six hundred sixty-two-a three (4662-a3), forty-six hundred sixty-six (4666), forty-six hundred sixty-nine (4669), forty-six hundred seventy (4670), five thousand ninety-three-a nine (5093-a9), seventy-four hundred seventy (7470), seventy-five hundred thirty-nine (7539), seventy-six hundred thirty-eight (7638), seventy-six hundred forty-two (7642), seventy-six hundred forty-four (7644), seventy-six hundred forty-seven (7647), seventy-six hundred forty-nine (7649), seventy-six hundred fifty (7650), and section one (1) of chapter three (3), acts special session of the forty-second (42) general assembly (said last section being a substitute for section forty-seven hundred fifty-five-b-five (4755-b5), code, 1927); to repeal sections forty-six hundred thirty-five (4635) to forty-six hundred forty-four (4644), inclusive, sections forty-six hundred forty-six (4646) to forty-six hundred fifty (4650), inclusive, forty-six hundred sixty-two-a-two (4662-a2), forty-six hundred sixty-four (4664), forty-six hundred sixty-five (4665), forty-six hundred seventy-five (4675), seventy-four hundred eighty-five (7485); and to repeal chapters two hundred forty-four (244) and two hundred forty-five (245), relating to highways, all of said sections and chapters, except as otherwise indicated, being of the code, 1927.

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

**SECONDARY ROAD AND BRIDGE SYSTEMS
IN GENERAL**

1 **SECTION 1. Construction, repair, and maintenance.** The duty to
2 construct, repair, and maintain the secondary road and bridge systems
3 of a county is hereby imposed on the board of supervisors.

1 **SEC. 2. Secondary road system.** The secondary road system of a
2 county shall embrace all public highways within the county except
3 primary roads, state roads, and highways within cities and towns.

1 **SEC. 4. Secondary bridge system.** The secondary bridge system
2 of a county shall embrace all bridges and culverts on all public high-
3 ways within the county except on primary roads and on highways
4 within cities which control their own bridge levies, except that cul-
5 verts which are thirty-six inches or less in diameter shall be con-
6 structed and maintained by the city or town in which they are located.

1 **SEC. 5. Designation of roads.** The roads which are now designated
2 as county roads by the plans and records now on file in the office of
3 the county auditor of each county and in the office of the state high-
4 way commission shall hereafter be known as county trunk roads. All
5 other roads of said secondary system shall be known as local county
6 roads.

1 **SEC. 6. Modification of trunk roads.** The mileage of the present
2 county trunk roads shall not be materially increased until the con-

3 construction work thereon is substantially completed except that the
4 board may modify, relocate or make additions to said roads. All in-
5 creases, additions, modifications or relocations shall be subject to the
6 approval of the state highway commission.

1 **SEC. 7. Mandatory construction levy.** The board of supervisors
2 shall, annually, at the September session of the board, commencing
3 in 1929, levy, for secondary road construction purposes, a tax of two
4 mills on the dollar on all the taxable property in the county, except
5 on property within cities which control their own bridge levies.

1 **SEC. 8. Optional construction levy.** The board may, in addition to
2 the foregoing levies, levy, for construction purposes, a tax of not to
3 exceed two and one-half mills on the dollar on all taxable property in
4 the county except on property within cities and towns.

1 **SEC. 9. Secondary road construction fund.** The secondary road
2 construction fund shall consist of:

3 1. All funds derived from the aforesaid construction levies, and
4 2. All funds allotted to the county from the state tax on gasoline,
5 and

6 3. All funds received by the county from the state as refunds for
7 bridges, culverts, and rights of way on primary roads, not already
8 anticipated by the county, and

9 4. All other funds which may be dedicated by law to said fund,
10 and shall be used and employed as herein provided.

1 **SEC. 10. Pledge to local roads.** Thirty-five per cent (35%) of the
2 yearly secondary road construction fund is hereby pledged to the
3 improvement of, and shall be expended on, those local county roads
4 which the board finds are of the greatest utility to the people of the
5 various townships.

1 **SEC. 11. General pledge.** The balance of said secondary road con-
2 struction fund shall be used for any or all of the following purposes
3 at the option of the board of supervisors:

4 1. To the payment of the cost of constructing the roads embraced
5 in the existing county trunk road system.

6 2. To the payment of the outstanding county road bonds of the
7 county authorized and issued under chapter two hundred forty-two
8 (242), code, 1927, to the extent heretofore pledged.

9 3. To the payment of legally outstanding bridge or road bonds of
10 the county (not including primary road bonds), when construction
11 work on the county trunk system of the county is complete.

12 4. To the discharge of any legal obligation or contract which, un-
13 der the provisions of this chapter, is required to be taken over and
14 assumed by the county.

15 5. To the payment of all or any part of special drainage assess-
16 ments which may have been, or may hereafter be, levied on account
17 of benefits to secondary roads.

18 6. To the payment of the cost of constructing local county roads
19 and expenditures pertaining thereto, but only when the construction
20 work on the county trunk roads has been fully completed, and when
21 the board deems it inadvisable to make additions to said trunk roads.

1 **SEC. 12. Mandatory maintenance levies.** The board of supervisors
2 shall, annually, at the September session of the board, commencing
3 in 1929, levy, for secondary road maintenance purposes, the follow-
4 ing taxes:

5 1. A tax of five mills on the dollar on all taxable property in the
6 county, except on property within cities which control their own
7 bridge levies, and

8 2. A tax of seven and one-half mills on the dollar on all taxable
9 property in the county, except on property within cities and towns.

1 **SEC. 13. Optional maintenance levy.** The board may increase the
2 levy specified in paragraph two (2) of the preceding section to an
3 amount not exceeding twelve mills.

1 **SEC. 14. Secondary road maintenance fund.** The secondary road
2 maintenance fund shall consist of:

3 1. All funds derived from the aforesaid maintenance levies, and

4 2. All funds allotted to the county from the state tax on motor
5 vehicle carriers, and shall be used and employed as herein provided.

1 **SEC. 15. Pledge of maintenance fund.** The secondary road main-
2 tenance fund is hereby pledged:

3 1. To the payment of the cost of maintaining the secondary roads
4 according to their needs.

5 2. To the payment of the cost of bridge repairs, culvert material,
6 machinery, tools and other equipment.

7 3. To the payment of all or any part of special drainage assess-
8 ments which may have been, or which may hereafter be, levied on
9 account of benefits to secondary roads.

1 **SEC. 15-a1. Mandatory levy.** The board of supervisors shall, an-
2 nually, at the September session of the board, commencing in 1929,
3 levy two and one-half (2½) mills on the dollar on all taxable property
4 of the county, the same to be pledged either to the construction fund
5 or the maintenance fund as the board may direct.

1 **SEC. 16. Mandatory levies—option to reduce.** In any county
2 where the combined estimated proceeds of the mandatory levies re-
3 quired to be levied for the construction and maintenance funds by
4 this act shall exceed the total amounts collected by direct property
5 taxation in the county from levies imposed during the year 1927 for
6 collection in 1928 for county and township road, bridge, drainage and
7 dragging funds, the board of supervisors may, at their discretion,
8 reduce the mandatory levies for the construction fund or the main-
9 tenance fund, or both, to such a point where the estimated revenues
10 from the levies shall not produce a greater amount than that raised
11 by levies for all road, bridge and drainage purposes in such counties
12 by the levies imposed in 1927 for collection in 1928.

1 **SEC. 18. Transfers generally.** The board may, with the approval
2 of the state budget director, make a permanent or temporary transfer
3 of funds from the secondary road construction fund to the secondary
4 road maintenance fund, or from the latter fund to the former fund.

1 **SEC. 19. Duty of highway commission.** The state highway com-
2 mission shall when requested by the board of supervisors advise with

3 said board as to the manner of constructing and maintaining the sec-
4 ondary roads.

COUNTY ENGINEER

1 **SEC. 20. Engineer—term.** The board of supervisors shall employ
2 one or more registered civil engineers who shall be known as county
3 engineers. The board shall fix their term of employment which shall
4 not exceed three (3) years, but the tenure of office may be terminated
5 at any time by the board.

1 **SEC. 21. Compensation.** The board shall fix the compensation of
2 said engineer or engineers, and pay the same, together with all engi-
3 neering costs, from the general county fund, or from the secondary
4 road construction fund or from the secondary road maintenance fund,
5 or from any or all of said funds.

1 **SEC. 22. Duties—bonds.** Said engineers shall, in the performance
2 of their duties, work under the directions of said board and shall give
3 bonds for the faithful performance of their duties in a sum not less
4 than two thousand (2000) nor more than five thousand dollars
5 (\$5000), to be approved by the board.

1 **SEC. 23. Engineers—itemized account.** All county engineers and
2 their assistants shall, for all work done or expenses made, file an
3 itemized and verified account, with the board of supervisors, stating
4 the time actually employed each day, the place where such work was
5 done, the character of the work done, and also file with such account
6 vouchers for any expense.

1 **SEC. 24. Supervision of construction and maintenance work.** All
2 construction and maintenance work shall be performed under the
3 direct and immediate supervision of the county engineer who shall
4 be deemed responsible for the efficient, economical and good faith
5 performance of said work.

CONSTRUCTION PROGRAM

1 **SEC. 25. Construction program or project.** Before proceeding with
2 any construction work on the secondary road system for any year or
3 years, the board of supervisors shall, subject to the approval of the
4 state highway commission, adopt a comprehensive program or proj-
5 ect based upon the construction funds estimated to be available for
6 such year or years, not exceeding three (3) years.

1 **SEC. 26. Scope of program.** In the selection of the local county
2 roads as a part of said program or project, the board shall instruct
3 the county auditor to notify the board of trustees of each township not
4 later than January first, to prepare a tentative plan of improvement
5 for roads in their township, setting out in that plan the road or roads
6 which, in their estimation, should be improved first, and shall also
7 name those which should be thereafter improved and file such plan
8 with the county auditor not later than February first of each year.

9 After such plans have been filed by the several boards of trustees,
10 the board of supervisors shall, together with the county engineer,

11 proceed to plan a program of construction of both county trunk and
12 local county roads, always observing the plans filed by the boards of
13 trustees.

1 SEC. 27. **Uniform and unified plan required.** Said program or
2 project shall be planned on the basis of one general, uniform, and
3 unified plan for the complete and permanent construction of the roads
4 embraced therein as to bridge, culvert, tile, and grading or other im-
5 provements.

1 SEC. 28. **Material considerations for farm-to-market roads.** In plan-
2 ning and in adopting said program or project by the board of super-
3 visors, said board and the county engineer shall give due and careful
4 consideration, (1) to the location of primary roads, and of roads here-
5 tofore improved as county roads, (2) to the market centers and main
6 roads leading thereto, and (3) to rural mail and school bus routes, it
7 being the intent of this chapter that said program or project will,
8 when finally executed, afford the highest possible systematic, intra-
9 county and intercounty connections of all roads of the county.

1 SEC. 29. **Provisional selection of roads.** The board after due con-
2 sultation with the county engineer, shall first select in a provisional
3 way the roads which they then consider advisable to embrace in said
4 program, and direct said engineer to make a reconnoissance survey
5 and estimate of all said roads, or of such part thereof as, in view of
6 the public necessity and convenience, present the most urgent need
7 and necessity for early construction.

1 SEC. 30. **Report of engineer.** In addition to the foregoing, the
2 engineer, when so ordered by the board, shall make written report
3 to the board and shall designate therein in their order of importance
4 the roads which, in his judgment, are most urgently in need of con-
5 struction.

1 SEC. 31. **Recommendations.** The engineer may in his report recom-
2 mend that certain definitely described roads or parts thereof be
3 omitted from the provisional program or project, or that certain
4 definitely described roads or parts thereof be added thereto, and in
5 such case he shall clearly enter on his report the reasons therefor.

1 SEC. 32. **Map required.** A map of the county showing the location
2 of the proposed program or project shall accompany the report of
3 the engineer.

1 SEC. 33. **Additional estimates.** Additional reconnoissance surveys
2 and estimates may be ordered by the board when it deems the same
3 necessary or advisable.

1 SEC. 34. **Provisional determination and hearing.** Upon the filing
2 of said report the board shall together with a representative from
3 each township, who shall be named by the board of trustees at their
4 January meeting, convene as a board of approval.

5 The township representatives shall receive the same per diem and
6 mileage for attendance at said meeting as received by the members
7 of the board of supervisors and shall be paid from the construction
8 fund.

1 **SEC. 35. Board's action final.** At this meeting this board of ap-
2 proval shall proceed to the final adoption of the program as it pertains
3 to the local county roads. The proposed program or project may be
4 approved without change or may be amended and approved but the
5 action of this board shall be final.

6 The board of approval in planning said construction program shall
7 distribute the improvements in such manner as will give to each
8 township, as soon as may be, an equitable mileage of improved roads,
9 and those townships which have heretofore improved their township
10 roads shall not be discriminated against in this new improvement
11 program. The board of supervisors of any county may provide that
12 the work of maintaining the local county roads of a township shall
13 be performed by the township trustees, subject to the supervision
14 of the county highway engineer. In such case the township trustees
15 shall retain their road equipment, and the board of supervisors shall
16 set aside in the county treasury a sum from the secondary road main-
17 tenance fund, which shall be said township's proportionate share of
18 the maintenance funds for said county devoted to local county roads.
19 In determining the amount thus set aside for use in any township
20 the board shall use as a basis the relative mileage of local county
21 roads in the township as compared to the entire mileage of local
22 county roads in the county.

1 **SEC. 36. County trunk roads.** The board of supervisors shall, im-
2 mediately after the adoption of the local county road program, meet
3 and adopt a program of county trunk roads.

1 **SEC. 37. Record required.** After the construction program or
2 project is finally determined, the county auditor shall record the same
3 at length in a county road book.

1 **SEC. 38. Surveys required.** Before proceeding to the construction
2 of any road or roads included in said program where the grading and
3 draining is estimated to cost over one thousand dollars (\$1,000) per
4 mile, the county engineer shall cause detailed surveys and plans for
5 said road or roads to be prepared.

1 **SEC. 39. Nature of survey.** The engineer's survey shall be on the
2 basis of the permanent improvement of said roads, as to bridge, cul-
3 vert, tile, and road work.

1 **SEC. 40. Details of survey.** Said survey shall show:

2 1. A division into sections of all of the roads embraced in said
3 provisional program, a designation of each section by some appro-
4 priate number, name, or letter, the starting point and terminus of
5 each section, and the mileage of each section.

6 2. An accurate plan and profile of the roads surveyed, showing
7 (1) cuts and fills, (2) outline of grades, (3) all existing permanent
8 bridges, culverts and grades, and (4) proper bench marks on each
9 bridge and culvert.

10 3. The drainage, both surface and subdrainage, necessary to pre-
11 pare said roads for complete construction.

12 4. The location of all lines of tile and size thereof.

13 5. All necessary bridges and culverts, their length, height, and
14 width and foundation soundings.

15 6. An estimate of the watershed having relation to each bridge
16 and culvert.

17 7. An estimate of the construction cost of said roads on the basis
18 of permanent bridges, culverts, tile and road work.

1 SEC. 41. Existing surveys. The engineer may adopt any existing
2 survey of any road or part thereof which is embraced in said program
3 or project, provided such existing survey substantially complies, or
4 is made to comply, with the requirements of this chapter.

1 SEC. 42. Contracts and specifications. The various contracts for
2 the carrying out of said construction program or project in the most
3 efficient, practicable and economical manner shall, as far as possible,
4 be accompanied by standard specifications, and no traveled roadway
5 shall be less than twenty-two (22) feet from shoulder to shoulder.

6 Each bidder on secondary road construction work shall file with
7 the board, statements showing his financial standing, his equipment
8 and his experience in the execution of construction work. Said state-
9 ments shall be on standard forms prepared by the state highway
10 commission.

11 In the award of contracts, due consideration shall be given not
12 only to the prices bid, but also to the financial standing of the con-
13 tractor, his equipment, and his experience in the performance of like
14 or similar contracts as shown by such statements.

1 SEC. 43. Advertisement and letting. All contracts for road or
2 bridge construction work and materials therefor of which the engi-
3 neer's estimate exceeds fifteen hundred dollars (\$1,500), except sur-
4 facing materials obtained from local pits or quarries, shall be adver-
5 tised and let at a public letting. The board may reject all bids, in
6 which event it may readvertise, or may let the work privately at a
7 cost not exceeding the lowest bid received, or build by day labor.

1 SEC. 44. Optional advertisement and letting. Contracts not em-
2 braced within the provisions of the preceding section may be adver-
3 tised and let at a public letting, or may be let privately at a cost not
4 to exceed the engineer's estimate, or may be built by day labor.

1 SEC. 45. Approval of road contracts. Contracts for road construc-
2 tion work which, according to the engineer's estimate, involve a cost
3 of two thousand dollars (\$2,000) or more per mile, or more than five
4 thousand dollars (\$5,000) in the aggregate shall be first approved by
5 the state highway commission before the same shall be effective as a
6 contract.

1 SEC. 46. Record of bids. All bids received shall be publicly opened,
2 at the time and place specified in the advertisement, and shall be
3 recorded in detail, in the road book, by the county auditor; and the
4 county engineer shall in all instances of day labor, private or public
5 contracts, file a detailed cost accounting sheet with the county audi-
6 tor; said book and cost sheets shall at all times be open to public
7 inspection.

1 SEC. 47. Trees—ingress or egress—drainage. Officers, employes,
2 and contractors in charge of said construction and maintenance work
3 shall not cut down or injure any tree growing by the wayside which

4 does not obstruct the road, or tile drains, or any tree which does not
5 materially obstruct the highway or materially interfere with the
6 improvement of the road and which stands in front of any town lot,
7 farmyard, orchard or feed lot, or any ground reserved for any public
8 use, or destroy or injure reasonable ingress or egress to any prop-
9 erty, or turn the natural drainage of the surface water to the injury
10 of adjoining owners; but it shall be their duty to use strict diligence
11 in draining the surface water from the public road in its natural
12 channel, and to this end they may enter upon the adjoining lands for
13 the purpose of removing obstructions from such natural channel that
14 impede the flow of such water.

1 SEC. 48. County trunk roads in cities and towns. The board of
2 supervisors may, subject to the approval of the council of any city or
3 town, purchase or condemn right of way therefor or eliminate danger
4 at railroad crossings, and shall grade, drain, bridge, gravel or main-
5 tain any road or street which is a continuation of the county trunk
6 highway system, or a continuation of a county local road which is
7 built to grade and surfaced or about to be built to grade and sur-
8 faced, and which is (1) within, or partly within and located along the
9 corporate limits of, any town, or (2) within or partly within and
10 located along the corporate limits of, any city, including cities under
11 special charter, having a population of less than twenty-five hundred
12 (2500) or (3) within that part of any city, including cities acting
13 under special charter, where the houses or business houses average
14 not less than two hundred (200) feet apart. The location of such
15 extensions shall be determined by the board of supervisors. The
16 council's approval shall extend only to the consideration of such im-
17 provements in their relationship to municipal improvements such as
18 sewers, water lines, change of established street grades, side walks
19 or other municipal improvements. The provisions of this section shall
20 apply to cities and towns acting under special charter.

ANTICIPATION OF FUNDS

1 SEC. 49. Construction fund anticipated. The board before issuing
2 anticipatory certificates shall seek the advice of the state highway
3 commission and issue said certificates to an amount not exceeding
4 fifty per cent (50%) of the estimated funds which will accrue to the
5 secondary road construction fund during any stated period of from
6 one (1) to two (2) years.

1 SEC. 50. Anticipatory resolution. Such certificates shall be author-
2 ized by a duly adopted resolution which shall specify:

3 1. The secondary road construction funds, specifying the year or
4 years, which are to be anticipated.

5 2. The amount of certificates authorized.

6 3. The denomination of each certificate.

7 4. The rate of interest which each certificate shall bear which
8 shall not exceed five per cent (5%) per annum, payable annually.

9 5. The authorization of the chairman of the board of supervisors
10 and of the county auditor, respectively, to sign and countersign such
11 certificates.

1 SEC. 51. Recitals. Each certificate shall recite:

2 1. The annual accruing secondary road construction funds (nam-
3 ing the year) of which the certificate is anticipatory.

4 2. That said certificate shall be payable on or before Decembe
5 31st of said year.

6 3. That said certificate is payable solely from said accruing sec-
7 ondary road construction funds.

1 SEC. 52. Consecutive numbering and payment. The series of cer-
2 tificates which anticipate the accruing of funds during a given year
3 shall be numbered consecutively and paid in the order of said num-
4 bering.

1 SEC. 53. Execution. Upon the signing of each of said certificates
2 by the chairman of the board, said certificates shall be delivered to
3 the county auditor, who shall countersign the same, charge the county
4 treasurer with the amount thereof, and deliver the same to such latter
5 officer, who shall be responsible therefor on his bond.

1 SEC. 54. Taxation. Said certificates shall be exempt from taxation.

1 SEC. 55. Duty of treasurer. The treasurer shall sell said certifi-
2 cates in accordance with the provisions of chapter sixty-three (63),
3 code, 1927, and shall credit the amount received to said construction
4 fund, or if unable to sell said certificates for par plus accrued interest,
5 the treasurer may apply said certificates at par plus accrued interest
6 in payment of any warrants duly authorized and issued for secondary
7 road construction work.

1 SEC. 56. Registration of certificate holders. The county treasurer
2 shall enter on a record to be kept by him the name and postoffice
3 address of all persons to whom any of said certificates are issued,
4 with a particular designation of the certificates delivered to each
5 person.

1 SEC. 57. Registration of new holder. Any subsequent holder may
2 present his certificates to the county treasurer and cause his name
3 and postoffice address to be entered in lieu of that of such former
4 holder.

ROAD POLL TAX

1 SEC. 57-a1. Poll tax. A road poll tax of four dollars (\$4.00) is here-
2 by annually levied on every male person, including the male officers
3 and employees of any state institution, if any (but not including any
4 committed inmate of such institution) over the age of twenty-one
5 (21) years and under forty-five (45) years, who are residents of the
6 county outside the corporate limits of cities and towns.

1 SEC. 57-a2. Assessors to collect. The township assessor, while
2 making the assessment for his township, shall collect such tax from
3 every person subject thereto.

1 SEC. 57-a3. Claims for exemption. Any person who because of
2 physical disability and inability to pay may appear before the local
3 board of equalization, and present his claim for exemption from such
4 tax, and the decision of the local board shall be final.

1 SEC. 57-a4. Return to county treasurer. The assessor, upon the
2 completion of his work, shall prepare a list of all persons subject to said
3 tax in his township, and clearly indicate thereon those who have paid
4 said tax, and promptly forward said list to the county treasurer. At
5 the same time, the assessor shall pay the entire proceeds of said col-
6 lections to the county treasurer, who shall credit the same to the sec-
7 ondary roads maintenance fund.

8 Said assessor shall take duplicate receipts from the county treasurer,
9 one of which he shall retain and one of which he shall file with the
10 county auditor.

1 SEC. 57-a5. Duty to collect. The duty to collect any unpaid poll tax
2 is hereby imposed on the county treasurer.

1 SEC. 57-a6. Action to recover poll tax. In case of failure of any
2 person to pay said poll tax, the county treasurer, with the approval of
3 the board of supervisors, may appoint and authorize deputies to re-
4 cover said tax by action in their name, and no property or wages be-
5 longing to such person shall be exempt from execution for such tax.
6 Such action shall be brought before any justice of the peace in the
7 county where such person resides.

1 SEC. 57-a7. Delinquent poll tax list—lien. The county treasurer
2 shall, on October first of each year, file with the county auditor a list
3 of the names of all persons in each township, who have not paid
4 said poll tax.

5 The county auditor shall, in making up the tax books for the en-
6 suing year for each township, enter said unpaid poll tax in connection
7 with any other taxes against the delinquent, and said poll tax shall, on
8 January first, following, become and remain a lien on all real estate
9 of the delinquent until paid.

1 SEC. 58. Terminating interest. When the accruing funds in the
2 hands of the county treasurer, for a year covered by anticipatory
3 certificates, are sufficient to pay the first retireable certificate or cer-
4 tificates, the county treasurer shall, by mail, as shown by his records,
5 promptly notify the holder of such certificate of such fact, and thirty
6 days from and after the mailing of such letter all interest on such
7 certificate shall cease.

MISCELLANEOUS AND TEMPORARY PROVISIONS

1 SEC. 59. Township road equipment. All boards of township
2 trustees shall, not later than December 31, 1929, turn over to the board
3 of supervisors all road machinery, tools, equipment, and materials
4 belonging to the township except as provided in section thirty-five
5 (35) and the latter board shall credit the township in construction
6 and maintenance work for the reasonable value thereof. Unless
7 otherwise agreed upon, the valuation of said equipment shall be deter-
8 mined by a board of three appraisers, one to be selected by the board
9 of supervisors, one by the board of trustees of said township so af-

10 fected, and the two thus chosen shall choose a third, which said board
 11 shall duly take oath before any officer authorized to administer oaths
 12 in the state of Iowa, to fairly and impartially discharge their duties as
 13 appraisers, and upon their qualifications they shall make due appraise-
 14 ment of said property and return thereof to the county auditor of said
 15 county, and the valuation so fixed and determined shall be final and
 16 said township credited accordingly. The fees for said appraisers shall
 17 be paid out of said secondary road construction fund.

1 **SEC. 60. Clerk to turn over funds.** All township clerks shall, prior
 2 to January 1, 1930, turn over to the county treasurer all township road,
 3 drag, and drainage funds in their possession, and take duplicate re-
 4 cepts therefor, one of which they shall file with the county auditor
 5 who shall charge the county treasurer with the amount thereof.

1 **SEC. 61. Township credited.** The treasurer shall credit the sec-
 2 ondary road maintenance fund with the various sums paid in by the
 3 township clerks, but shall indicate in connection with each entry the
 4 township from which the amount was received, and the board of
 5 supervisors shall, during the year 1930, expend said sum in the im-
 6 provement of the secondary roads of the township from which the
 7 particular sum was received, but such expenditure shall be in addition
 8 to any work done under the provision of section ten (10).

9 In townships where the indebtedness to the county exists, the
 10 amount of such indebtedness shall be deducted from the amount ex-
 11 pended for road work in such townships in nineteen hundred thirty
 12 (1930).

1 **SEC. 62. Levies invalidated.** All levies made in 1929 by township
 2 trustees for township road, drag, or drainage purposes shall be null
 3 and void.

1 **SEC. 63. Assumption of contracts.** On January 1, 1930, the county
 2 shall be deemed to have taken over and assumed all valid and legal
 3 outstanding contracts and obligations entered into by the various
 4 boards of township trustees of the county in furtherance of their
 5 duties relative to township roads.

1 **SEC. 64. Operations during 1929.** Nothing in this chapter shall
 2 be construed to affect any tax heretofore levied and payable in 1929
 3 for bridge, culvert, and road construction or maintenance, or for high-
 4 way drainage, it being the intent of this chapter that all said work
 5 shall be carried on during the year 1929 in the several counties and
 6 townships thereof under and in accordance with the statutes in force
 7 and effect prior to July 4, 1929.

COORDINATING AMENDMENTS

1 **SEC. 65.** Section three hundred fifty-one (351), code, 1927, is
 2 amended by striking from line eight (8) the word "primary" and by
 3 substituting in lieu thereof the word "secondary".

1 **SEC. 66. Road plat book.** Section forty-six hundred five (4605),
 2 code, 1927, is amended by striking from said section all parts thereof
 3 after the word "found" in line fourteen (14).

1 SEC. 67. **Costs.** Section forty-six hundred eight (4608), code, 1927,
2 is amended by striking out paragraph two (2) and by inserting in
3 lieu thereof the following, to wit:
4 "2. From the secondary road construction fund in case the change
5 is on a secondary road."

1 SEC. 68. **Allowance of bills.** Section forty-six hundred fifty-three
2 (4653), code, 1927, is amended by striking from line eight (8) the
3 words, "county road or bridge", and by inserting in lieu thereof the
4 following words, to wit: "construction or maintenance".

1 SEC. 69. **Repair and dragging.** Section forty-six hundred sixty
2 (4660), code, 1927, is amended by striking from line three (3) the
3 word "county" and by inserting in lieu thereof the following word,
4 to wit: "secondary".

1 SEC. 70. **Secondary road—payment.** Section forty-six hundred sixty-
2 two-a three (4662-a3), code, 1927, is amended by striking out the
3 first three (3) lines thereof, and by inserting in lieu thereof the fol-
4 lowing: "If said road be a secondary road or if the improvement be a
5 bridge or culvert on a secondary road".

1 SEC. 71. **Bridges on city boundary line.** Section forty-six hundred
2 sixty-six (4666), code, 1927, is amended by striking from lines six
3 (6) and seven (7) the words, "have been made a part of the county
4 road system" and by inserting in lieu thereof the following words,
5 to wit: "are in whole or in part secondary roads".

1 SEC. 72. **Intracounty bridges.** Section forty-six hundred sixty-nine
2 (4669), code, 1927, is amended by striking out the last sentence
3 thereof.

1 SEC. 73. **Intercounty bridges.** Section forty-six hundred seventy
2 (4670), code, 1927, is amended by striking out the last sentence
3 thereof.

1 SEC. 74. **Refunds.** Section one (1), chapter three (3), acts special
2 session forty-second (42nd) general assembly (being a substitute for
3 section forty-seven hundred fifty-five-b five (4755-b5), code, 1927,) is
4 amended by striking therefrom the following sentence, to wit: "The
5 refunds made to any county under this section shall at the option of
6 the board of supervisors of said county be placed to the credit of the
7 county road fund or of the county bridge fund" and by substituting
8 in lieu thereof the following, to wit:
9 "The refunds made to any county under this section shall, upon
10 their receipt by the county, be placed to the credit of the secondary
11 road construction fund unless heretofore pledged."

1 SEC. 75. **Apportionment of gasoline tax.** Section five thousand
2 ninety-three-a nine (5093-a9), code, 1927, is amended by striking out
3 all parts thereof after line four (4) and by inserting in lieu of said
4 stricken words the following, to wit: "Two-thirds (2/3) to the sec-
5 ondary road construction fund of the several counties of the state.
6 The treasurer shall apportion said two-thirds (2/3) portion among
7 the counties of the state in the ratio that the area of each county
8 bears to the total area of the state, and shall, on the first day of each

9 month, remit to the treasurer of each county the amount apportioned
10 to the secondary road construction fund of the county."

1 **SEC. 76. Drainage assessments in general.** Section seventy-four
2 hundred seventy (7470), code, 1927, is amended by striking out the
3 last two (2) sentences thereof and by inserting in lieu thereof the
4 following, to wit:

5 "Such assessments against primary highways shall be paid by
6 the state highway commission from the primary road fund on due
7 certification of the amount by the county treasurer to said commis-
8 sion, and against all secondary roads, from the secondary road con-
9 struction fund or from the secondary road maintenance fund, or from
10 both of said funds."

1 **SEC. 77. Drainage proceedings in general.** Section seventy-five
2 hundred thirty-nine (7539), code, 1927, is amended by striking from
3 lines four (4) and five (5) the words, "county or township" and by
4 inserting in lieu thereof the words, "secondary road";

5 Also by striking from lines seven (7) and eight (8) the words,
6 "the county bridge fund or primary road fund." and by inserting in
7 lieu thereof the words, "either or both of the secondary road funds.
8 If the bridge be a primary road bridge, the work aforesaid shall be
9 done by the state highway commission and paid for out of the primary
10 road fund."

1 **SEC. 78. Highway drainage districts.** Section seventy-six hundred
2 thirty-eight (7638), code, 1927, is amended by striking out the
3 last sentence thereof.

1 **SEC. 79. Highway drainage districts.** Section seventy-six hundred
2 forty-two (7642), code, 1927, is amended by striking from line six (6)
3 the words "county road system," and by inserting in lieu thereof the
4 words, "secondary road system, or";

5 Also by striking from line seven (7) the words "or the township
6 road system,";

7 Also by striking from line eight (8) the words "and all" and by in-
8 serting in lieu thereof the words "or both".

1 **SEC. 80. Highway drainage districts.** Section seventy-six hundred
2 forty-four (7644), code, 1927, is amended by striking from line three
3 (3) thereof the words, "county road fund" and by inserting in lieu
4 thereof the following words, to wit:

5 "secondary road construction fund or the secondary road mainte-
6 nance fund, or out of both of said funds";

7 Also by striking from line five (5) the word "county" and by in-
8 serting in lieu thereof the word "road".

1 **SEC. 81. Highway drainage districts.** Section seventy-six hundred
2 forty-seven (7647), code, 1927, is amended by striking out all parts
3 of said section after and including the word "and" in line eleven (11)
4 and by inserting in lieu thereof the following words, to wit:

5 "except that no attorney fee shall be taxed, and pay the costs and
6 expense of such condemnation from either or both of said secondary
7 road funds."

1 SEC. 82. **Trees in highways.** Section seventy-six hundred forty-
 2 nine (7649), code, 1927, is amended by striking from lines four (4)
 3 and five (5) the words "or the board of township trustees";
 4 Also by striking from line six (6) the words, "under their respective
 5 jurisdictions".

1 SEC. 83. **Removal of obstructions.** Section seventy-six hundred
 2 fifty (7650), code, 1927, is amended by striking from lines four (4),
 3 five (5) and six (6) the words, "or the board of township trustees, as
 4 the case may be".

REPEALS AND SUBSTITUTES

1 SEC. 84. **Opening and working.** Section forty-five hundred ninety
 2 (4590), code, 1927, is repealed and the following is enacted in lieu
 3 thereof, to wit:

4 "4590. **Opening and working.** Secondary roads shall be opened and
 5 worked by the board of supervisors."

1 SEC. 85. **Use of gravel beds.** Section forty-six hundred fifty-nine
 2 (4659), code, 1927, is repealed and the following is enacted in lieu
 3 thereof:

4 "4659. **Use of gravel beds.** The board of supervisors may permit
 5 private parties or municipal corporations to take materials from such
 6 acquired lands in order to improve any street or highway in the
 7 county, but it shall be a misdemeanor for any person to use or for the
 8 board of supervisors to dispose of any such material for any purpose
 9 other than for the improvement of such streets or highways."

1 SEC. 86. **Highway drainage districts.** Section seventy-six hundred
 2 forty-three (7643), code, 1927, is repealed and the following is enacted
 3 in lieu thereof:

4 "7643. **Assessment—report.** The commission for assessment of
 5 benefits and classifying the property assessed shall determine and
 6 report:

7 1. The separate amount which shall be paid by the county on ac-
 8 count of the secondary road system.

9 2. The separate amount which shall be paid by the state on account
 10 of the primary road system.

11 3. The amounts which shall be assessed against the right of way
 12 or other real estate of each railway company within such district.

13 4. The amounts which shall be assessed against each forty-acre
 14 tract or less within such district."

1 SEC. 87. **Highway drainage districts.** Section seventy-six hundred
 2 forty-five (7645), code, 1927, is repealed and the following is enacted
 3 in lieu thereof:

4 "7645. **Payment from road funds.** The amount fixed by the final
 5 order of the board to be paid:

6 1. On account of the primary road system, shall be payable by the
 7 state highway commission on due certification of the amount by the
 8 county treasurer to said commission out of the primary road fund.

9 2. On account of the secondary road system, may be payable from
 10 the secondary road construction fund, or from the secondary road
 11 maintenance fund, or from both of said funds.

1 **SEC. 87-a.** Should any court of competent jurisdiction within the
 2 state of Iowa declare any of the provisions of this act unconstitutional,
 3 illegal, or void, such decision shall not invalidate any other provision
 4 herein contained.

REPEALS

1 **SEC. 88.** Sections forty-six hundred thirty-five (4635) to forty-six
 2 hundred forty-four (4644), inclusive, sections forty-six hundred forty-
 3 six (4646), to forty-six hundred fifty (4650), inclusive, forty-six hun-
 4 dred sixty-two-a two (4662-a2), forty-six hundred sixty-four (4664),
 5 forty-six hundred sixty-five (4665), forty-six hundred seventy-five
 6 (4675), seventy-four hundred eighty-five (7485), and chapters two
 7 hundred forty-four (244) and two hundred forty-five (245), code,
 8 1927, are repealed.

Senate File No. 169. Approved April 13, A. D. 1929.

CHAPTER 21

PRIMARY ROADS. ESTABLISHMENT AND MAINTENANCE

AN ACT to amend section forty-seven hundred fifty-five-b-twenty-seven (4755-b27) of the code, 1927, relating to the improvement, maintenance, relocation or establishment of primary roads, the purchase or condemnation of right of way therefor and the filing of right of way maps.

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

1 **SECTION 1.** That section forty-seven hundred fifty-five-b-twenty-
 2 seven (4755-b27) of the code, 1927, is hereby amended:
 3 a. By inserting the words "maintenance, relocation, establish-
 4 ment or" following the word "the" in line two (2) thereof.
 5 b. By inserting a period after the word "hereof" in line eleven,
 6 (11) and striking out the remainder of the section.
 7 c. By adding to said section the following:
 8 "The provisions of chapter two hundred thirty-seven (237) of the
 9 code, 1927, shall not apply to the establishment, vacation, alteration
 10 or improvement of primary roads. No such roads shall be established
 11 through any cemetery or burying ground without the consent of all
 12 of the parties affected by the same, nor shall any ground be taken
 13 for the rounding of a corner where the dwelling house, lawn and
 14 ornamental trees connected therewith are located at such corner,
 15 except by consent of the owner thereof. Upon the completion of a
 16 primary road paving project, or upon the completion of a grading
 17 project on a primary road that is not to be paved, the state highway
 18 commission shall file with the auditor and with the recorder of the
 19 county in which such project is located, a complete right of way map
 20 of said project. Said right of way maps shall be filed by the auditor
 21 and recorder and shall become a part of the permanent records of
 22 such offices."

Senate File No. 415. Approved April 16, A. D. 1929.

CHAPTER 22

ESTABLISHMENT OR ALTERATION OF ROADS

AN ACT to amend section forty-five hundred eighty-six (4586) of the code of Iowa, 1927, relative to damages on the establishment, vacation or alteration of roads.

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

- 1 SECTION 1. Section forty-five hundred eighty-six (4586) of the
 2 code of Iowa, 1927, is hereby amended by adding thereto the fol-
 3 lowing:
 4 "All damages for such establishment, vacation or alteration which
 5 must be paid by the county shall be payable from the county road
 6 fund."

House File No. 289. Approved April 12, A. D. 1929.

CHAPTER 23

HIGHWAYS. LIMITATION OF INDEBTEDNESS

AN ACT to amend section four thousand seven hundred fifty-three-a seventeen (4753-a17) of the code, 1927, relating to the limitation on indebtedness for the financing of primary and secondary roads.

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

- 1 SECTION 1. Section forty-seven hundred fifty-three-a seventeen
 2 (4753-a17) of the code, 1927, is amended by inserting in line three
 3 (3) after the word "county" the words "to pay for primary road con-
 4 struction, or bonds issued to refund county primary road bonds,";
 5 and by striking the word "three" in line five (5) and inserting the
 6 words "four and one-half".
- 1 SEC. 2. Section forty-seven hundred fifty-three-a seventeen (4753-
 2 a17) is further amended by adding thereto the following:
 3 "The amount of bonds issued for secondary road construction when
 4 added to all other indebtedness of the county shall not exceed in the
 5 aggregate three per cent on the actual value of the taxable property
 6 within such county to be ascertained as above specified."

Senate File No. 480. Approved April 16, A. D. 1929.

CHAPTER 24

HIGHWAYS. REMOVAL OF TREES

AN ACT to amend section seventy-six hundred forty-nine (7649), code 1927, relating to the removal of trees from highways.

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

1 SECTION 1. That section seventy-six hundred forty-nine (7649),
2 code 1927, be and is hereby amended by striking the period (.) fol-
3 lowing the word "lots" in the ninth (9th) line thereof and substitut-
4 ing a comma (,) therefor, and by adding after said comma (,) the
5 following: "or any tree or trees for windbreaks upon cultivated lands
6 consisting of sandy or other light soils."

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 the Muscatine Journal and News Tribune, a newspaper published at
4 Muscatine, Iowa, and in the Columbus Gazette, a newspaper published
5 at Columbus Junction, Iowa.

Senate File No. 281. Approved April 11, A. D. 1929.

I hereby certify that the foregoing act was published in the Muscatine Journal and News-Tribune April 13, 1929, and the Columbus Gazette April 19, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 25

TRAVEL ON PRIMARY ROADS

AN ACT to amend sections five thousand forty-five (5045), five thousand sixty-five (5065) and five thousand sixty-six (5066), relating to motor vehicles, to repeal section five thousand one hundred five-a twenty-seven (5105-a27) relating to motor vehicle carriers, to empower the state highway commission to enforce the traffic laws relative to travel on primary roads and on certain extensions thereof, to authorize the state highway commission to establish rules and regulations and to issue orders relative to the use of the primary roads and certain extensions thereof, to provide a penalty for the violation of such rules, regulations and orders, to authorize said commission to confer the powers of a peace officer on certain of its employees, to amend section four thousand seven hundred seventy-nine (4779), relating to the powers of road patrolmen, and to prohibit the use of certain worn or damaged tires on motor vehicles, all sections herein referred to being of the code, 1927.

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

1 SECTION 1. Section five thousand forty-five (5045) of the code,
2 1927, is amended by inserting after the word "use" in line two (2)
3 thereof the words "or parked upon or immediately adjacent to the
4 traveled portion of the highway".

1 SEC. 2. Section five thousand sixty-five (5065) of the code, 1927,
2 is hereby amended as follows:

3 (a) By striking out the words "a motor" in line two (2) and
4 inserting the word "any" in lieu thereof.

5 (b) By striking out the comma (,) following the word "tons" in
6 line four (4) and inserting the following in lieu thereof: "for vehicles

7 equipped with pneumatic tires or three and one-half tons for vehicles
8 equipped with solid rubber tires”.

1 SEC. 3. Section five thousand one hundred five-a twenty-seven
2 (5105-a27), code, 1927, is hereby repealed.

1 SEC. 4. Section five thousand sixty-six (5066) of the code, 1927,
2 is hereby repealed and the following enacted as a substitute therefor:
3 “5065. **General regulations.** The state highway commission shall,
4 for the protection of the highways and the safety of the traffic there-
5 on, establish rules and regulations and issue orders relative to the
6 use of the primary roads or any part thereof and of those portions
7 of extensions of primary roads built and maintained by the state
8 within cities and towns. Such rules and regulations may, where the
9 matter is not otherwise covered by statute, relate to

10 (a) The hauling of heavy loads over improved road surfaces on
11 vehicles equipped with metal tires or treads except horse drawn
12 vehicles;

13 (b) The moving of houses or other large objects along the primary
14 roads;

15 (c) The stopping of vehicles on the paved portion of the roadway,
16 and the stopping of vehicles on any portion of primary roads for
17 service at wayside markets or filling stations.

18 (e) The establishment of seasonal load limits less than the ordi-
19 nary legal load limit, when in the judgment of the commission weather
20 or subgrade conditions or the condition of the road surface make it
21 advisable to do so.

22 Failure to comply with such rules, regulations or orders shall be
23 deemed a misdemeanor and shall be punishable accordingly.”

1 SEC. 5. **Worn or damaged tires.** No motor vehicle equipped with
2 solid rubber tires shall be operated on the public highways of this
3 state if said tire is worn to such an extent that the tread of the tire
4 is at any point less than one inch from the tip of the flange of the
5 rim. Nor shall such vehicle be operated on the highways if one or
6 more of the tires have become damaged in such a way as to produce
7 an uneven tread, causing a pounding action on the road surface.

1 SEC. 6. **Traffic on primary roads—enforcement.** All primary road
2 patrolmen and maintenance engineers are designated as peace officers
3 and as such shall have authority to apprehend and arrest all violators
4 of the authorized rules, regulations and orders of the highway com-
5 mission and of the law pertaining to the primary highways of the
6 state.

Senate File No. 416. Approved April 16, A. D. 1929.

CHAPTER 26

LIMITING LOADS ON SOFT ROADS

AN ACT relating to the use of the public highways and to the maximum weight of vehicles and loads which may be carried thereon when such highways are in a soft or thawing condition.

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

1 SECTION 1. The board of supervisors acting with respect to sec-
2 ondary roads within the county, when in the judgment of the board
3 on account of weather or other conditions any road or part thereof
4 is incapable of bearing without undue damage the customary traffic
5 thereon, may order a reduction of the maximum gross weight of
6 vehicles and loads which may be carried over such roads while con-
7 tinuing in such condition, or may divert traffic over other roads; and
8 if such action shall be taken, notice thereof shall be given by placing
9 at the beginning and end of such sections, and at points of intersection
10 with other roads, signs of substantial construction which conspicu-
11 ously indicate the limitation of the gross weight of vehicles and loads,
12 or the diversion of traffic over other roads.

1 SEC. 2. Any person using such roads in violation of such orders,
2 except persons living thereon and necessarily using the same, shall be
3 punished as provided in section five thousand eighty-nine (5089) of
4 the code, 1927.

1 SEC. 3. This act being deemed of immediate importance, shall be
2 in force and effect from and after its publication in the Nonpareil, a
3 newspaper of general circulation published in Council Bluffs, Iowa,
4 and the Inwood Herald, published in Inwood, Iowa.

Senate File No. 397. Approved April 16, A. D. 1929.

I hereby certify that the foregoing act was published in the Council Bluffs Nonpareil April 19, 1929, and the Inwood Herald May 9, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 27

HIGHWAY COMMISSION. SALARY OF MEMBERS

AN ACT to amend section forty-six hundred twenty-five (4625) of the code, 1927, relating to the salary of the members of the highway commission.

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

1 SECTION 1. Section four thousand six hundred twenty-five (4625)
2 of the code, 1927, is hereby amended to read as follows:
3 "Each member of the state highway commission shall receive a
4 salary of four thousand dollars (\$4,000.00) per annum for necessary
5 service. Each member shall receive his actual necessary expenses
6 incurred in the performance of his duties."

1 SEC. 2. This act being deemed of immediate importance shall be

- 2 in full force and effect from and after its publication in the Sioux City
 3 Journal, a newspaper published at Sioux City, Iowa, and the Fort
 4 Dodge Messenger, a newspaper published at Fort Dodge, Iowa.

House File No. 388. Approved April 16, A. D. 1929.

I hereby certify that the foregoing act was published in the Sioux City Journal April 20, 1929, and the Fort Dodge Messenger April 19, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 28

HIGHWAY COMMISSION. AUDIT OF ACCOUNTS

AN ACT to amend section three hundred forty (340), code, 1927, relating to the audit of the accounts of the public departments of the state, to make an appropriation for such audit, and to repeal section forty-seven hundred fifty-five-b thirty-seven (4755-b37), code, 1927, and section six (6), chapter eleven (11), acts, special session of the forty-second (42nd) general assembly.

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

1 SECTION 1. Section three hundred forty (340), code, 1927, is
 2 amended by adding thereto the following, to wit:

3 "The annual audit of the accounts of the state highway commission
 4 shall be made by accountants from the office of the director of the
 5 budget in connection with a certified public accountant, and there is
 6 hereby annually appropriated from any funds in the state treasury,
 7 not otherwise appropriated, a sum sufficient to defray the compensa-
 8 tion of such certified public accountant."

1 SEC. 2. Section forty-seven hundred fifty-five-b thirty-seven (4755-
 2 b37), code, 1927, and section six (6), chapter eleven (11), acts, special
 3 session of the forty-second (42nd) general assembly are hereby re-
 4 pealed.

1 SEC. 3. **Publication clause.** This act is deemed of immediate im-
 2 portance and shall take effect from and after its publication in two
 3 (2) newspapers of this state as provided by law.

Senate File No. 477. Approved April 18, A. D. 1929.

I hereby certify that the foregoing act was published in the O'Brien County Bell April 24, 1929, and the Kossuth County Advance April 25, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 29

GASOLINE LICENSE FEES

AN ACT to amend the law as it appears in chapter two hundred fifty-one-A one (251-A1) of the code, 1927, and to amend the law as it appears in section fifty hundred ninety-three-a four (5093-a4) and in section fifty hundred ninety-three-a five (5093-a5) of the code, 1927, relating to the collection of gasoline license fees and the reports of distributors of gasoline, and to provide for the furnishing of a bond, or financial statement, by distributors.

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

1 SECTION 1. That the law as it appears in chapter two hundred fifty-
2 one-A one (251-A1) of the code, 1927, be and the same is hereby
3 amended by inserting the following section in said chapter immedi-
4 ately after section fifty hundred ninety-three-a four (5093-a4) of said
5 chapter:

6 "5093-a4a. Before any distributor shall engage in business as de-
7 fined in this chapter, he shall first file with the treasurer of state a
8 statement showing financial responsibility satisfactory to said depart-
9 ment, or a corporate surety bond payable to the state of Iowa in the
10 penal sum of one thousand dollars (\$1,000.00), conditioned that said
11 distributor will pay to the state of Iowa any and all fees required by
12 the law. Said bond, or financial statement, shall be approved by the
13 treasurer of state. No license shall be issued unless the bond, or
14 financial statement, required herein is attached to and delivered to
15 the treasurer of state with the application for said license. If any
16 distributor now engaged in business fails to file the bond, or financial
17 statement, required by this act within thirty (30) days after the
18 effective date thereof, his license shall be revoked."

1 SEC. 2. That the law as it appears in section fifty hundred ninety-
2 three-a five (5093-a5) of the code, 1927, be and the same is hereby
3 amended as follows:

4 By inserting after the period (.) in line twelve (12) thereof, the
5 following:

6 "If no importations are made for the preceding calendar month, a
7 report shall be made to that effect on the forms prescribed herein,
8 and in the same manner.";

9 Also by striking from line forty-three (43) thereof, the word
10 "thirty", and by substituting in lieu thereof, the word "ten".

1 SEC. 3. This act being deemed of immediate importance shall be in
2 full force and effect from and after its passage and publication in the
3 Des Moines Daily Record, a newspaper published at Des Moines, Iowa,
4 and in the Muscatine Journal, a newspaper published at Muscatine,
5 Iowa.

Senate File No. 99. Approved April 5, A. D. 1929.

I hereby certify that the foregoing act was published in the Des Moines Daily Record April 8, 1929, and the Muscatine Journal April 8, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 30

BANKS AND BANKING

AN ACT (1) to amend section ninety-one hundred thirty-six (9136) of the code, 1927, relating to the number of examiners and office help; (2) to amend section ninety-one hundred thirty-seven (9137) of the code, 1927, relating to transferring powers to state banking board; (3) relating to investment restrictions of state banks and trust companies; (4) repealing sections ninety-one hundred sixty (9160) and ninety-two hundred six (9206) of the code, 1927, relating to minimum capitalization of banks; amending chapter four hundred fifteen (415) of the code, 1927, relating to banks and trust companies; (5) requiring larger surplus accounts; (6) prohibiting sale of securities unless authorized by board of directors; (7) to amend section ninety-two hundred fifty-seven (9257) of the code, 1927, authorizing superintendent of banks to require financial statements of stockholders; (8) to cancel unused charters; (9) to amend sections ninety-one hundred sixty-six (9166) and ninety-two hundred thirteen (9213) of the code, 1927, relating to the minimum holdings to qualify as directors; (10) limiting the rate of interest on time deposits; (11) creating certain preferences in the assets of closed banking institutions; (12) repealing section nine thousand one hundred sixty-seven (9167) and amending section nine thousand two hundred twenty-four (9224) of the code, 1927, relating to boards of directors; (13) amending section nine thousand one hundred forty (9140) of the code, 1927, relating to financial statement from borrowers; (14) prohibiting accepting gifts or gratuities for purpose of loans; (15) to amend section ninety-one hundred eighty-four (9184) of the code, 1927, and to prohibit purchasing or loaning on bank's own shares as security; (16) to amend section ninety-two hundred twenty (9220) of the code, 1927, limiting loans to officers of banks and trust companies; (17) prohibiting certifying checks or issuing certificates of deposit without funds deposited; (18) making bank examination information confidential; (19) repealing section ninety-two hundred twenty-two (9222) of the code, 1927, relating to indebtedness; (20) to amend section ninety-two hundred ninety-seven (9297) of the code, 1927, to clarify bank's authority to borrow money; (21) requiring authority from board to pledge bank's assets; (22) requiring officers and employees to be bonded; (23) to amend section seven thousand three (7003) of the code, 1927, to tax surplus and undivided profits as moneys and credits; (24) authorizing putting up collateral to secure public and such other funds; (25) relating to false statements for credit; (26) to amend sections one hundred forty (140), four thousand three hundred nineteen (4319), five thousand five hundred forty-eight (5548), five thousand six hundred fifty-one (5651) and seven thousand four hundred four (7404) of the code, 1927, relating to rate of interest on public funds; (27) to amend section thirteen thousand thirty-seven (13037) of the code, 1927, relating to embezzlement of mortgaged property; (28) relating to false reports against banks and trust companies; (29) to amend section ninety-five hundred forty-five (9545) of the code, 1927, relating to legal holidays; (30) amending section ninety-two hundred eighty (9280) of the code, 1927, relating to insolvent institutions; (31) to repeal sections ninety-two hundred one (9201) and ninety-two hundred sixteen (9216) of the code, 1927, relating to reserves and to enact a substitute therefor; (32) to amend section ninety-two hundred twenty-three (9223) of the code, 1927, relating to loans on non-perishable security and live stock; (33) to amend sections ninety-one hundred ninety-two (9192) and ninety-two hundred nine (9209) of the code, 1927, to authorize issuing shares of stock of less than one hundred dollars (\$100.00) par value; (34) to fix liability in safe deposit business; (35) repeal; (36) act deemed separable; (37) publication clause.

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

1 SECTION 1. Fixing number of bank examiners and department
 2 office help. That section ninety-one hundred thirty-six (9136) of the
 3 code, 1927, be and the same is hereby amended by striking out the
 4 words "one hundred" in line four (4) and inserting in lieu thereof,
 5 the word "fifty" and by striking out the word "two" in line sixteen
 6 (16) and inserting in lieu thereof the word "one", and by striking
 7 from line twenty-one (21) thereof the words "with the approval of
 8 the executive council" and inserting in lieu thereof the words "with
 9 the approval of the state banking board".

1 **SEC. 2. Transferring powers to banking board.** That section ninety-
2 one hundred thirty-seven (9137) of the code, 1927, be and the same
3 is hereby amended by striking out the words "by the executive coun-
4 cil" in line ten (10) thereof and inserting in lieu thereof the words
5 "by the state banking board".

1 **SEC. 3. Making savings bank investment restrictions apply to state**
2 **banks and trust companies.** The provisions governing the investment
3 of funds or capital, all money deposited therein and all gains and
4 profits of savings banks shall apply with equal force and effect to all
5 state banks and trust companies.

1 **SEC. 4. Relating to minimum capitalization of banks.** Sections
2 ninety-one hundred sixty (9160) and ninety-two hundred six (9206)
3 of the code, 1927, are hereby repealed.

4 Chapter four hundred fifteen (415), code, 1927, is amended by in-
5 serting the following:

6 The paid up capital of state and savings banks and trust companies
7 shall be:

8 (a) In villages, towns and cities having a population of three thou-
9 sand (3,000) or less, not less than twenty-five thousand dollars
10 (\$25,000.00);

11 (b) In cities and towns having a population from three thousand
12 (3,000) but not exceeding six thousand (6,000), not less than fifty
13 thousand dollars (\$50,000.00);

14 (c) In cities and towns having a population over six thousand
15 (6,000), not less than one hundred thousand dollars (\$100,000.00).

16 This section shall not apply to state and savings banks and trust
17 companies already established.

1 **SEC. 5. Building up surplus accounts.** No banking institution or-
2 ganized under the laws of this state shall declare or pay any dividend
3 until it has first established a surplus of at least twenty per cent
4 (20%) of its capital. Whenever such banking institution has created
5 a surplus of twenty per cent (20%), it shall credit to surplus from net
6 earnings not less than ten per cent (10%) thereof each year until a
7 surplus of fifty per cent (50%) of the capital has been created. There-
8 after each such institution shall maintain a surplus equal to at least
9 fifty per cent (50%) of its capital, and any reduction of said surplus
10 shall be restored in the same manner as originally created as provided
11 herein.

1 **SEC. 6. Unlawful to sell securities unless authorized to do so by**
2 **board.** It shall be unlawful for any officer, or employee of any bank or
3 trust company to offer for sale or promote the sale of any stock, real
4 estate, policies for life or fire insurance, bonds or other securities
5 unless the sale of the same shall have been sanctioned and approved
6 by the board of directors and said approval entered of record.

7 Any officer or employee violating the provisions of this section
8 shall be guilty of a misdemeanor, and shall be punished accordingly.

1 **SEC. 7. Superintendent may require financial statements of stock-**
2 **holders.** Section nine thousand two hundred fifty-seven (9257) of the
3 code, 1927, is hereby amended by adding thereto the following:

4 In addition to such list the superintendent of banking is authorized

5 to require the president or cashier to furnish him with financial state-
6 ments of the stockholders.

1 **SEC. 8. Cancelling unused charters.** In the event that any state or
2 savings bank, or trust company which has heretofore been granted a
3 charter or may hereafter be granted a charter to transact business
4 within the state fails to transact the business or perform the duties
5 contemplated by such charter, the superintendent of banking may
6 certify to the attorney general such facts and the attorney general
7 may thereupon file a petition in the district court of the county in
8 which any such institution is located, and upon the presentation of
9 such petition to the district court an order shall issue setting the date
10 of hearing and prescribing notice thereof, and upon completed service
11 of said notice, hearing shall be had and the court may enter an order
12 cancelling such charter and make any further order necessary to
13 terminate the affairs of said corporation.

1 **SEC. 9. Minimum holdings to qualify as directors.** That sections
2 ninety-one hundred sixty-six (9166) and ninety-two hundred thirteen
3 (9213) of the code, 1927, be and the same are hereby repealed and the
4 following enacted in lieu thereof:

5 No person shall be eligible as director of any savings or state bank
6 or trust company, nor can that person qualify or serve as such, unless
7 that person owns in his or her own right, shares of stock in such bank
8 or trust company as follows:

9 (a) In those having a capital of less than thirty thousand dollars
10 (\$30,000), shares of stock the par value of which shall be two hundred
11 dollars (\$200.00) or more.

12 (b) In those having a capital of thirty thousand dollars (\$30,000)
13 or more, shares of stock the par value of which shall be five hundred
14 dollars (\$500.00) or more.

15 The foregoing requirements shall apply to all existing banks and
16 trust companies on January 1, 1930, provided that if the charters of
17 said institutions shall be renewed prior to that date, said provisions
18 shall apply on date of renewal of said charter. Said provision shall
19 apply at once to charters of all new banks or new trust companies
20 before they are permitted to commence business.

1 **SEC. 10. Limiting rate of interest on time deposits.** No banking
2 institution or trust company under the jurisdiction of the banking
3 department shall pay interest on savings accounts or certificates of
4 deposit or on any other time deposit at a rate greater than four per
5 cent (4%) per annum, payable semi-annually. No interest in any
6 event shall be paid upon such time deposits for any period less than
7 three (3) months. Any savings accounts or time deposits bearing
8 interest at a rate greater than four per cent (4%) per annum shall
9 be considered borrowed money and shall be so reported to the super-
10 intendent of banking.

11 The provisions of this section shall not take effect until January 1,
12 1930.

1 **SEC. 11. Making bank drafts and cashiers' checks preferred.** Any
2 draft, or cashiers' check issued and drawn against actual existing
3 values by any bank or trust company prior to its failure or closing and
4 given in payment of clearings and any money paid in the usual course

5 of business to any bank, or trust company for the purchase of a draft
6 for the bona fide transfer of funds shall be a preferred claim against
7 the assets of the bank or trust company.

1 **SEC. 12. Relating to boards of directors.** (a) Section ninety-one
2 hundred sixty-seven (9167), code, 1927, is repealed.

3 (b) Section ninety-two hundred twenty-four (9224) code, 1927, is
4 amended and codified to read as follows:

5 9224. Each director of all state banks, savings banks, and trust
6 companies, before acting as such, shall take an oath that he will
7 diligently, faithfully, and impartially perform the duties imposed
8 upon him by law, that he will not knowingly violate or willingly permit
9 to be violated any of its provisions, that he is the bona fide owner in
10 his own right of the number of shares of stock required to be owned
11 by him as provided in this chapter; that the same is not hypothecated
12 nor in any manner pledged as security for any loan obtained or debt
13 owing by him, which oath shall be signed by such director and certi-
14 fied by the officer before whom it is taken, and filed with, and pre-
15 served in the office of, the superintendent of banking.

16 Such board of directors shall hold at least one (1) meeting each
17 calendar month. At its annual meeting the board shall appoint from
18 its members an examining committee of not less than two, which shall
19 examine the condition of the bank, at least every quarter, and report
20 the same in writing duly signed to the board, which shall cause said
21 report to be recorded in the directors' minute book of the bank. The
22 superintendent of banking, with the approval of the state banking
23 board, may remove any director from office for failure to attend such
24 meetings except for good cause shown.

1 **SEC. 13. Requiring financial statements from borrowers.** Section
2 ninety-one hundred forty (9140) of the code, 1927, is amended by
3 adding thereto the following: The superintendent of banking shall
4 have power to adopt and promulgate such rules and regulations as
5 in his opinion will be necessary to properly and effectively carry out
6 and enforce the provisions of this section. He may require, when-
7 ever in his judgment it would promote and strengthen the banking
8 industry to do so, that unsecured loans in amounts exceeding five hun-
9 dred dollars (\$500.00) shall not be made except when the request
10 therefor is accompanied by a satisfactory financial statement of such
11 character and setting out such facts as he shall direct. Such financial
12 statement shall be held in strict confidence by the bank to which it
13 is given. Such financial statement shall be attached to the note and,
14 upon request of the borrower, returned to the borrower with the can-
15 celled note when the note is paid.

1 **SEC. 14. Prohibiting accepting gifts or gratuities for purpose of**
2 **loans.** No loan or investment shall be made from the funds of any
3 state bank, savings bank or trust company directly or indirectly except
4 by an active executive officer, and any active executive officer making
5 any loan or investment from the funds of said bank or trust company
6 under or from which or in connection with which he receives or is to
7 receive any gift, gratuity or compensation whatsoever shall be guilty
8 of a misdemeanor and shall be punished accordingly.

1 **SEC. 15. Purchasing or loaning on bank's own shares as security.**

2 That section ninety-one hundred eighty-four (9184) of the code, 1927,
 3 be and the same is hereby amended by striking all following the word
 4 "security" in line four (4) and inserting in lieu thereof a period (.).
 5 No state bank, savings bank, or trust company shall make any loan
 6 or discount on the security of the shares of its own capital stock, or
 7 be the purchaser or holder of any shares, unless such security or pur-
 8 chase shall be necessary to prevent loss upon a debt previously con-
 9 tracted in good faith, and stock so purchased or acquired shall be
 10 sold at public or private sale, or otherwise disposed of, within one (1)
 11 year from the time of its purchase or acquisition unless the time is
 12 extended by the superintendent of banking. State banks, savings
 13 banks, and trust companies shall have prior lien on their debtors'
 14 shares of stock for all obligations to the bank subject, however, to
 15 loans against the stock which the bank has acknowledged by written
 16 notice.

1 SEC. 16. Limiting loans to officers of banks and trust companies.
 2 That section ninety-two hundred twenty (9220) of the code, 1927,
 3 be and the same is hereby amended by adding thereto the following:

4 No active executive officer of any state bank, savings bank, or trust
 5 company shall use or borrow for himself, directly or indirectly, any
 6 money or other property belonging to any state bank, savings bank
 7 or trust company of which he is an officer, in excess of ten per cent
 8 (10%) of the capital and surplus of such bank or trust company, nor
 9 shall the total amount loaned to all such active executive officers of
 10 any bank or trust company exceed twenty-five per cent (25%) of
 11 the capital and surplus of such bank or trust company. Where loans
 12 are made to such active executive officers they must first be approved
 13 by a majority of the board of directors, said approval to be in writing
 14 and the active executive officer to whom said loans are made, not
 15 voting. The form of said approval shall be as follows:

16 We, the undersigned, constituting a majority of the.....
 17 of the..... bank or
 18 trust company, do hereby approve a loan of \$.....
 19 to.....; it appearing that said loan is not more
 20 than ten per cent (10%) of the capital stock and surplus of.....
 21 bank or trust company; it further appearing that
 22 said loan will not make the aggregate of loans to said active executive
 23 officers more than twenty-five per cent (25%) of the capital and sur-
 24 plus of the bank or trust company.

25
 26
 27
 28

29 Dated this day of....., 19....

30 Provided, if any such active executive officer shall own a majority
 31 of the stock of any other corporation a loan to that corporation shall
 32 be considered for the purpose of this section as a loan to him.

1 SEC. 17. Prohibiting certifying checks or issuing certificates of
 2 deposit without funds deposited. Any officer of a state or savings
 3 bank or trust company, who shall certify any check, when there are
 4 not sufficient funds on hand available to the credit of the drawer
 5 of said check to pay the same, or who shall issue any certificate of

6 deposit when funds have not been deposited equal in amount to said
7 certificate, shall be deemed guilty of a misdemeanor, and upon con-
8 viction shall be punished by imprisonment in the county jail for a
9 period not exceeding one (1) year, or by a fine not exceeding one
10 thousand dollars (\$1,000.00), or by both such fine and imprisonment.

1 **SEC. 18. Bank examination information to be confidential.** The in-
2 formation received or obtained by any examination of any bank or
3 trust company shall not be divulged or offered in evidence in any
4 court in this state except in such actions as are brought by the super-
5 intendent of banking or under the criminal provision.

1 **SEC. 19. Repealing section 9222 of the code relating to indebted-**
2 **ness.** That the law as it appears in section ninety-two hundred
3 twenty-two (9222) of the code, 1927, be and the same is hereby re-
4 pealed.

1 **SEC. 20. Clearing and amplifying law on bank's right to borrow**
2 **money by "bills payable".** That the law as it appears in section ninety-
3 two hundred ninety-seven (9297) of the code, 1927, be and the same
4 is hereby amended by striking out all of the section following the
5 comma (,) after the word "depositors" in line five (5) thereof, and
6 by inserting in lieu thereof the following:

7 "to maintain proper legal reserves and for other corporate purposes,
8 and the directors of said trust company, state or savings bank shall
9 have the right to pledge as security for said indebtedness or liability
10 such assets of said bank or trust company as may be necessary. Noth-
11 ing herein contained shall limit the issuance by trust companies, of
12 debentures or bonds, the actual payment of which shall be secured by
13 an actual transfer of real estate securities in manner and form as pro-
14 vided in paragraph two (2) section eighty-three hundred fifty-two
15 (8352)."

1 **SEC. 21. Authority required before pledging bank's assets.** The
2 cashier or any other officer or employee shall have no power to pledge
3 or hypothecate any notes, bonds or other obligations owned by said
4 bank or trust company until such power and authority shall have been
5 given, at least annually, to such cashier or other officer or employee
6 pursuant to a resolution by the board of directors, a written record
7 of which proceedings shall first have been made; and a certified copy
8 of said resolution signed by the president and cashier with the cor-
9 porate seal annexed, shall be conclusive evidence of the grant of such
10 power. All acts of pledging or hypothecation done by the cashier or
11 other officer or employee of such bank or trust company without the
12 authority from the board of directors shall be null and void, and any
13 such cashier or other officer or employee violating the provisions of
14 this section shall be guilty of embezzlement and shall on conviction
15 thereof be imprisoned in the penitentiary not to exceed twenty (20)
16 years.

1 **SEC. 22. Requiring officers and employees to be bonded.** The officers
2 and employees of any state bank, savings bank or trust company
3 having the care, custody or control of any funds or securities for any
4 such bank or trust company, shall give a good and sufficient bond in
5 a company authorized to do business in this state indemnifying the

6 said bank or trust company against all losses, which may be incurred
7 by reason of any act or acts of fraud, dishonesty, forgery, theft, lar-
8 ceny, embezzlement, wrongful abstraction, mis-application, misappro-
9 priation or other criminal act committed by such officer or employee
10 directly or through connivance with others, until all of his accounts
11 with the said bank or trust company shall have been fully settled and
12 satisfied. The amounts and sureties shall be subject to the approval
13 of the board of directors of any such bank or trust company. The
14 premium on said bonds shall be paid by the said bank or trust com-
15 pany.

1 **SEC. 23. Taxing surplus and undivided profits as moneys and cred-**
2 **its.** That section seven thousand three (7003) of the code, 1927, be
3 and the same is hereby amended by striking from lines two (2) and
4 three (3) thereof the words "surplus and undivided earnings" and
5 adding at the end of said section the following:

6 "All surplus and undivided profits of such bank or trust company
7 shall be taxed as moneys and credits".

1 **SEC. 24. Authorizing state and savings banks and trust companies**
2 **to put up collateral to secure public funds and such other funds.** State
3 and savings banks and trust companies when authorized by the super-
4 intendent of banks may pledge a portion of their assets to secure pub-
5 lic funds and such other funds as may be authorized by the superin-
6 tendent of banking.

1 **SEC. 25. False statements for credit.** That any person (1) who shall
2 knowingly make or cause to be made, either directly or indirectly, or
3 through any agency whatsoever, any false statement in writing, with
4 intent that it shall be relied upon, and with intent to defraud respect-
5 ing the financial condition, or means or ability to pay, of himself or
6 of any other person, firm or corporation, in which he is interested,
7 or for whom he is acting, for the purpose of procuring and does
8 thereby procure in any form whatsoever, either the delivery of per-
9 sonal property, the payment of cash, the making of a loan or credit,
10 the extension of a credit, the discount of an account receivable, or the
11 making, acceptance, discount, sale or endorsement of a bill of ex-
12 change, or promissory note, for the benefit of either himself or of such
13 person, firm or corporation; or (2) who, knowing that a false state-
14 ment in writing has been made, respecting the financial condition or
15 means or ability to pay, of himself, or of such person, firm or corpora-
16 tion, in which he is interested, or for whom he is acting, procures,
17 upon the faith thereof, for the benefit either of himself, or of such
18 person, firm or corporation, either or any of the things of benefit
19 mentioned in the first subdivision of this section; or (3) who, knowing
20 that a statement in writing has been made, respecting the financial
21 condition or means or ability to pay of himself or of such person, firm
22 or corporation, in which he is interested, or for whom he is acting,
23 with intent to defraud represents on a later day, in writing that such
24 statement theretofore made, if then again made on said day, would
25 then be true, when in fact, said statement if then made would be
26 false, and procures upon the faith thereof, for the benefit either of
27 himself or such person, firm or corporation, either or any of the things
28 of benefit mentioned in the first subdivision of this section;

29 Shall be guilty of a misdemeanor and upon conviction thereof shall
30 be punished accordingly.

1 **SEC. 26. Interest on public funds.** That section one hundred forty
2 (140) of the code, 1927, be and the same is hereby amended by strik-
3 ing therefrom the words "two and one-half per cent per annum"; and
4 that sections seventy-four hundred four (7404), fifty-six hundred
5 fifty-one (5651), forty-three hundred nineteen (4319), and fifty-five
6 hundred forty-eight (5548), all of the code 1927, be and the same are
7 hereby amended by striking from each of said sections the words "two
8 and one-half per cent per annum on ninety per cent of the daily bal-
9 ances" and inserting in lieu thereof in each of said sections one hun-
10 dred forty (140), seventy-four hundred four (7404), fifty-six hundred
11 fifty-one (5651), forty-three hundred nineteen (4319), and fifty-five
12 hundred forty-eight (5548), the following:—

13 "two per cent (2%) per annum on ninety per cent (90%) of the
14 collected daily balances."

15 Provided that the provisions of this section shall apply from and
16 after January 1st, 1930.

1 **SEC. 27. Embezzlement of mortgaged property.** That section thir-
2 teen thousand thirty-seven (13037) of the code, 1927, be and the
3 same is hereby amended by adding thereto the following:

4 Failure to produce the property specifically described in such mort-
5 gage or conditional bill of sale and existing and owned by the mort-
6 gator or debtor at the time it was executed in accordance with the
7 terms thereof, shall be prima facie evidence that the property de-
8 scribed in such mortgage or conditional bill of sale has been destroyed,
9 concealed, sold, or otherwise disposed of by the mortgagor or pur-
10 chaser. Nothing herein contained shall relieve the mortgagee or seller
11 under conditional bill of sale from making demand for satisfaction
12 or return of the property conveyed by such mortgage or conditional
13 bill of sale.

1 **SEC. 28. False reports against banks and trust companies.** Who-
2 ever maliciously or with intent to deceive makes, publishes, utters,
3 repeats, or circulates any false report concerning any bank or trust
4 company which imputes, or tends to impute, insolvency or unsound
5 financial condition or financial embarrassment, or which may tend to
6 cause or provoke or aid in causing or provoking a general withdrawal
7 of deposits from such bank or trust company, or which may otherwise
8 injure or tend to injure the business or good will of such bank or
9 trust company, shall be guilty of a felony and shall be fined not more
10 than five thousand dollars (\$5,000.00) or imprisoned for not more
11 than five (5) years in the penitentiary or be punished by both such
12 fine and imprisonment.

1 **SEC. 29. To make Monday legal holiday following a Sunday upon**
2 **which a present legal holiday falls.** That section ninety-five hundred
3 forty-five (9545) of the code, 1927, be and the same is hereby amended
4 by inserting at the end of line seven (7) thereof the following:

5 "and the following Monday, whenever any of the foregoing named
6 legal holidays may fall on a Sunday".

1 **SEC. 30. Amending penalty statute relating to receiving deposits**

2 when institution insolvent. That section ninety-two hundred eighty
3 (9280) of the code, 1927, be and the same is hereby amended by in-
4 serting after the word "knowingly", the spelling of which is com-
5 pleted in line eight (8) thereof, the following:

6 "with intent to defraud or receiving financial benefit therefrom".

1 SEC. 31. Cash reserve fund required. That sections ninety-two
2 hundred one (9201) and ninety-two hundred sixteen (9216) of the
3 code, 1927, are hereby repealed.

4 Chapter four hundred fifteen (415) of the code, 1927, is amended
5 by inserting immediately after section ninety-two hundred seventy
6 (9270) the following:

7 "State and savings banks and trust companies doing a commercial
8 business and not located in a reserve city as now or hereafter defined
9 under the provisions of the federal reserve act, as amended, shall
10 hold and maintain an actual net balance equal to not less than seven
11 per cent (7%) of the aggregate amount of its demand deposits and
12 three per cent (3%) of its time deposits.

13 "State and savings banks and trust companies doing a commercial
14 business and that may be located in reserve cities as now or hereafter
15 defined by the federal reserve act as amended shall hold and maintain
16 an actual net balance equal to not less than ten per cent (10%)
17 of the aggregate amount of its demand deposits and three
18 per cent (3%) of its time deposits; Provided, however, that
19 if located in the outlying districts of a reserve city or in territory
20 added to such a city by the extension of its corporate charter it may
21 upon the approval of the superintendent of banking and state banking
22 board, hold and maintain reserve balances specified for those banks
23 not located in reserve cities.

24 "All savings banks, doing exclusive savings bank business shall at all
25 times keep a cash fund equal to eight per cent (8%) of their deposits.

26 "Eighty-five per cent (85%) of such reserve fund required under the
27 provisions of this section for all banks and trust companies located
28 either in or outside of reserve cities may be kept on deposit subject
29 to call, with other banks organized under state or national laws".

1 SEC. 32. Loans on non-perishable security and live stock. That
2 section ninety-two hundred twenty-three (9223) of the code, 1927,
3 be and the same is hereby amended by adding at the end of said sec-
4 tion the following:

5 "Obligation of any person, co-partnership, association or corporation
6 in the form of notes or drafts secured by shipping documents, ware-
7 house receipts or similar documents transferring or securing title
8 covering readily marketable non-perishable staples when such prop-
9 erty is fully covered by insurance shall be subject under this section
10 to a limitation of twenty per cent (20%) of such capital and surplus.
11 Provided, however, that such obligations in amounts not to exceed
12 forty per cent (40%) of such capital and surplus may be permitted
13 when the market value at any time is not less than one hundred
14 twenty per cent (120%) of the face amount of such obligation, pro-
15 vided further that if such obligations are secured by instruments
16 securing title covering live stock or by a first lien on live stock with
17 sufficient corn and rough feed to fatten said live stock during the
18 term of the note and given for not more than the purchase price of

19 said live stock, they shall be subject under this section to a limitation
20 of forty per cent (40%) of such capital and surplus”.

1 **SEC. 33. Shares of stock of less than \$100 par value.** That section
2 ninety-one hundred ninety-two (9192) of the code, 1927, be and the
3 same is hereby amended by inserting before the comma (,) in line
4 three (3) thereof the following:—

5 “or into shares of such less amount as may be provided in the
6 articles of incorporation”.

7 That section ninety-two hundred nine (9209) of the code, 1927, be
8 and the same is hereby amended by striking from line two (2) thereof
9 the word “hereafter” and inserting before the comma (,) in line three
10 (3) thereof the following:—

11 “or into shares of such less amount as may be provided in the
12 articles of incorporation”.

13 The capital of trust companies shall be divided into shares of one
14 hundred dollars (\$100.00) each or into shares of such less amount
15 as may be provided in the articles of incorporation.

1 **SEC. 34. Fixing liability in safe deposit business of banks and trust
2 companies.** That any corporation, partnership or person engaged in
3 the business of renting out lock boxes as safes, for storage or safe
4 keeping of securities and valuables, in a vault in a building under the
5 control of the corporation, partnership or person, so engaged within
6 this state, may in any lease or contract governing or regulating the
7 use of any such box to or by any customer or customers, limit its
8 liability, as such lessor or bailee in any of the following respects:—

9 Limit its liability for any loss by negligence to such maximum
10 amount as may be so stipulated, not less however than three hundred
11 (300) times the annual rental of such box or safe.

12 Stipulate they shall in no event be liable for loss of money, jewelry
13 or such other articles as may be so excepted against in such lease or
14 contract.

15 Stipulate that evidence tending to prove that securities, money,
16 valuables or other articles were left in any such box, or safe upon the
17 last entry by such customer or his authorized agent, and that the
18 same or any part thereof were found missing upon subsequent entry,
19 shall not be sufficient to raise a presumption that the same were
20 lost by any negligence or wrongdoing for which such lessor is re-
21 sponsible, or put upon the lessor the burden of proof that such alleged
22 loss was not the fault of the lessor.

1 **SEC. 35. Repeal.** All acts or parts of acts in conflict with the pro-
2 visions hereof are hereby repealed.

1 **SEC. 36. Act deemed separable.** This act is deemed to be separable
2 and if any section thereof is held to be void, it shall not avoid the
3 other sections of this act.

1 **SEC. 37. 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 Mt. Pleasant News, a newspaper published in Mt. Pleas-
4 ant, Iowa, and the Newton Daily News, a newspaper published in
5 Newton, Iowa.

House File No. 402. Approved April 12, A. D. 1929.

I hereby certify that the foregoing act was published in the Mt. Pleasant News April
17, 1929, and the Newton News April 16, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 31

BANKS. RECEIVERS

AN ACT to amend chapter four hundred fifteen (415) and section 9278 of the code 1927 relating to banks and trust companies and receivers thereof.

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

1 SECTION 1. That chapter four hundred fifteen (415) of the code,
2 1927, be amended by inserting therein immediately after section nine
3 thousand two hundred seventy-eight (9278) the following:
4 "Sec. 9278-c1. After having made diligent effort to collect or
5 realize on the assets as provided in the preceding section the receiver
6 may sell the remaining assets, in whole or in part, including real
7 estate or any interest therein, and may execute assignments, releases
8 and satisfactions to effectuate such sales and a receiver may execute
9 assignments, releases and satisfactions to effectuate sales and trans-
10 fers made by his predecessors. The superintendent of banking may
11 sell, release, satisfy or assign any remaining asset, mortgage or lien
12 of a bank or trust company receivership which has already been ter-
13 minated. All of the aforesaid sales, assignments, releases and satis-
14 factions shall be made only on application approved by the court in
15 which the receivership is or was pending after hearing thereon and
16 on such notice as the court may have prescribed and after it is shown
17 that the consideration for such sale, assignment, release or satisfac-
18 tion has been paid."

Senate File No. 502. Approved April 18, A. D. 1929.

CHAPTER 32

BANKS AND BANKING

AN ACT to amend section nine thousand two hundred thirty-two (9232) of the code, 1927, relating to the publication of reports of the condition of savings and state banks.

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

1 SECTION 1. That section nine thousand two hundred thirty-two
2 (9232) of the code, 1927, be amended by inserting after the word,
3 "county" and before the word, "and" in line nine (9) of said section,
4 the following words, "or in a newspaper in an adjoining county cir-
5 culating in the territory served by such bank."

House File No. 279. Approved April 16, A. D. 1929.

CHAPTER 33

BANKS AND BANKING

AN ACT to provide for the approval by the superintendent of banking of all articles of incorporation, including renewal articles of state and savings banks.

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

- 1 SECTION 1. Before any state or savings bank shall be permitted to
- 2 incorporate under the laws of this state, it shall present its articles of
- 3 incorporation to the superintendent of banking for approval. All
- 4 amendments to such articles and the renewal articles of incorporation
- 5 shall also be submitted to and approved by the superintendent of
- 6 banking.

Senate File No. 238. Approved April 5, A. D. 1929.

CHAPTER 34

BANKS AND BANKING

AN ACT to repeal section seventy-four hundred six (7406), code, 1927, relating to the filing of bond by banks as security.

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

- 1 SECTION 1. Section seventy-four hundred six (7406), code, 1927,
- 2 is hereby repealed.
- 1 SEC. 2. This repeal shall not be deemed to prevent the bringing of
- 2 an action on any existing bond, if any such exists.

House File No. 145. Approved March 19, A. D. 1929.

CHAPTER 35

ELECTIONS

AN ACT to amend section five hundred forty-six (546), and section five hundred forty-nine (549), code, 1927, relating to nominations by primary elections.

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

- 1 SECTION 1. Section five hundred forty-six (546), code, 1927, is
- 2 amended by striking the words "the head of the ticket" at the end of
- 3 said section and inserting in lieu thereof the word "governor."
- 1 SEC. 2. Section five hundred forty-nine (549), code, 1927, is
- 2 amended by striking therefrom the words "or for the head of the
- 3 ticket of any political party when it had no candidate for governor
- 4 at such election" in lines six (6), seven (7) and eight (8) of said
- 5 section.

Senate File No. 220. Approved April 16, A. D. 1929.

CHAPTER 36

ELECTIONS

AN ACT to amend sections five hundred sixty-five (565) and seven hundred ninety-one (791), code, 1927, relating to the time of opening and closing the polls at elections.

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

1 SECTION 1. Section five hundred sixty-five (565), code, 1927, is
2 amended by striking from line four (4) the word "nine" and by insert-
3 ing in lieu thereof the word "eight".

1 SEC. 2. Section seven hundred ninety-one (791), code, 1927, is
2 amended by striking from line nine (9) the word "seven" and by in-
3 sserting in lieu thereof the word "eight".

Senate File No. 374. Approved April 6, A. D. 1929.

CHAPTER 37

PERMANENT REGISTRATION OF VOTERS

AN ACT to amend chapter thirty-nine-b1, (39-b1) and section five hundred and sixty-eight (568), of the code, 1927, relating to permanent registration of voters.

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

1 SECTION 1. Section seven hundred eighteen-b four (718-b4) of
2 the code, 1927, is amended by striking from lines twenty-seven (27),
3 twenty-eight (28) and twenty-nine (29), the words: "in the year
4 1928, between July 1, 1928, and up to and including the tenth day
5 prior to the general election in the fall of 1928.", and inserting in
6 lieu thereof, the following: "between July 1, and up to and including
7 the tenth day prior to the next election following the adoption of the
8 plan for registration provided in this act."

9 Also by striking from said section the last sentence thereof and
10 by inserting in lieu thereof the following: "The commissioner of
11 registration shall appoint the two (2) clerks of election for each pre-
12 cinct, who shall have charge of the election register."

1 SEC. 2. That section seven hundred eighteen-b five (718-b5) of
2 the code, 1927, be amended by striking from said section the fol-
3 lowing: "As soon as possible after passage of this chapter and not
4 later than July 1, 1928,".

1 SEC. 3. Section seven hundred eighteen-b six (718-b6) of the
2 code, 1927, is amended by striking from division "c" the words:
3 "Age and".

1 SEC. 4. Section seven hundred eighteen-b seven (718-b7) of the
2 code, 1927, is amended by adding at the close of the section the fol-
3 lowing: "The voter who changes his residence within ten days pre-
4 ceding an election shall vote in the precinct where he is registered."

1 SEC. 5. That section seven hundred eighteen-b eight (718-b8) of
2 the code, 1927, be amended by striking all of said section following

3 the word "immediately" in line seventeen (17) and by inserting in
4 lieu thereof; "after approving the certificate of registration."

1 SEC. 6. That section seven hundred eighteen-b twelve (718-b12)
2 of the code, 1927, be repealed and the following enacted in lieu
3 thereof:

4 "Any person entitled to register who is permanently disabled by
5 sickness or otherwise, or who will be absent from the election precinct
6 until after the next succeeding election, may up to and including the
7 tenth day next preceding an election, apply in writing to the com-
8 missioner of registration who shall thereupon forward to such voter
9 duplicate registration cards which shall be executed by the voter
10 before a notary public and returned to the commissioner of regis-
11 tration. If such registration cards are properly executed and show
12 that the voter is duly qualified, then such cards shall be placed in
13 the registration lists."

1 SEC. 7. That section seven hundred eighteen-b eighteen (718-b18)
2 of the code, 1927, be amended by striking out of the first three (3)
3 lines the following words, "The necessary expense in each city for
4 carrying out the provisions of this chapter shall be paid by such
5 city," and inserting in lieu thereof the following words, "The cost
6 of material, equipment and labor for the installation and maintenance
7 of the permanent registration system shall be shared equally by the
8 county and the city,".

1 SEC. 8. That section seven hundred eighteen-b twenty (718-b20)
2 of the code, 1927, be amended by striking from lines two (2) and
3 three (3) the following words, "a population in excess of one hun-
4 dred twenty-five thousand and having".

5 That said section be also amended by inserting immediately before
6 line fifteen (15) thereof the following: "Party affiliation" (if primary
7 election).

1 SEC. 9. That chapter thirty-nine-b one (39-b1) of the code, 1927,
2 be amended by adding thereto as an additional section the following:

3 "The lists of voters provided for in section five hundred sixty-eight
4 (568) of the code need not be prepared in cities having the permanent
5 registration system. The registration cards provided for in this
6 chapter shall be used in lieu of such lists."

1 SEC. 10. That section seven hundred eighteen-b twenty-two (718-
2 b22) of the code, 1927, be repealed and the following enacted in lieu
3 thereof:

4 "The council may adopt ordinances necessary to carry into effect
5 the provisions of this chapter."

1 SEC. 11. The entries required to be made in sections eight hundred
2 (800) and eight hundred eight (808) of the code, 1927, shall be made
3 on the certificates of registration provided for in section seven hun-
4 dred eighteen-b twenty (718-b20).

CHAPTER 38

ELECTIONS

AN ACT to amend section six hundred ninety (690) of the code, 1927, in relation to registrars acting in the dual duty of registrar and clerk of election.

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

1 SECTION 1. That section six hundred ninety (690) of the code, 1927,
2 be amended by striking out all the words after the words "election
3 day" in the tenth line and inserting in lieu thereof the words: "shall
4 be at the regular polling places and the duties to be performed by
5 the registrars shall be that of registration and to also act as clerks
6 of election."

Senate File No. 378. Approved March 30, A. D. 1929.

CHAPTER 39

ELECTIONS

AN ACT to amend section eight hundred ninety-three (893), code, 1927, relating to the duties of double election boards.

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

1 SECTION 1. Section eight hundred ninety-three (893), code, 1927,
2 is amended by striking out the first sentence and by inserting in lieu
3 thereof the following:
4 The counting boards shall proceed to the respective voting places
5 to which they have been appointed, at one (1) o'clock P. M., or in any
6 precinct in which the board of supervisors shall deem it necessary,
7 at such earlier hour after nine (9) o'clock A. M., as such board of
8 supervisors may direct, and shall take charge of the ballot box con-
9 taining the ballots already cast in that precinct when at least fifty
10 (50) ballots have been cast.

House File No. 28. Approved March 19, A. D. 1929.

CHAPTER 40

ELECTIONS. PRIMARY BALLOT

AN ACT to amend section five hundred forty-eight (548), to repeal sections five hundred forty-nine (549) and five hundred fifty-five (555), and to repeal section five hundred fifty-six (556), and to enact a substitute therefor, all of the code, 1927, and all relating to the certification of the names of candidates and to the order in which the names of such candidates are arranged on primary election ballots.

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

1 SECTION 1. Section five hundred forty-eight (548), code, 1927,
2 is amended by striking out paragraph four (4) thereof.

1 SEC. 2. Sections five hundred forty-nine (549) and five hundred
2 fifty-five (555), code, 1927, are hereby repealed.

1 SEC. 3. Section five hundred fifty-six (556), code, 1927, is repealed
2 and the following is enacted in lieu thereof, to wit:

3 "556. Names of candidates—arrangement. The names of all can-
4 didates for offices shall be arranged and printed upon the primary
5 election ballots in the following manner: The county auditor shall
6 prepare a list of the election precincts of his county, by arranging the
7 various townships, towns, and cities in the county in alphabetical
8 order, and the wards or precincts of each city, town, or township in
9 numerical order under the name of such city, town, or township. He
10 shall then arrange the surnames of all candidates for such offices
11 alphabetically for the respective offices for the first precinct in the
12 list; thereafter, for each succeeding precinct, the names appearing
13 first for the respective offices in the last preceding precinct shall be
14 placed last, so that the names that were second before the change
15 shall be first after the change."

House File No. 438. Approved March 27, A. D. 1929.

CHAPTER 41

ELECTIONS

AN ACT to amend the law as it appears in section forty-two hundred eighteen (4218) of the code, 1927, relating to submission of proposition to vote of school electors.

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

1 SECTION 1. That section forty-two hundred eighteen (4218) of the
2 code, 1927, be and the same is hereby amended by striking out all
3 following the word "the" in line fourteen (14) and inserting in lieu
4 thereof the following:

5 "form indicated in sections seven hundred sixty-three (763) and
6 seven hundred sixty-five (765); and the voter shall indicate his vote
7 in the manner designated in section seven hundred sixty-four (764),
8 or indicate it on the voting machine, as the case may be."

House File No. 150. Approved March 12, A. D. 1929.

CHAPTER 42

ELECTIONS

AN ACT to repeal the law as it appears in section five hundred eighty-four (584), code of 1927, and to enact a substitute in lieu thereof relative to the recount of ballots in primary elections.

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

1 SECTION 1. That section five hundred eighty-four (584) as it ap-
 2 pears in the code of 1927 is hereby repealed and the following enacted
 3 in lieu thereof:
 4 "Any candidate whose name appears upon the official primary bal-
 5 lot of any voting precinct may require the board of supervisors of
 6 the county in which such precinct is situated to recount the ballots
 7 cast in any such precinct as to the office for which he was a candi-
 8 date, by filing with the county auditor not later than one o'clock P. M.
 9 on Monday after the official canvass made by the board of supervisors
 10 is finished, a showing in writing, duly sworn to by such candidate,
 11 that fraud was committed, or error or mistake made, in counting or
 12 returning the votes cast in any such precinct as to the office for which
 13 he was a candidate."

House File No. 34. Approved March 21, A. D. 1929.

CHAPTER 43

ELECTIONS

AN ACT to provide for filling vacancies in nominations of presidential electors.

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

1 SECTION 1. That there is hereby inserted in the code the following
 2 section, to wit:
 3 "606-c1. Presidential electors. Vacancies in nominations of presi-
 4 dential electors shall be filled by the party central committee for the
 5 state."

House File No. 202. Approved March 21, A. D. 1929.

CHAPTER 44

RELEASE FROM SURETY BONDS

AN ACT to amend section one thousand eighty-nine (1089), code, 1927, relating to sureties on bonds and to authorize either the principal or surety to petition for release under such bonds.

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

- 1 SECTION 1. Section one thousand eighty-nine (1089), code, 1927,
- 2 is amended by inserting in the 6th line and immediately after the
- 3 word "court" the following words, to-wit:
- 4 "Such petition for release may be presented either by the principal
- 5 or the surety on the bond".

Senate File No. 476. Approved April 15, A. D. 1929.

CHAPTER 45

LIABILITY OF DEPOSITORY

AN ACT to amend the law as it appears in section ten hundred ninety-a thirteen (1090-a13) of the code, 1927, relating to liability of depository.

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

- 1 SECTION 1. Section ten hundred ninety-a thirteen (1090-a13) of
- 2 the code, 1927, is hereby amended by striking from line four (4) the
- 3 word "fifth" and inserting in lieu thereof the word "tenth", and by
- 4 striking from line six (6) the word "double", and by inserting in lieu
- 5 thereof the words " a ten per cent penalty on".

House File No. 465. Approved April 13, A. D. 1929.

CHAPTER 46

WORKMEN'S COMPENSATION

AN ACT to amend section fourteen hundred sixty (1460) of the code, 1927, and to enact a substitute therefor, relative to the place of hearing of petitions for review before the industrial commissioner.

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

- 1 SECTION 1. Section one thousand four hundred sixty (1460) of the
- 2 code, 1927, is hereby repealed and the following enacted as a substi-
- 3 tute therefor:
- 4 "Sec. 1460. **Place of hearing.** All petitions for review of the deci-
- 5 sion and findings of a board of arbitration shall be held at the seat
- 6 of the government, and all petitions for review of payments or settle-
- 7 ments shall be heard in the county where the injury occurred, pro-
- 8 vided, however, with the approval of the industrial commission the
- 9 parties interested may agree upon another place of hearing."

Senate File No. 256. Approved April 15, A. D. 1929.

CHAPTER 47

WORKMEN'S COMPENSATION

AN ACT to amend section thirteen hundred eighty-seven (1387), of the code, 1927, relating to surgical, medical and hospital services furnished injured employees and providing for the regulation of such fees and charges.

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

1 SECTION 1. Section thirteen hundred eighty-seven (1387) of the
2 code, 1927, be and the same is hereby amended by striking from line
3 seventeen (17) the words "one hundred" and substituting in lieu
4 thereof the words "two hundred".

House File No. 111. Approved April 16, A. D. 1929.

CHAPTER 48

WORKMEN'S COMPENSATION

AN ACT to amend the law as it appears in section fourteen hundred seventy seven (1477), chapter seventy two (72) of the code, 1927, relating to security for the payment of workmen's compensation.

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

1 SECTION 1. **Bond in lieu of insurance.** Section fourteen hundred
2 seventy seven (1477) chapter seventy two (72) of the code, 1927, is
3 hereby amended by adding to said section the following:
4 "Any employer who has more than five persons engaged in hazard-
5 ous employment, except the employments recited in section thirteen
6 hundred sixty one (1361) of the code, 1927, and who has failed,
7 omitted, and neglected to secure the payment of compensation by
8 carrying insurance or is not relieved therefrom as by the statutes in
9 such cases provided, shall furnish a bond approved by the Iowa in-
10 dustrial commissioner, as to form and security, conditioned to secure
11 and pay workmen's compensation in accordance with the law; such
12 bond shall be in such amount as may be fixed by the Iowa industrial
13 commissioner having due regard for the number of employees and
14 considering the industrial experience in such industry as a class."

1 SEC. 2. **Notice to be posted.** Such employer shall post and keep
2 posted in some conspicuous place upon the premises where the busi-
3 ness is conducted, a notice in form approved by the industrial com-
4 missioner, stating the nature of the security furnished by such em-
5 ployer to secure the compensation payments contemplated by the law.

1 SEC. 3. **Duty of mine inspectors.** It shall be the duty of each coal
2 mine inspector in his inspection district to report to the industrial
3 commissioner, on blanks furnished by the commissioner, any em-
4 ployer who has failed, omitted, or neglected to comply with the provi-
5 sions of the law with reference to the posting and keeping posted the
6 notice as provided by law, with such other information required by
7 the commissioner, and it shall be the duty of each factory inspector
8 to perform like service in their respective districts.

1 **SEC. 4. Failure to comply—proceedings.** Upon the receipt of in-
 2 formation by the Iowa industrial commissioner of any employer fail-
 3 ing to comply with this act, he shall at once notify such employer
 4 by registered mail, that unless such employer comply with the require-
 5 ments of law, legal proceedings will be instituted to enforce such
 6 compliance.

7 Unless such employer comply with the provisions of the law within
 8 fifteen (15) days after the giving of such notice, the Iowa industrial
 9 commissioner shall report such failure to the attorney general, whose
 10 duty it shall be to bring an action in a court of equity to enjoin the
 11 further violation of this act. Upon decree being entered for a tem-
 12 porary or permanent injunction, a violation shall be a contempt of
 13 court and punished as provided for contempt of court in other cases.

Senate File No. 255. Approved March 22, A. D. 1929.

CHAPTER 49

EMPLOYMENT AGENCIES

AN ACT to provide for the licensing of employment agencies charging a fee for serv-
 ices rendered, providing conditions for the granting and revocation of such licenses,
 providing a commission without compensation for such purposes, fixing the license
 fees for licenses, and to repeal the law as it appears in paragraph four (4), section
 fifty-seven hundred forty-three (5743) of the code, 1927, and to amend the law as it
 appears in section fifteen hundred forty-six (1546)—a 1 of the code, 1927, relating
 to certain regulations and exemptions of employment agencies.

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

1 **SECTION 1.** Every person, firm or corporation who shall keep or
 2 carry on an employment agency for the purpose of procuring or offer-
 3 ing to procure help or employment, or the giving of information as
 4 to where help or employment may be procured either directly or
 5 through some other person or agency, and where a fee, privilege, or
 6 other thing of value is exacted, charged or received either directly
 7 or indirectly, for procuring, or assisting or promising to procure em-
 8 ployment, work, engagement or situation of any kind, or for procur-
 9 ing or providing help or promising to provide help for any person,
 10 whether such fee, privilege, or other thing of value is collected from
 11 the applicant for employment or the applicant for help, shall before
 12 transacting any such business whatsoever procure a license from a
 13 commission, consisting of the secretary of state, the industrial com-
 14 missioner, and the labor commissioner, all of whom shall serve with-
 15 out compensation.

1 **SEC. 2.** Application for such license shall be made in writing to the
 2 commission provided in section one (1) of this act. It shall contain
 3 the name of the applicant, and if applicant be a firm, the names of
 4 the members, and if it be a corporation, the names of the officers
 5 thereof; and the name, number and address of the building and place
 6 where the employment agency is to be conducted. It shall be accom-
 7 panied by the affidavits of at least two (2) reputable citizens of the
 8 state in no way connected with applicant certifying, to the good moral
 9 character and reliability of the applicant, or, if a firm or corporation,

10 of each of the members or officers thereof, and that the applicant is
11 a citizen of the United States, if a natural person; also a surety com-
12 pany bond in the sum of two thousand dollars (\$2,000.00) to be
13 approved by the labor commissioner and conditioned to pay any dam-
14 ages that may accrue to any person or persons because of any wrong-
15 ful act, or violation of law, on the part of applicant in the conduct of
16 said business. There shall also be filed with the application a schedule
17 of fees to be charged for services rendered to patrons, which schedule
18 shall not be changed during the term of license without consent being
19 first given by the commission.

1 SEC. 3. The commission shall fully investigate all applicants for
2 the license required by section one (1) hereof, and shall not issue
3 any license earlier than one (1) week after the application therefor
4 is filed, provided, however, that the commission shall either grant or
5 refuse such license within thirty (30) days from the date of the filing
6 of the application. All licenses issued under the provisions of this
7 act shall expire on June thirtieth next succeeding their issuance.

1 SEC. 4. The annual license fees shall be as follows:
2 In cities having a population of seventy-five thousand (75,000) and
3 over, fifty dollars (\$50.00); a population over twenty-five thousand
4 (25,000) and under seventy-five thousand (75,000), twenty-five dol-
5 lars (\$25.00); a population over ten thousand (10,000) and under
6 twenty-five thousand (25,000), fifteen dollars (\$15.00); in all cities
7 or towns having a population of less than ten thousand (10,000), and
8 in any other place not herein specified, five dollars (\$5.00).

1 SEC. 5. The commission may revoke at any time any such a license
2 issued by it upon good cause shown and when there has been a sub-
3 stantial violation of any of the provisions of law regulatory of such
4 business.

1 SEC. 6. Any person in any manner undertaking to do any of the
2 things described in section one (1) hereof, without first securing a
3 license as herein provided, shall be guilty of a misdemeanor.

1 SEC. 7. The law as it appears in paragraph four (4) of section
2 fifty-seven hundred forty-three (5743) of the code, 1927, is hereby
3 repealed.

1 SEC. 8. That the law as it appears in section fifteen hundred forty-
2 six-a one (1546-a1) of the code, 1927, be and the same is hereby
3 amended by striking from lines eleven (11) and twelve (12) thereof,
4 the following:

5 "by any voluntary association not operating for pecuniary profit,"
6 and by substituting in lieu thereof, the following:

7 "by any chamber of commerce, young men's christian association,
8 young women's christian association, fraternal, religious, or benevo-
9 lent organization, employer's association, farmers' organization, or
10 other civic or semi-civic organization, foundation or community
11 trust."

Senate File No. 424. Approved April 16, A. D. 1929.

CHAPTER 50

CIGARETTES

AN ACT to amend the law as it appears in section fifteen hundred fifty-two (1552) of the code, 1927, so as to include a definition of the term "consumer" as included in the cigarette law.

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

1 SECTION 1. That the law as it appears in section fifteen hundred
2 fifty-two (1552) of the code, 1927, be and the same is hereby amended
3 by adding to the end thereof, the following:

4 "The term 'consumer' as used in sections 1570 and 1571, code, 1927,
5 shall include any person, firm, association, co-partnership, or corpora-
6 tion which does not have a duly issued permit to sell cigarettes or
7 cigarette papers."

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 the Des Moines Daily Record, a newspaper published at Des Moines,
4 Iowa, and in the Muscatine Journal, a newspaper published at Mus-
5 catine, Iowa.

Senate File No. 108. Approved March 13, A. D. 1929.

I hereby certify that the foregoing act was published in the Des Moines Daily Record March 16, 1929, and the Muscatine Journal March 15, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 51

RED LIGHT INJUNCTIONS

AN ACT to amend the law as it appears in section fifteen hundred eighty-seven (1587) of the code, 1927, relating to the so-called red light injunction law so as to extend the provisions thereof to include places used for gambling.

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

1 SECTION 1. That the law as it appears in section fifteen hundred
2 eighty-seven (1587) of the code, 1927, be and the same is hereby
3 amended by striking from lines four (4) and five (5) thereof, the
4 words "or prostitution", and by substituting in lieu thereof the fol-
5 lowing:

6 "prostitution, or gambling, or pool selling as defined by section thir-
7 teen thousand two hundred sixteen (13216) of the code, 1927", and
8 also by striking from lines seven (7) and eight (8) thereof, the words
9 "or prostitution", and by substituting in lieu thereof, the following:

10 "prostitution, or gambling, or pool selling as defined by section thir-
11 teen thousand two hundred sixteen (13216) of the code, 1927."

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 the Des Moines Daily Record, a newspaper published at Des Moines,

4 Iowa, and in the Council Bluffs Nonpareil, a newspaper published at
5 Council Bluffs, Iowa, without expense to the state.

House File No. 427. Approved April 16, A. D. 1929.

I hereby certify that the foregoing act was published in the Des Moines Daily Record
April 20, 1929, and the Council Bluffs Nonpareil April 19, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 52

INN KEEPER'S LIABILITY

AN ACT fixing and determining the liability of an inn keeper or the owner or keeper
of a hotel, rooming house, or eating house, for loss of or injury to the conveyance
of a guest and the personal property of such guest contained in such conveyance.

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

1 SECTION 1. No keeper or owner of any hotel, inn or eating house
2 shall be liable by reason of his innkeeper's liability or his responsibil-
3 ity as innkeeper to any guest for the loss of or damage to the auto-
4 mobile or other conveyance of such guest left in any garage not per-
5 sonally owned and operated by such hotel, inn or eating house or the
6 owner or keeper thereof.

1 SEC. 2. The liability of the keeper or owner of any hotel, inn or
2 eating house, for the loss of or damage to the conveyance of any guest
3 or the personal property of such guest left in such conveyance, where
4 said hotel, inn or eating house keeper is the owner and operator of
5 such garage, shall be that of a bailee for hire, except that such hotel,
6 inn, rooming house or eating house keeper or owner shall not be liable
7 to the guest in an amount in excess of fifty dollars (\$50.00) for loss
8 or damage to personal property left in the conveyance unless said
9 guest shall have listed with said hotel, inn, rooming house or eating
10 house, the personal property contained in said automobile or convey-
11 ance, at the time the same is left in said garage so owned by and
12 operated by the said hotel, inn, rooming house or eating house.

1 SEC. 3. Except as provided in the last preceding section no keeper
2 or owner of any hotel, inn, rooming house or eating house shall be
3 liable for the loss of or damage to the personal property kept therein
4 of any guest, while the said conveyance is in transit between the said
5 hotel, inn, rooming house or eating house and any garage in which
6 the same is temporarily stored, nor for any damage done by said
7 conveyance while in transit, unless in said transit the same is being
8 driven or operated by an employee or agent of the said hotel, inn,
9 rooming house or eating house.

Senate File No. 38. Approved April 16, A. D. 1929.

CHAPTER 53

LIFE PRESERVERS ON BOATS

AN ACT to amend the law as it appears in section seventeen hundred one (1701), of the code, 1927, relating to life preservers required to be carried by passenger boats.

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

1 SECTION 1. That the law as it appears in section seventeen hun-
2 dred one (1701) of the code, 1927, be and the same is hereby amended
3 by striking from line six (6) the word, "one-half". Also by inserting
4 after the word "passengers" in line seven (7), the words "and the
5 crew".

House File No. 410. Approved April 13, A. D. 1929.

CHAPTER 54

ENGINEERING

AN ACT to amend section eighteen hundred fifty-five (1855) of the code, 1927, relating to the different practices of engineering.

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

1 SECTION 1. Section eighteen hundred fifty-five (1855) of the code,
2 1927, is amended by adding after the word "as" in line nine (9) there-
3 of the word "airports", followed by a comma (,).

Senate File No. 332. Approved April 6, A. D. 1929.

CHAPTER 55

FISH AND GAME

AN ACT to authorize the state game warden to set aside portions of state waters for spawning grounds, to provide the procedure therefor, to prohibit fishing in, or interfering with, such spawning grounds, and to provide penalties for violations of such prohibitions.

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

1 SECTION 1. Spawning grounds. The state game warden shall have
2 the right to set aside certain portions of any state waters for spawn-
3 ing grounds where the same are suitable for this purpose for such
4 length of time as he may deem advisable by the placing of notices
5 around such area, and it shall be unlawful for any person to fish or to
6 in any manner interfere with the spawning of fish in this area. Any
7 person violating any of the provisions of this section shall be guilty of
8 a misdemeanor.

Senate File No. 319. Approved April 5, A. D. 1929.

CHAPTER 56

FISH AND GAME

AN ACT to permit the issuance, at places other than at the county seat, of licenses to hunt and of licenses to fish, to prescribe the rights, powers, duties and liability of the county recorder and other persons with reference to the issuance of such licenses and to prescribe a penalty for the violation of such rights, powers and duties.

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

1 SECTION 1. The following section is hereby enacted, to wit:
 2 "1724-cl. Issuance at other than county seat. The county recorder
 3 may sign and seal in blank licenses to hunt, and licenses to fish, and
 4 deposit the same with fit and responsible adult persons not residing
 5 at the county seat. Each such depository shall not at any one time
 6 have possession of more than fifty (50) of each of said classes of
 7 blank licenses. Said depository shall have authority to take applica-
 8 tions for licenses, to fill the blank in the license with the name of the
 9 licensee, to deliver said license, and to receive the license fee therefor,
 10 which fee together with the duly executed application for the license
 11 shall be forwarded by the depository to the county recorder within
 12 twenty-four (24) hours after receiving the same. The recorder shall
 13 be responsible for all fees which are not so accounted for. The use of
 14 of a license so signed and sealed in blank without the actual, good
 15 faith issuance thereof as herein contemplated shall constitute a mis-
 16 demeanor. All such blank licenses shall be surrendered to the recorder
 17 on his demand."

Senate File No. 21. Approved April 16, A. D. 1929.

CHAPTER 57

FISH AND GAME.

AN ACT to repeal the following sections of the code, 1927, and to enact substitutes therefor, to wit: Seventeen hundred nine-a two (1709-a2), seventeen hundred fourteen (1714), seventeen hundred sixteen (1716), seventeen hundred eighteen (1718), seventeen hundred nineteen (1719), seventeen hundred twenty (1720), seventeen hundred twenty-three (1723) to seventeen hundred twenty-five (1725), inclusive, seventeen hundred twenty-seven (1727) to seventeen hundred twenty-nine (1729), inclusive, seventeen hundred thirty-one (1731) to seventeen hundred thirty-four (1734), inclusive, seventeen hundred fifty-one (1751) to seventeen hundred fifty-three (1753), inclusive, seventeen hundred fifty-six (1756), seventeen hundred fifty-eight (1758), seventeen hundred sixty (1760), seventeen hundred sixty-one (1761), seventeen hundred sixty-three (1763), seventeen hundred sixty-four (1764), seventeen hundred sixty-seven (1767), seventeen hundred sixty-seven-a one (1767-a1), seventeen hundred sixty-eight (1768), seventeen hundred seventy-two (1772), seventeen hundred eighty (1780), seventeen hundred eighty-one (1781), seventeen hundred eighty-three (1783), seventeen hundred eighty-seven (1787), seventeen hundred ninety-four (1794), to amend sections seventeen hundred forty-five (1745) and seventeen hundred forty-six (1746) of said code, all said sections relating to the propagation, and protection of fish, game, wild birds and animals, to provide for a license to trap fur-bearing animals, to provide the legal method of measuring the length of fish, to prohibit the act of fishing during certain hours of the night, to prohibit the use of ferrets in hunting, taking, killing or capturing wild animals, to prohibit the shooting or spearing of certain fur-bearing animals, to require persons

to exhibit, on demand, fish and game in their possession, to define the term "gun", to prohibit the shooting of rifles on or over the public waters of the state, to declare certain public offenses relative to the protection of fish and game, and to provide penalties for such offenses.

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

1 SECTION 1. Section seventeen hundred nine-a two (1709-a2), code,
2 1927, is repealed and the following is enacted in lieu thereof, to wit:
3 "1709-a2. **Hunting on game refuges.** It shall be unlawful to hunt,
4 pursue, kill, trap or take any wild animal, bird, or game on any state
5 game refuge so established at any time of the year, and no one shall
6 carry firearms thereon, providing, however, that predatory birds and
7 animals may be killed or trapped under the authority and direction
8 of the state game warden.

9 "The warden shall have the authority to specify the distance from
10 a state game refuge where shooting may be prohibited, and shall have
11 notice of same published in one newspaper in the county so affected,
12 provided, however, this prohibition shall not apply to owners or ten-
13 ants hunting on their own land outside of game refuge."

1 SEC. 2. Section seventeen hundred fourteen (1714), code, 1927,
2 is repealed and the following is enacted in lieu thereof, to wit:

3 "1714. **Seizure of unlawful game.** It shall be the duty of the
4 state game warden, his assistants and deputies, and police officers of
5 the state, to seize with or without warrant and take possession of any
6 fish, furs, birds, or animals, or mussels, clams, and frogs, except for
7 bait which have been caught, taken, or killed at a time, in a manner,
8 or for a purpose, or had in possession or under control, or offered for
9 shipment, contrary to the provisions of this chapter."

1 SEC. 3. Section seventeen hundred sixteen (1716), code, 1927, is
2 repealed and the following is enacted in lieu thereof, to wit:

3 "1716. **Search warrants.** Any court having jurisdiction of the
4 offense, upon receiving proof of probable cause for believing that any
5 fish, mussels, clams, frogs, birds, furs, or animals caught, taken,
6 killed, had in possession, under control, or shipped, contrary to any
7 of the provisions of this chapter, or hidden or concealed in any place,
8 shall issue a search warrant and cause a search to be made in any
9 place therefor. The property so seized under such warrant shall be
10 safely kept under the direction of the court so long as necessary for
11 the purpose of being used as evidence in any trial, and if such trial
12 results in a conviction the property seized shall be confiscated by the
13 state game warden, his assistants or deputies."

1 SEC. 4. Section seventeen hundred eighteen (1718), code, 1927, is
2 repealed and the following is enacted in lieu thereof, to wit:

3 "1718. **License to hunt.** No person shall hunt, pursue, kill or take
4 any wild animal, bird, or game in this state in any manner, without
5 first procuring a license.

6 1718-cl. **License to trap.** No person shall trap any fur-bearing
7 animal in this state, in any manner, without first procuring a trapping
8 license. Any person violating any of the provisions of this act shall
9 be guilty of a misdemeanor."

1 SEC. 5. Section seventeen hundred nineteen (1719), code, 1927, is
2 repealed and the following is enacted in lieu thereof, to wit:

3 "1719. **License to fish.** No male person over the age of eighteen
4 years shall fish in any state waters without first procuring a fishing
5 license."

1 SEC. 6. Section seventeen hundred twenty (1720), code, 1927, is
2 repealed and the following is enacted in lieu thereof, to-wit:

3 "1720. **Exceptions.** No license shall be required from owners or
4 tenants of farm lands, their wives or children for hunting, trapping,
5 or fishing at any time when the same shall be lawful upon lands owned
6 or occupied by them.

7 "Any person under seventeen (17) years of age may capture, dur-
8 ing the open season, and confine for the purpose of training for pets,
9 not more than two of any game bird or fur bearing animal and per-
10 sons having such birds and animals for this purpose shall be exempted
11 from securing the license required by section 1706, code, 1927. It
12 shall constitute a misdemeanor to sell or dispose of for profit any
13 game bird or fur bearing animal, or increase therefrom, so taken or
14 confined."

1 SEC. 7. Section seventeen hundred twenty-three (1723), code,
2 1927, is repealed and the following is enacted in lieu thereof, to wit:

3 "1723. **Authority of license.** The license shall authorize its holder
4 to fish, trap and hunt in accordance with the provisions of this chap-
5 ter in any county of the state, but not on private waters, or on in-
6 closed or cultivated lands without permission of the owner or the
7 tenant, nor hunt, trap or shoot upon any public highway or railroad
8 right-of-way, except that owners or tenants may shoot gophers and
9 ground squirrels along the highway adjacent to their own land."

1 SEC. 8. Section seventeen hundred twenty-four (1724), code, 1927,
2 is repealed and the following is enacted in lieu thereof, to wit:

3 "1724. **Application for license.** An applicant for a license to fish,
4 trap and hunt shall fill out an authorized application blank, subscribe
5 and swear to it before the county recorder, a notary, or a justice
6 of the peace. Such application blanks shall be furnished by the
7 county recorder to any person requesting same. The application shall
8 then be presented to the county recorder who shall issue all hunting,
9 trapping and fishing licenses, the issuance of which is not otherwise
10 provided for in this chapter, but no duplicate hunting, trapping or
11 fishing license may be issued."

1 SEC. 9. Section seventeen hundred twenty-five (1725), code, 1927,
2 is repealed and the following is enacted in lieu thereof, to wit:

3 "1725. **Fees—accounting.** Before any license is issued to any ap-
4 plicant the following license fees shall be paid to the county recorder:

5 1. For resident of the state for fishing with hook and line and
6 hunting, \$1.00.

7 2. For nonresident or resident alien, over sixteen years of age,
8 for fishing with hook and line in any state waters, three dollars.

9 3. For nonresident or resident alien, for hunting, fifteen dollars.

10 4. For a resident of the state for trapping fur-bearing animals
11 with not more than ten traps, one dollar; with the use of more than
12 ten traps, ten dollars, provided that no person, resident or non-resi-
13 dent, shall at any time use more than thirty-five traps.

14 5. For nonresident or resident alien of the state for trapping fur-
15 bearing animals, twenty-five dollars.

16 These fees the county recorder shall pay at the end of each month
17 to the state treasurer who shall place them to the credit of the fish
18 and game protection fund."

1 SEC. 10. Section seventeen hundred twenty-seven (1727), code,
2 1927, is repealed and the following is enacted in lieu thereof, to wit:

3 "1727. **Terms of license.** Each license shall be signed in ink by
4 the licensee.

5 A license issued to a resident, nonresident or resident alien shall
6 entitle such person to either fish with hook and line, or to hunt, pur-
7 sue, and kill wild animals, birds, or game, or to trap fur-bearing
8 animals, within the state at any time when same shall be lawful.

9 A license shall not entitle the person to whom issued to fish, to
10 trap fur-bearing animals, nor to hunt, pursue, or kill wild animals,
11 birds, or game, in this state without having such license upon his
12 person at the time of so doing and exhibiting it for inspection and
13 permitting it, on demand, to be examined by any person. All resident
14 fishing licenses, all trapping licenses and all hunting licenses shall be
15 void on and after the first day of April next succeeding the issuance
16 thereof. All nonresident or resident alien fishing licenses shall be
17 void after the last day of December of the year in which the same
18 are issued. No license shall be required to fish in unstocked streams.

1 SEC. 11. Section seventeen hundred twenty-eight (1728), code,
2 1927, is repealed and the following is enacted in lieu thereof, to wit:

3 "1728. **Nonresidents—restrictions.** A nonresident holding a valid
4 license may take from the state not to exceed fifteen game birds or
5 animals, provided they are so carried as to be readily inspected and
6 his license is shown on request."

1 SEC. 12. Section seventeen hundred twenty-nine (1729), code,
2 1927, is repealed and the following is enacted in lieu thereof, to wit:

3 "1729. **Revocation.** A license in the possession of any person
4 other than to whom first issued, and, on complaint, the license of any
5 person hunting or trapping on inclosed or cultivated lands without
6 permission of the owner or tenant shall be revoked by the county
7 recorder."

1 SEC. 13. Section seventeen hundred thirty-one (1731), code, 1927,
2 is repealed and the following is enacted in lieu thereof, to wit:

3 "1731. **Closed seasons on fish.** It shall be unlawful for any person
4 to take from the waters of the state:

5 1. Any game fish in the northern zone from December first to
6 May fourteenth; except as provided in section 1757 when using
7 licensed nets and seines.

8 2. Any black bass, crappie, blue gill, or sun fish in the northern
9 zone from December first to June fourteenth.

10 3. Any game fish in the southern zone from November sixteenth
11 to April thirtieth, except as provided in section 1757 when using
12 licensed nets or seines.

13 4. Any black bass, crappie, blue gill, or sun fish in the southern
14 zone from November sixteenth to May thirty-first.

15 All dates in this section are inclusive.

1 SEC. 14. Section seventeen hundred thirty-two (1732), code, 1927,
2 is repealed and the following is enacted in lieu thereof, to wit:
3 "1732. Catch limits. It shall be unlawful for any person at any
4 time to take from the waters of the state in any one day more than
5 fifteen salmon, trout, black bass, pike, crappie, pickerel, catfish, perch,
6 sunfish, bluegills, in the aggregate, of which total number not more
7 than eight shall be pike or bass, except as otherwise provided in this
8 chapter when using licensed nets or seines; in addition to other fish
9 taken, it shall be lawful to take not more than twenty-five bullheads
10 by any one person in any one day."

1 SEC. 15. Section seventeen hundred thirty-three (1733), code,
2 1927, is repealed and the following is enacted in lieu thereof, to wit:
3 "1733. Size limits. No person shall at any time kill, destroy, have
4 in possession or under control, for any purpose whatever, any pike
5 or pickerel less than fourteen inches, blue, yellow or channel catfish
6 less than twelve inches in length, any bass less than twelve inches in
7 length, except rock or silver bass which shall not be less than seven
8 inches in length, or any trout or crappie less than eight inches in
9 length, or any perch less than seven inches in length, or any sunfish
10 less than four inches in length, except as otherwise provided in this
11 chapter, when using licensed nets or seines. Any such fish taken shall
12 be handled only when the hands are wet and shall be immediately
13 returned to the water with as little injury to the fish as possible."

14 "1733-c1. Measuring fish. The size of all fish referred to in this
15 chapter shall be determined by measurement from the tip of the nose
16 to the tip of the tail."

1 SEC. 16. Section seventeen hundred thirty-four (1734), code, 1927,
2 is repealed and the following is enacted in lieu thereof, to wit:

3 "1734. Tackle restrictions. No person shall at any time take from
4 the waters of the state any fish, except as otherwise provided in this
5 chapter, except with hook, line and bait nor shall any person use
6 more than two lines with one hook on each line in still fishing or
7 otherwise except when using a trot-line in a manner provided in this
8 chapter or in trolling or casting a spoon-hook or other artificial bait.
9 Persons so fishing shall not leave the immediate vicinity of their lines
10 but shall be in attendance of them at all times."

1 SEC. 17. Removal of undesirable fish. Section seventeen hundred
2 forty-five (1745) of the code, 1927, is amended by striking out all of
3 section seventeen hundred forty-five (1745) and substituting in lieu
4 thereof the following:

5 "It shall be the duty of the warden, so far as is possible, to remove
6 from the inland waters of the state at any time and in any manner,
7 provided that he shall do so with minimum injury to the lake or
8 stream or the other fish, the following undesirable and injurious fish:
9 carp, gar and dog fish. All gar and dog fish removed shall be de-
10 stroyed or disposed of so as to eliminate them, so far as is possible,
11 from the inland waters of the state. The proceeds, if any, from the
12 sale of these fish shall be credited to the state fish and game protec-
13 tion fund.

14 The warden may enter into written contract for taking by seine
15 or net from the public waters of this state, buffalo, carp, quillback,

16 dog fish, gizzard shad, and gar, but no other fish. All such contracts
 17 shall be let to the highest bidder. Bids shall be made in percentages
 18 of gross receipts for the sale of the fish so taken, to be paid to the
 19 state, but no contract shall be let until the warden shall have adver-
 20 tised for such bids once each week for two consecutive weeks in three
 21 newspapers of the state of Iowa for general circulation, and in three
 22 newspapers of general circulation in each of the following states:
 23 Minnesota, Wisconsin and Illinois.

24 Said advertisement for bids shall state the date, time and place
 25 at which such bids will be received. Upon receipt of the bids the
 26 warden shall submit all bids received, together with the proposed
 27 contract, to the treasurer of the state for his approval, and if the
 28 treasurer of state finds that any one of the bids received from any
 29 bidder is a fair and proper bid and is one advantageous to the state,
 30 and that the person making such bid is competent and reliable, and
 31 that the contract protects the interests of the state, then he shall
 32 approve the bid and contract, but if he finds that such bid is not fair,
 33 proper and advantageous to the state or that the person making the
 34 bid is not competent and reliable or that the contract does not fairly
 35 protect the interests of the state, he shall reject all bids and con-
 36 tracts; and then the state game warden shall re-advertise in the same
 37 manner and for the same length of time as heretofore provided, and
 38 the bids and contracts shall again be submitted to the treasurer of
 39 state for his approval as heretofore provided, until a fair, proper and
 40 advantageous bid and a competent and reliable bidder is received and
 41 found. All contracts for the removal of rough fish from any waters
 42 of the state shall not be for more than one year and shall specify:

- 43 1. The particular waters from which such fish are to be taken.
- 44 2. The compensation to be paid the state, and the times and terms
 45 of payment.
- 46 3. That no fish shall be taken except in the presence and under
 47 the supervision of some regularly employed representative of the fish
 48 and game department.
- 49 4. That all expense incurred by the department in connection with
 50 such contract shall be paid by the person holding such contract.
- 51 5. That such contract may be forfeited and cancelled by the state
 52 in the event of a breach thereof.
- 53 6. Such other provisions for the protection of the state's interest
 54 as the warden may require.

55 Section seventeen hundred forty-six (1746) of the code 1927, is
 56 amended by striking all after the word "the" in line three (3) up to
 57 the word "Such" in line seven (7), and inserting in lieu thereof the
 58 following:

59 "treasurer of state a corporate surety bond payable to the state
 60 of Iowa in the penal sum of one thousand (\$1000.00) dollars. Said
 61 bond to be approved by the treasurer of state. No contract shall be
 62 issued unless the bond required herein is attached to said contract
 63 and delivered to the treasurer of state."

- 1 SEC. 18. Section seventeen hundred fifty-one (1751), code, 1927,
 2 is repealed and the following is enacted in lieu thereof, to wit:
 3 "1751. Season and size limits when using licensed seine or net.
 4 It shall be unlawful for any person to take with any nets or seines,

5 when permitted to use same in the Mississippi or Missouri rivers, any
6 game fish at any time, except that catfish may be taken during the
7 open season as provided in section 1731, and that carp, buffalo, pick-
8 erel, sheepshead, rock sturgeon and sand sturgeon may be taken at
9 any time. Nor shall any of the following fish be taken in lengths less
10 than as follows, to wit:

11 Catfish, thirteen inches; carp, fifteen inches; buffalo, fifteen inches;
12 pickerel, eighteen inches; sheepshead, ten inches; and the following
13 fish weighing less than as follows, to wit: Sand sturgeon, one pound;
14 or rock sturgeon, three pounds."

1 SEC. 19. Section seventeen hundred fifty-two (1752), code, 1927,
2 is repealed and the following is enacted in lieu thereof, to wit:

3 "1752. Wholesale fish market or peddlers license. It shall be un-
4 lawful for any person, firm, or corporation to operate a wholesale fish
5 market, jobbing house, or other place for wholesaling, marketing,
6 peddling, or distributing fish, without first procuring a license for
7 such purpose from the state game warden. The license fee shall be
8 ten dollars per year, and the license shall expire on the thirty-first
9 day of December following its issuance."

1 SEC. 20. Section seventeen hundred fifty-three (1753), code, 1927,
2 is repealed and the following is enacted in lieu thereof, to wit:

3 "1753. Reports required. Each holder of a wholesale fish market
4 or peddlers license shall make to the state game warden, within
5 thirty days after the expiration of the license, a report in writing,
6 upon blanks furnished by the state game warden, of all fish caught
7 or taken from the waters under the jurisdiction of this state, which
8 were handled by such licensee. Failure on the part of a holder of
9 such license to make report as herein required shall prevent such
10 licensee from securing a subsequent wholesale fish market or peddlers
11 license."

1 SEC. 21. Section seventeen hundred fifty-six (1756), code, 1927,
2 is repealed and the following is enacted in lieu thereof, to wit:

3 "1756. Mussel license. The state game warden shall upon appli-
4 cation issue a license to take, catch, or kill mussels. On making appli-
5 cation for such license, residents of this state shall pay to the state
6 game warden a fee of two dollars, and non-residents a fee of twenty-
7 five dollars. All such licenses shall expire on December thirty-first
8 following their issuance and shall be numbered consecutively as issued
9 and a record thereof kept in the office of the state game warden. Each
10 license shall show the name and address of the licensee and the
11 amount paid for such license, whether the licensee is a resident or
12 non-resident, and what waters of the state are closed against the
13 taking of mussels under such license."

1 SEC. 22. Section seventeen hundred fifty-eight (1758), code, 1927,
2 is repealed and the following is enacted in lieu thereof, to wit:

3 "1758. Manner of taking regulated. Any person, firm, or cor-
4 poration to whom a license under the provisions of the preceding
5 section has been issued:

6 1. May operate not more than one boat for each license, or one
7 rig in taking, catching, or killing mussels for commercial purposes.
8 Any such person, firm, or corporation may use one additional boat for

9 purposes of towing only when no apparatus for taking, catching, or
10 killing is used or kept thereon.

11 2. It shall be unlawful to have in possession in the waters while
12 engaged in taking, catching, or killing mussels for commercial pur-
13 poses, more than four crowfoot bars, or for more than two of such
14 bars to be in the water at the same time, or for any crowfoot bar to
15 be of greater length than twenty feet.

16 A pitchfork may be used for gathering mussel shells."

1 SEC. 23. Section seventeen hundred sixty (1760), code, 1927, is
2 repealed and the following is enacted in lieu thereof, to wit:

3 "1760. **Restricted areas prescribed.** The state game warden may
4 from time to time, as may be required for the conservation of the
5 mussel resources of the state, prescribe by written or printed order,
6 areas in any part of the state from which mussels shall not be taken
7 for such period as may be specified by the warden, but at no time
8 to exceed five (5) year periods, nor shall more than one-half ($\frac{1}{2}$)
9 of the mussel producing waters of the state be closed at the same
10 time."

1 SEC. 24. Section seventeen hundred sixty-one (1761), code, 1927,
2 is repealed and the following is enacted in lieu thereof, to wit:

3 "1761. **Publication of orders.** The state game warden shall cause
4 the orders referred to in the preceding section to be published once
5 in a newspaper of general circulation published within each county
6 containing or having on its boundary, waters affected by such orders.
7 Such orders shall take effect at the time fixed therein which shall
8 not be less than thirty days after the publication thereof. The state
9 game warden may extend the time at which such order shall take
10 effect."

1 SEC. 25. Section seventeen hundred sixty-four (1764), code, 1927,
2 is repealed and the following is enacted in lieu thereof, to wit:

3 "1764. **Protection of deer.** It shall be unlawful for any person
4 other than the owner or person authorized by the owner, to kill, maim,
5 trap, or in any way injure or capture any deer, except when dis-
6 trained by law. A violation of the provisions of this section shall
7 be punishable by a fine of not less than one hundred dollars (\$100.00)
8 or more than five hundred dollars (\$500.00) or imprisonment in the
9 county jail for not less than thirty days or more than one hundred
10 fifty days, or both."

1 SEC. 26. Section seventeen hundred sixty-seven (1767), code, 1927,
2 is repealed and the following is enacted in lieu thereof, to wit:

3 "1767. **Closed seasons for game birds and animals.** Every person
4 is prohibited from trapping, shooting, killing, or taking any of the
5 following named birds, or animals during the following named closed
6 seasons:

7 1. Wild duck, goose or brant, rail, plover, sandpiper, marsh or
8 beach birds, Wilson or jacksnipe, from January first to September
9 fifteenth, both dates inclusive.

10 2. Woodcock, from December first to September thirtieth, both
11 dates inclusive.

12 3. Pinnated grouse or prairie chicken and quail, at all times.

13 4. Ruffed grouse or pheasant or wild turkey, from December first

14 to October thirty-first, both dates inclusive; and at all time prior to
15 November 1, 1932.

16 5. Mongolian, ring-neck, English, or Chinese pheasants, Hunga-
17 rian partridge, or other imported game birds in this state, at all times,
18 except as otherwise provided.

19 6. Gray, fox or timber squirrel, from January first to September
20 thirtieth, both dates inclusive."

21 "1767-c1. Ferrets prohibited. No person shall at any time use a
22 ferret in hunting, taking, killing, or capturing any wild animal."

23 "1767-c2. Shooting or spearing. No person shall shoot with shot
24 gun or spear any beaver, mink, otter or muskrat, or have in his pos-
25 session any of said animals or the carcasses, skins or parts thereof
26 that have been killed with shot gun or speared."

1 SEC. 27. Section seventeen hundred sixty-seven-a one (1767-a1),
2 code, 1927, is repealed and the following is enacted in lieu thereof,
3 to wit:

4 "1767-a1. Imported game birds—open season. The state game
5 warden, when petitioned, in writing, by at least one hundred fifty
6 farmers and land owners in the county who have been damaged by
7 Mongolian, ring-neck, English, or Chinese pheasants, may authorize
8 the killing or capture of any such birds in such county for such period
9 as he may determine, providing that such open period shall not exceed
10 five days, and during such period it shall be lawful to kill not to
11 exceed three birds per day. The state game warden or his duly
12 authorized agent may capture alive any such birds without limitation
13 as to the number captured."

1 SEC. 28. Section seventeen hundred sixty-eight (1768), code, 1927,
2 is repealed and the following is enacted in lieu thereof, to wit:

3 "1768. Bag limits and possession. No person shall shoot or kill
4 to exceed the following numbers of game birds or animals in any
5 one day, respectively:

6 Fifteen ducks, three imported pheasants, and fifteen other game
7 birds or animals. Nor shall any one person, firm or corporation have
8 in his or its possession at any one time to exceed twenty-one water-
9 fowl, ten imported pheasants, and fifteen of either of the other kinds
10 of game birds or animals named in this chapter, unless by a common
11 carrier for the purpose of lawfully shipping as provided in this
12 chapter.

13 Nothing in this section shall apply to such animals as are con-
14 sidered fur-bearing animals. It shall be unlawful to have any game
15 birds or animals named in this chapter in possession during the
16 periods when killing thereof is prohibited, except during the first ten
17 days of the closed season for them, respectively."

18 "1768-c1. Duty to exhibit game. Any person who shall have in
19 his possession any fish, game, animals, furs or birds shall upon request
20 of the state game warden, his assistants or deputies exhibit the same
21 to said officer and a refusal so to do shall constitute a misdemeanor."

1 SEC. 29. Section seventeen hundred seventy (1770), code, 1927,
2 is repealed and the following is enacted in lieu thereof, to-wit:

3 "1770. Regulations on killing game birds. No person shall kill or
4 attempt to kill any bird named in this chapter with the aid or use of

5 any sneak boat or sink box, or from any sailboat, gasoline, or electric
 6 launch or steamboat, or any other water conveyance, except propelled
 7 by oar or paddle, or any other device used for concealment in the
 8 open water; nor pursue, for the purpose of killing or capture, any
 9 such bird by motor vehicle or aircraft; nor use any artificial light,
 10 battery, or deception; contrivance or device with intent to attract or
 11 deceive such bird, except that in hunting wild ducks and geese, decoys
 12 and duck or goose calls may be used and artificial ambushes erected
 13 and used on land, provided no false bottom is used and only natural
 14 materials are used in its construction. No person shall at any time
 15 hunt or shoot any game bird between sunset and one-half hour before
 16 sunrise of the following morning."

1 SEC. 30. Section seventeen hundred seventy-two (1772), code,
 2 1927, is repealed and the following is enacted in lieu thereof, to wit:
 3 "1772. Carrying firearms in motor vehicles. No person shall
 4 carry a gun or any firearms, except a pistol or revolver, in or on a
 5 motor vehicle unless the same be unloaded in both barrels and maga-
 6 zine, and taken down or contained in a case."

7 "1772-c1. "Gun" defined. The word "gun" as used in chapter 86,
 8 code of 1927, shall include every kind of gun or rifle, except a revolver
 9 or pistol."
 10 "1772-c2. Use of rifles. No person shall at any time shoot any
 11 rifle on or over any of the public waters of the state."

1 SEC. 31. Section seventeen hundred eighty (1780), code, 1927, is
 2 repealed and the following is enacted in lieu thereof, to wit:

3 "1780. Transportation for sale prohibited. It shall be unlawful
 4 for any person, firm, or corporation to offer for transportation or to
 5 transport by common carrier or vehicle of any kind, to any place
 6 within or without the state, for the purposes of sale, any of the fish,
 7 game, animals, or birds taken, caught, or killed within the state, or
 8 to peddle any of such fish, game, animals, or birds.

9 It shall be unlawful to ship from the state any birds caught, taken,
 10 or killed in the state, or to take, ship, or carry from the state for any
 11 purpose any such fish, game, animals, or birds unless lawfully caught,
 12 taken, or killed by a non-resident licensee under the provisions of this
 13 chapter, who may take or carry such birds as have been lawfully
 14 caught, taken or killed, or take, carry, or ship such fish, game, or
 15 animals as have been lawfully caught, taken, or killed, to his place
 16 of residence as indicated on such license."

1 SEC. 32. Section seventeen hundred eighty-one (1781), code, 1927,
 2 is repealed and the following is enacted in lieu thereof, to wit:

3 "1781. Transportation regulations and restrictions. Any person,
 4 firm, or corporation desiring the shipment or transportation of any
 5 fish or animals shall deliver to the common carrier to which the ship-
 6 ment is offered, a statement under oath, in duplicate, showing the
 7 name and address of the shipper, the date and number of his license,
 8 where and by what officer issued, the name and residence of the con-
 9 signee to whom the shipment is made, the kind and number of fish
 10 or animals in the shipment, that the same have not been unlawfully
 11 killed, bought, sold, or had in possession, and are not being shipped
 12 for the purpose of market or sale, and that such shipment does not

13 contain a greater number of fish or animals than may be lawfully
14 shipped in one day. One copy of such affidavit shall be retained by
15 the common carrier receiving such shipment, for the period of twelve
16 months thereafter, and the other copy shall be attached in a secure
17 manner to the package or container of such fish or animals."

1 SEC. 33. Section seventeen hundred eighty-three (1783), code,
2 1927, is repealed and the following is enacted in lieu thereof, to wit:
3 "1783. **Limit of shipment.** No person except as otherwise pro-
4 vided shall ship, carry or transport in any one day, game, fish, birds,
5 or animals, except fur-bearing animals, in excess of the following
6 numbers, respectively: thirty water fowl, ten imported pheasants,
7 and fifteen of either of the other game birds or animals, and forty
8 fish, including all varieties shipped, except as otherwise provided un-
9 der license to fish with seine or net or under permit from the state
10 game warden."

1 SEC. 34. Section seventeen hundred eighty-seven (1787), code,
2 1927, is repealed and the following is enacted in lieu thereof, to wit:
3 "1787. **Entire shipment contraband.** In the shipping of fish, game,
4 animals, birds, or furs, whenever a container includes one or more
5 fish, game, animals, birds or furs that are contraband, the entire con-
6 tents of the container shall be deemed contraband, and shall be seized
7 by the state game warden, his assistants or deputies."

1 SEC. 35. Section seventeen hundred ninety-four (1794), code, 1927,
2 is repealed and the following is enacted in lieu thereof, to wit:
3 "1794. **Presumptive evidence.** It shall be presumptive evidence
4 of a violation of the provisions of this chapter for any person:

5 1. To fail to have a license upon his person at any time required
6 by law, or then refuse to exhibit the same on request of any person
7 desiring to examine it.

8 2. To have in his possession any fish, game, furs, birds, birds'
9 nests, eggs or plumage, or animals, which have been unlawfully
10 caught, taken, or killed.

11 3. To be in possession of such fish, game, furs, birds, or animals
12 at a time when or place where it shall be unlawful to take, catch, or
13 kill the same, except game, birds or animals, during the first ten days
14 of the closed season.

15 4. To have in his possession any implements, devices, equipment
16 or means whatever of taking fish, birds, or animals protected by this
17 chapter at any place where the possession or use thereof is pro-
18 hibited."

Senate File No. 301. Approved April 16, A. D. 1929.

CHAPTER 58

FISH AND GAME. FUR-BEARING ANIMALS.

AN ACT to repeal the law as it appears in section seventeen hundred sixty-six (1766), section seventeen hundred sixty-six-a one (1766-a1), and section seventeen hundred sixty-six-a two (1766-a2), of the code, 1927, and to enact substitutes therefor; and to amend the law as it appears in chapter eighty-six (86) of the code, 1927, relating to the killing, trapping, or ensnaring of certain fur-bearing animals and the destruction of their houses, nests, or dens, and relating to the buying and selling of carcasses and skins or furs of such animals, so as to provide a closed season therefor.

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

1 SECTION 1. That the law as it appears in section seventeen hundred
2 sixty-six (1766) of the code, 1927, be and the same is hereby repealed
3 and the following enacted in lieu thereof:

4 "Except as hereinafter provided, no person shall kill, trap or en-
5 snare any beaver, mink, otter, muskrat, raccoon, skunk, opossum, red
6 fox, or civit, except where such killing, trapping, or ensnaring may be
7 for the protection of public or private property, nor shall any person
8 injure any muskrat house or destroy any skunk or fox den, except
9 for the protection of public or private property, nor shall any person
10 have in his possession any of the animals described in this section,
11 nor the carcasses or skins thereof, whether lawfully or unlawfully
12 taken within or without this state. The provisions of this section
13 shall not apply to green hides which are in the process of manufac-
14 ture."

1 SEC. 2. That the law as it appears in section seventeen hundred
2 sixty-six-a one (1766-a1) of the code, 1927, be and the same is hereby
3 repealed and the following enacted in lieu thereof:

4 "For the purposes of this act, the state is divided into two (2) dis-
5 tricts, to be known as the northern district and the southern district.

6 "For the purposes of the next succeeding section the state shall be
7 divided into two (2) zones as follows:

8 1. The northern zone shall embrace all counties of the state north
9 of the township line which divides the townships of 81 N. from those
10 of 82 N. except such portions of Cedar and Clinton counties as are
11 north of such township line.

12 2. The southern zone shall embrace all counties south of the town-
13 ship line which divides the townships of 81 N. from those of 82 N.
14 and those portions of Cedar and Clinton counties lying north of said
15 township line.

16 It shall be lawful for any person to kill, trap or ensnare opossum
17 or raccoon in the northern district, from October twentieth to Decem-
18 ber first; in the southern district from November first to December
19 twentieth, and any of the other animals named and described in this
20 act in the northern district, from November tenth to January fifteenth
21 of any year, and in the southern district, from November twentieth
22 of any year, to the succeeding January fifteenth of the next year.
23 It shall be lawful for any person to have in his possession during the
24 open season provided herein, and for ten (10) days thereafter, the
25 carcass of, or the hide or skin from any animal named and described
26 in this act."

1 SEC. 3. That the law as it appears in section seventeen hundred
2 sixty-six-a two (1766-a2) of the code, 1927, be and the same is hereby
3 repealed and the following enacted in lieu thereof:

4 "Every person who traps, kills or ensnares any of the animals
5 named and described in this act, shall within ten (10) days following
6 the close of the open season on said animals as herein provided, file
7 with the state fish and game department of the state, an inventory,
8 under oath, naming or describing each of said animals trapped, killed
9 or ensnared by him during said open season.

10 "Any person who has trapped, killed or ensnared any of the animals
11 named and described in this act, and who desires to sell or ship the
12 skins or hides thereof to dealers or buyers outside of this state, shall
13 first obtain a special permit tag authorizing the same, from the state
14 fish and game department. This department shall immediately furn-
15 ish all such tags on request."

1 SEC. 4. That the law as it appears in chapter eighty-six (86) of
2 the code, 1927, be and the same is hereby amended by inserting imme-
3 diately following section seventeen hundred sixty-six-a two (1766-a2),
4 the following:

5 "1766-a3. Dealers in or buyers of any skins or hides of any of the
6 animals named and described in this act shall, upon the last day of
7 each month during the open season on said animals, prepare and file
8 with the state fish and game department, an inventory, under oath,
9 stating therein the license number and name of the seller and a record
10 of the shipments by the dealer, of all skins or hides purchased, re-
11 ceived or shipped by him during said month.

12 "1766-a4. It shall be the duty of each dealer or buyer of any of
13 the skins or hides of the animals named and described in this act, to
14 report to the state fish and game department, the name of any person
15 who sells or attempts to sell any skins or hides which appear to have
16 been illegally possessed or taken by said person.

17 "1766-a5. Every dealer in or buyer of skins or hides of fur-bearing
18 animals, shall first obtain a license from the state fish and game
19 department, and file with the department, a corporate surety bond
20 in the penal sum of two thousand dollars (\$2,000.00), conditioned upon
21 the faithful obedience to and observance of the provisions of law
22 relative to the possession, dealing in, and buying and selling of such
23 skins or hides.

24 The state fish and game department shall prescribe and furnish a
25 proper certificate to licensed dealers in or buyers, as defined herein,
26 to be carried by the traveling representative or agent of such dealer
27 or buyer, which shall show therein, the name and address of the dealer
28 or buyer licensed by the department and for whom the possessor
29 thereof is agent. It shall also show the name and address of the
30 agent. The fee for any such license shall be twenty-five dollars
31 (\$25.00), which shall be collected by the state fish and game warden,
32 and shall be credited to the state fish and game protection fund. The
33 term "dealer" or "buyer" as used in this section shall mean any per-
34 son, partnership or corporation who maintains an established place of
35 business for buying or dealing in skins or hides of any animals named
36 in this act or makes a practice of buying or soliciting the sale of any
37 such skins or hides.

38 "1766-a6. Every licensed and bonded dealer of skins or hides of
 39 the animals named and described in this act, may have in his posses-
 40 sion at all times, skins or hides of said animals which have been
 41 legally taken. Any trapper desiring to hold any skins or hides of any
 42 of the animals named and described in this act, beyond the period
 43 authorized by this act, shall file with the state fish and game depart-
 44 ment, an application for a permit so to do, which shall be accompanied
 45 by an affidavit describing said skins or hides, and stating that they
 46 have been taken legally by him."

1 SEC. 5. This act being deemed of immediate importance shall take
 2 effect from and after its publication in the Waterloo Evening Courier,
 3 published at Waterloo, Iowa, and the Fort Dodge Messenger, pub-
 4 lished at Fort Dodge, Iowa.

Senate File No. 298. Approved April 6, A. D. 1929.

I hereby certify that the foregoing act was published in the Waterloo Evening
 Courier April 10, 1929, and the Ft. Dodge Messenger, April 11, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 59

ACCOUNTANCY

AN ACT to repeal the law as it appears in chapter ninety-one (91) title V of the code, 1927, and to enact a substitute therefor relating to the practice of accountancy; to establish a board of accountancy and to provide for the examination, registration and licensing of practitioners of accountancy; to provide rules and regulations concerning the practice thereof and to provide penalties for violation thereof.

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

1 SECTION 1. **Repeal.** Chapter ninety-one (91), title V of the code,
 2 1927, is repealed and the following is enacted in lieu thereof:

1 SEC. 2. **Board of accountancy—appointment—tenure.** The board
 2 of accountancy shall consist of three (3) members, all of whom shall
 3 be practicing certified public accountants, having practiced account-
 4 ancy in this state for at least five (5) years. Within sixty (60) days
 5 after this act takes effect, the governor shall appoint the members of
 6 said board for terms as follows: one (1) for a term ending June
 7 30th, 1930, one (1) for a term ending June 30th, 1931; and one (1)
 8 for a term ending June 30th, 1932, and upon the expiration of each
 9 of said terms and of each succeeding term, a member shall be ap-
 10 pointed for a term of three (3) years but no person shall be eligible
 11 for more than two (2) consecutive terms of office. Vacancies occur-
 12 ring in the membership of the board for any cause shall be filled by
 13 the governor for the unexpired term.

1 SEC. 3. **Powers and duties.** The board shall have power and it shall
 2 be its duty to: (1) adopt, print, publish, and distribute reasonable
 3 rules not inconsistent with the provisions of this act for the guidance
 4 of the public, registered practitioners, and applicants for examination;
 5 (2) compel the attendance of witnesses; (3) administer oaths; (4)
 6 take testimony; (5) require proof in all matters pertaining to the
 7 administration of this act; (6) keep a record of all their proceedings

8 including applications for examinations, registration, and certificates
9 to practice showing the reasons for the refusal of any such applica-
10 tion or for the revocation or suspension of any registration or cer-
11 tificate to practice; (7) preserve testimony taken in all hearings pro-
12 vided for in this act. Testimony may be oral or by deposition; and
13 when oral the questions and answers shall be taken down by a cer-
14 tified shorthand reporter and full transcripts thereof made for the
15 use of the parties interested; (8) the treasurer elected shall upon
16 assuming office file with the auditor of state a good and sufficient
17 bond in a company authorized to do business in this state in the penal
18 sum of \$5,000.00 and shall on or before June 30th in each year, pay
19 all sums remaining after the payment of the expenses authorized by
20 this act into the state treasury to be there carried to the credit of
21 and subject to withdrawal by the board of accountancy; (9) the
22 board shall make a biennial report to the governor of its proceedings,
23 with an account of all moneys received and disbursed, a list of the
24 names of all practitioners whose certificates to practice have been
25 revoked or suspended, and such other information as it may deem
26 proper or the governor request, and do all other things required by
27 this act to be done by said board.

1 **SEC. 4. Annual register.** The board of accountancy shall have
2 printed and published for public distribution, in January of each year,
3 an annual register which shall contain the names, arranged alpha-
4 betically by classifications, of all practitioners registered under this
5 act; the names of the board of accountancy; and such other matters
6 as may be deemed proper by the board of accountancy. Copies of
7 said reports shall be mailed to each registered practitioner.

1 **SEC. 5. No compensation—expenses.** No compensation shall be
2 paid to any member of the board for services as such, but the mem-
3 bers thereof shall be allowed the necessary traveling, printing and
4 other expense incident to the discharge of their duties. Bills for the
5 expense of the board or its members shall be audited and allowed by
6 the state board of audit and shall be paid from the fees received under
7 the provisions of this act.

1 **SEC. 6. Annual meetings—election.** The board shall hold an annual
2 meeting during the first week in July of each year, and a special
3 meeting within sixty days after this act takes effect, for the purpose
4 of electing from its accountant members, a chairman, a secretary and
5 a treasurer; and it shall meet not less than four times each year, at
6 least two of which meetings shall be held at the state house. Two
7 members shall constitute a quorum except as otherwise provided.

1 **SEC. 7. Definitions—practice of accountancy.** All persons engaged
2 in the practice of accountancy, within the meaning and intent of this
3 act, who, holding themselves out to the public as qualified practi-
4 tioners and maintaining an office for this purpose, either in their own
5 names, or as office managers and/or as managing officers of assumed
6 name, association or corporate organization, perform for compensa-
7 tion, on behalf of more than one client, a service which requires the
8 audit or verification of financial transactions and accounting records;
9 the preparation, verification and certification of financial, accounting,
10 and related statements for publication or for credit purposes; and/or

11 who in general and incidental to such work, render professional as-
12 sistance in any and all matters of principal and detail concerning
13 accounting procedure and the recording, presentation and certification
14 of financial facts.

1 **SEC. 8. Other terms defined.**

2 (a) *A certified public accountant* is a person who receives from
3 the board of accountancy of the state, a certificate under any law of
4 the state relating to certified public accountants and which certificate
5 has not been revoked under due process of law; and is entitled to use
6 the abbreviation C.P.A. in connection with his name. All other prac-
7 titioners may use their title in full as stated herein and no other.

8 (b) *A public accountant* is a person who is engaged in the practice
9 of accountancy at the time of enactment of this act and who is not a
10 certified public accountant, but who can qualify as a practitioner
11 under the provisions of section 7 of this act.

12 (c) *A senior accountant or senior staff accountant* means a person
13 employed by a practitioner entitled to registration under this act,
14 and who, through the experience deemed necessary by his employer,
15 has qualified and has been placed in charge of public accounting
16 assignments.

17 (d) *A junior accountant* is a person who, through lack of experi-
18 ence, is required to work under the supervision of a senior accountant
19 or a practitioner as herein defined.

20 (e) "*Office*", as used in section 7, means one or more office rooms
21 through which public accounting work is handled.

22 (f) "*Office managers and/or managing officers*" as used in sec-
23 tion 7, means persons having charge of public accountancy work
24 handled through an office as defined in paragraph (e) of this section.

1 **SEC. 9. Examination.** All applicants for registration and certifi-
2 cates to practice accountancy, except persons actually engaged in such
3 practice at the date of the passage of this act, and except as provided
4 in sections 11, 12, and 13, and all persons who desire to become cer-
5 tified public accountants shall be required to take a written examina-
6 tion to be conducted by the board of accountancy, and upon satisfac-
7 torily passing the same shall receive certificates as certified public
8 accountants and shall be entitled to practice as such upon the payment
9 of annual fees as in this act provided.

10 Such examination shall be upon the following subjects: Theory
11 of accounts, practical accounting, auditing, taxation, general commer-
12 cial knowledge, and commercial law.

13 Examinations as above provided shall be conducted by the board
14 of accountancy at least once each year in May or November, or both,
15 as the board may deem expedient.

16 The board shall at its meetings establish the time and place of
17 holding such examinations, and shall cause to be published a notice
18 thereof for not less than three consecutive days in each of three daily
19 newspapers published in this state, the last publication to be not less
20 than sixty days prior to such examination, and shall notify all candi-
21 dates of their success or failure within a reasonable time, stating the
22 grade received on each paper or subject.

1 **SEC. 10. Qualifications for examination.** Every applicant for the

2 examination provided for in the preceding section must be over
3 twenty-one years of age, a resident of this state, a citizen of the
4 United States or have declared his or her intention to become such,
5 of good moral character, a graduate of a high school having at least
6 a four-year course of study or its equivalent as determined by the
7 board of accountancy, or shall pass a preliminary examination to be
8 given by the board at least thirty days before the regular examina-
9 tion; and a graduate of a college or university commerce course of at
10 least three years, majoring in accounting, and in addition shall have
11 had at least one year's service as a staff accountant in the employ of
12 a practitioner entitled to registration under this act.

13 The following shall, however, be accepted in lieu of the college or
14 university commerce course and the one year of service:

15 (a) Three years continuous practical accounting experience as a
16 public accountant or as a staff accountant.

17 (b) Three years continuous employment as a field examiner under
18 a revenue agent-in-charge of the income tax bureau of the treasury
19 department of the United States, or as a field examiner in the audi-
20 tors, budget directors, banking or insurance departments of this state.

1 **SEC. 11. Oral or written examination.** All practitioners as de-
2 scribed in section seven (7) who on June 30th, 1929, shall have been
3 engaged in such practice for seven years or more, the last five years
4 of which shall have been in this state, shall upon satisfactorily pass-
5 ing an examination upon the practical principles and practice of ac-
6 countancy, be issued certificates to practice as certified public account-
7 ants provided request for such examination is made in the original
8 application for registration on or before September 30th, 1929. The
9 examinations as provided in this section shall be either written or
10 oral at the option of the applicant, and shall be held as soon as pos-
11 sible after the application has been received by the state board of
12 accountancy or the board of accountancy as created by this act and
13 certificates shall be issued within twenty days after the date of such
14 examination to all who successfully pass the same. When an oral
15 examination is taken by an applicant, the questions and answers shall
16 be fully taken down by a certified shorthand reporter.

17 All practitioners as defined by section seven (7) who were engaged
18 in such practice in the state of Iowa at the date of the taking effect
19 of chapter one hundred thirty-four (134) of the acts of the thirty-
20 sixth general assembly and who shall have been continuously engaged
21 in such practice in this state since the passage of said act shall upon
22 application to the board of accountancy be issued certificates as cer-
23 tified public accountants as of date September 30, 1929, without
24 examination.

1 **SEC. 12. Registration of practitioners.** All practitioners engaged
2 in the practice of accountancy in this state at the time of the passage
3 of this act who desire to continue in such practice, shall upon appli-
4 cation to the board of accountancy on or before September 30, 1929, be
5 registered as follows:

6 (a) All persons entitled to certificates under this act prior to
7 September 30, 1929, as certified public accountants, shall be registered
8 as certified public accountants and be issued certificates before Decem-
9 ber 31, 1929, to practice as such for the ensuing year.

10 (b) All other practitioners shall be registered as public account-
11 ants and shall be issued certificates before December 31, 1929, to
12 practice as such for the ensuing year.

13 (c) All practitioners who, in connection with the practice of ac-
14 countancy, make use of a firm, association, assumed or corporate
15 name, shall register the same at the time of making application for
16 registration as herein provided, and certificates to practice shall be
17 issued only in the names of individuals; and only firms whose mem-
18 bers are all certified public accountants shall use such designation in
19 connection with the use of such firm names.

1 SEC. 13. **Registration of applicants to practice.** All applicants for
2 registration and certificates to practice accountancy for whom no
3 provision is made in the preceding sections, shall be required to take
4 and pass the examination provided for in section 9, except as follows:

5 (a) The holders of unrevoked certified public accountant certifi-
6 cates granted in this state prior to September 30, 1929, and who are
7 not engaged in practice at that time may register their certificates
8 in December, 1929.

9 (b) The holders of unrevoked certified public accountant certifi-
10 cates granted by other states or of equivalent certificates granted by
11 the recognized authority of foreign countries may register their cer-
12 tificates, provided such certificates were issued as the result of an
13 examination which, in the judgment of the board of accountancy, was
14 equivalent to the standard set by it, or the holders thereof shall have
15 been in continuous practice thereunder for at least seven (7) years.

16 (c) All senior accountants who have been continuously employed
17 as such for at least three years prior to June 30, 1929, by practitioners
18 entitled to registration under this act or as senior accountants in the
19 employ of public accountants of recognized standing in other states
20 shall be registered as public accountants, provided the last year of
21 such employment shall have been in this state.

22 (d) Certificates to practice either as certified public accountants
23 or public accountants, shall not be issued to any person referred to
24 herein until such person shall have filed with the board of accountancy
25 a written declaration of intention to practice as defined by this act.

1 SEC. 14. **Oath.** Every applicant for certificate to practice account-
2 ancy shall be required, prior to the issuance thereof, to subscribe and
3 file with the board the following oath: I do solemnly swear (or
4 affirm) that I will support the constitution of the United States and
5 the constitution of the state of Iowa, and that I will faithfully and
6 conscientiously perform the duties of a practitioner of accountancy
7 to the best of my ability and in accordance with the law.

8 (a) Every person having been granted a certificate to practice
9 accountancy under the provisions of this act, or any renewal thereof,
10 shall give a bond in the sum of five thousand dollars (\$5000.00) to
11 the auditor of state before entering upon the discharge of his duties
12 for the faithful performance of the same.

1 SEC. 15. **Fees.** The board of accountancy shall collect the follow-
2 ing fees:

3 (a) For examination of applicants, the sum of \$25.00.

4 (b) For registration of certified public accountants certificates
5 granted by other states and foreign countries, the sum of \$25.00.

6 (c) For issuance of certificates to practice, the sum of \$10.00 in
7 December 1929, and annually thereafter; for periods of less than six
8 months, \$5.00.

9 (d) For registration of firm, assumed, association or corporate
10 names; of certified public accountants not in practice; and of senior
11 accountants entitled thereto, the sum of \$5.00 payable in December
12 1929, and annually thereafter.

13 On the failure of payment of any of the annual fees above provided,
14 the registration shall be automatically cancelled and any registrant
15 so defaulting shall not be entitled to receive a certificate to practice
16 until he or she shall have paid the registration fee as provided herein,
17 together with the amount of such default or arrears.

1 SEC. 16. **Renewal of certificates.** Registrations and certificates to
2 practice shall be subject to renewal in December, of each year upon
3 payment of the fees provided by this act.

1 SEC. 17. **Revocation of registration and certificates to practice.** The
2 board of accountancy shall revoke and cancel the registration or cer-
3 tificate to practice of any person upon proof that the holder thereof
4 has been convicted of a felony or any lesser offense involving dis-
5 honesty or fraud; or has been principal or accessory to the issuance
6 or certification of false or fraudulent financial or related statements;
7 or has obtained registration and certificate to practice or either by
8 means of false statements or representations; or may suspend such
9 registration and certificates or either upon proof that the holder
10 thereof has been guilty of unprofessional or unethical conduct in con-
11 nection with the practice of accountancy. Such suspension shall be
12 for such period of time, not exceeding one year, as in the discretion
13 of the board shall be deemed appropriate.

14 Neither revocation nor suspension as herein provided shall be or-
15 dered by the board until a written notice stating the name of the
16 person or persons who filed the charges, or that the board initiated
17 the charges; a full and complete copy of the charges which have been
18 preferred; and fixing the time and place where the hearing shall be
19 had; shall have been served upon the person against whom such
20 charges are filed in the manner of serving original notices in the dis-
21 trict court of Iowa, at least twenty (20) days before the date fixed
22 for hearing.

23 The board may adjourn such hearing from time to time upon re-
24 quest of the party charged, for the purpose of a fair hearing, and the
25 certificate holder shall have the right to be represented by counsel.

26 All hearings as herein provided shall be before the full board, and
27 a two-thirds vote of the members thereof shall be required before any
28 cancellation, revocation or suspension shall be ordered.

29 The district court is empowered to enforce by proper proceedings
30 the provisions of this chapter relating to the attendance and testi-
31 mony of witnesses and the examination of books and records.

1 SEC. 18. **Confidential information—privilege.** The information ac-
2 quired by registered practitioners or their employees, agents, or serv-
3 ants in the course of professional engagements shall be deemed con-

4 fidential and privileged, and except by written permission of the clients
5 involved, or of their heirs or personal representatives, shall not be
6 disclosed to any person; provided, however, that nothing contained in
7 this section shall be construed to modify, change, or otherwise affect
8 the criminal or bankruptcy laws of this state or of the United States.

1 **SEC. 19. Corporations not to practice.** Articles of incorporation
2 shall not, after the passage of this act, be granted which include
3 among their objects, the practice of accountancy, but nothing con-
4 tained in this act shall be construed to alter, abridge, revoke or in any
5 manner affect the rights and powers of existing corporations.

1 **SEC. 20. Unlawful practice.** It shall be unlawful after September
2 30, 1929, for any person to practice accountancy in this state as defined
3 in this act either as an individual or as a member of any firm or
4 association or under a firm, assumed or corporate name, whether
5 maintaining an office for such practice or not, unless such person is
6 the holder of a certificate to practice for the current year or is entitled
7 to registration as in this act provided and has made application
8 therefor.

1 **SEC. 21. Penalties.** (a) Any person, firm or corporation who shall
2 practice accountancy in this state in violation of the provisions of this
3 act, or who shall in any manner hold themselves out to the public as
4 practitioners of accountancy without having complied with all of the
5 provisions of this act, shall for each such offense be guilty of a mis-
6 demeanor, and upon conviction thereof shall be punished by imprison-
7 ment in the county jail not exceeding thirty days, or by a fine not
8 exceeding \$100.00, or by both such fine and imprisonment.

9 (b) Any person, firm or corporation who shall sign, execute, or
10 publish any report, financial, accounting, or related statement, desig-
11 nating himself or themselves as registered or certified practitioners
12 or knowingly permit the printing and publication of any announce-
13 ment in writing to the effect that such report or statement has been
14 prepared by a registered or certified practitioner when in fact the
15 person, firm, or corporation preparing the same was not registered
16 or certified as in this act provided, shall be guilty of a misdemeanor,
17 and upon conviction thereof, shall be punished by a fine not to exceed
18 \$500.00 or by imprisonment in the county jail for a term not exceed-
19 ing one year.

20 (c) Any practitioner of accountancy who shall wilfully or know-
21 ingly utter or certify to the correctness of any report, financial, ac-
22 counting, or related statement, which is known to such practitioner
23 to be false, misleading to the public, or designed to mislead any per-
24 son, shall be deemed guilty of a felony, and upon conviction thereof
25 shall be punished by a fine of not to exceed \$5,000.00, or by imprison-
26 ment in the state prison for a term not exceeding two years, or by
27 both such fine and imprisonment in the discretion of the court.

1 **SEC. 22. Exceptions.** Nothing contained in this act shall be con-
2 strued to prevent:

3 (a) The holders of certified public accountant certificates granted
4 by other states from practicing in this state in connection with tem-
5 porary engagements incident to their professional practice in the
6 states of their domicile but, who have neither office nor legal address

7 in this state; provided they file with the board of accountancy, and
 8 with the auditor of state, at least five days before commencing work
 9 for a client, the written appointment of a registered practitioner in
 10 this state to act as agent upon whom legal service may be had in all
 11 matters which may arise from such temporary professional engage-
 12 ments.

13 (b) The employment by registered practitioners of non-registered
 14 persons to serve as staff accountants provided the latter do not issue
 15 reports or accounting statements in their own names except such
 16 office records as may be customary.

17 (c) Attorneys-at-law duly admitted to practice in this state from
 18 doing anything usual and proper in connection with their duties as
 19 such attorneys.

20 (d) The employment of persons by more than one individual firm
 21 or corporation for the purpose of keeping books, making trial bal-
 22 ances, or performing general commercial bookkeeping.

1 SEC. 23. Existing board dissolved. The state board of account-
 2 ancy in existence at the passage of this act by virtue of chapter 91
 3 of code of 1927, repealed herein, shall continue in existence until
 4 August 4, 1929, and until the board provided for in this act shall have
 5 been appointed and qualified, for the purpose of issuing certified public
 6 accountant certificates to persons who have become entitled thereto,
 7 prior to August 4, 1929, and for the purpose of winding up the affairs
 8 of said board.

1 SEC. 24. Constitutionality. Should the courts of this state or of
 2 the United States declare any of the provisions of this act uncon-
 3 stitutional, illegal, or void, such decision shall not invalidate any other
 4 provision herein contained.

House File No. 207. Approved April 13, A. D. 1929.

CHAPTER 60

INTOXICATING LIQUORS

AN ACT to repeal the law as it appears in section twenty hundred twelve (2012) and
 section twenty hundred thirteen (2013), of the code, 1927, and to enact a substitute
 therefor providing for the disposal of conveyances seized when used in the illegal
 transportation of intoxicating liquor.

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

1 SECTION 1. That the law as it appears in section twenty hundred
 2 twelve (2012) and section twenty hundred thirteen (2013) of the
 3 code, 1927, is hereby repealed and the following enacted in lieu
 4 thereof:

5 "2012. On the hearing the court shall determine whether any
 6 claim or lien shall be allowed. If allowed, he shall enter an order fix-
 7 ing therein the amount and priority of all such claims or liens allowed,
 8 and shall enter such further order for the protection of the claimants
 9 or lienholders as the evidence may warrant."

10 "2013. Whenever a judgment of forfeiture has been entered by
 11 any court, directing the sale of a conveyance under the provisions of

12 this chapter, the clerk of the district court shall immediately notify
13 the state bureau of investigation of such order, together with a full
14 description of the conveyance, and if it be a motor vehicle, the name
15 of the manufacturer thereof, the model, serial number, and descrip-
16 tion of the condition of said motor vehicle, before said conveyance
17 shall be advertised for sale.

18 "The state department of justice may, if the conveyance is such a
19 one as may be used by said department in connection with its duties
20 and the enforcement of the law, requisition said conveyance for said
21 department and said requisition shall be delivered to the clerk of the
22 district court of the county having jurisdiction of such conveyance,
23 within ten (10) days after the notice of judgment of forfeiture has
24 been received by the bureau of investigation. If said conveyance is
25 not so requisitioned within ten (10) days after the clerk of the dis-
26 trict court has notified the department of justice of the judgment of
27 forfeiture, then the conveyance shall be sold by the sheriff as provided
28 in this chapter.

29 "When any such conveyance is requisitioned by the department of
30 justice, the clerk of the district court shall immediately issue to the
31 sheriff of the county, or other officer having possession of said con-
32 veyance, an order directing that said conveyance be turned over to
33 the state department of justice, or any of its duly commissioned
34 agents directed by the attorney general to receive it.

35 "When any such conveyance is requisitioned by the state depart-
36 ment of justice, said department shall pay to the clerk of the district
37 court, the court costs and the expense incurred by the county or the
38 sheriff in keeping said conveyance.

39 "Any department of the state government needing a motor vehicle
40 for official use in said department may make written application there-
41 for to the executive council. The executive council shall, if it deter-
42 mines that said department should have such a motor vehicle, by
43 written application request the department of justice to requisition
44 a suitable motor vehicle for the applicant department whenever one
45 is available, in the manner hereinbefore provided. Whenever any
46 department receives a motor vehicle under the provisions hereof, the
47 head thereof shall cause the court costs and all other costs incurred
48 in connection with the confiscation and forfeiture of said motor
49 vehicle to be paid to the clerk of the court or the sheriff of the proper
50 county, as the case may be."

51 "The board of supervisors of a county may apply to the depart-
52 ment of justice that any motor vehicle seized in such county and
53 requisitioned under this section be delivered to such board for the
54 use in performing official duties by officials and officers of the county.
55 The department of justice may allow such application whereupon the
56 automobile shall be delivered to the board of supervisors for use in
57 accord with such application."

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in

3 the Mapleton Press, a newspaper published at Mapleton, Iowa, and
4 in the Denison Review, a newspaper published at Denison, Iowa.

Senate File No. 269. Approved April 5, A. D. 1929.

I hereby certify that the foregoing act was published in the Mapleton Press April 5, 1929, and the Denison Review April 10, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 61

INTOXICATING LIQUORS

AN ACT to amend section thirteen thousand four hundred seventeen-b one (13417-b1) of the code, 1927, relative to the taking of fingerprints and palmprints of certain violators of the criminal laws.

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

1 SECTION 1. That section thirteen thousand four hundred seventeen-
2 b one (13417-b1) of the code, 1927, is amended by inserting after the
3 comma (,) in line nine (9) thereof, the following:

4 "manufacturing intoxicating liquor, operating a motor vehicle
5 while intoxicated";

6 Also by adding to said section at the end thereof the following:

7 "In addition to the finger prints as herein provided any such of-
8 ficer may also take the palm prints of any such person."

1 SEC. 2. This act being deemed of immediate importance, shall be
2 in full force and effect from and after its passage and publication in
3 the Des Moines Daily Record, and in Plain Talk, newspapers published
4 at Des Moines, Iowa.

Senate File No. 210. Approved April 15, A. D. 1929.

I hereby certify that the foregoing act was published in the Des Moines Daily Record April 18, 1929, and the Des Moines Plain Talk April 18, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 62

INTOXICATING LIQUORS. NARCOTICS

AN ACT relative to the suspension of the license of physicians and pharmacists because of violations of federal statutes and regulations relating to intoxicating liquors or to narcotics.

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

1 SECTION 1. **Conviction in federal courts.** When a physician or
2 pharmacist, licensed under the laws of this state, is convicted in any
3 federal court of this state of a violation of the federal statutes or
4 regulations relating to intoxicating liquors, or to narcotics, and said
5 judgment has become final, the county attorney of the county where
6 said physician or pharmacist resides shall forthwith file in the office
7 of the clerk of the district court of said county a duly certified copy

8 of said judgment and thereupon said district court, or a judge thereof,
 9 shall, on such notice to the defendant in said judgment as the court
 10 or judge may prescribe, enter an order suspending for a period of
 11 not less than one year nor more than five years the license of such
 12 physician or pharmacist to practice his profession in this state. In
 13 such proceeding the county attorney shall appear on behalf of the
 14 state.

House File No. 96. Approved March 12, A. D. 1929.

CHAPTER 63.

APPLICATIONS FOR PERMITS

AN ACT to amend section twenty-one hundred thirty-one (2131) of the code of 1927, relating to applications for permits to wholesale druggists.

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

1 SECTION 1. Amend section twenty-one hundred thirty-one (2131)
 2 of the code of 1927, by striking all of sub-section three thereof and
 3 inserting in lieu thereof the following:
 4 "That neither the applicant nor any member of the firm, or officers
 5 of the corporation has been convicted of any violation of the laws of
 6 this state with reference to the sale of intoxicating liquors within
 7 three years last passed, prior to the date of the said affidavit."

House File No. 460. Approved May 11, A. D. 1929.

CHAPTER 64

STATE HEALTH DEPARTMENT. INSPECTOR

AN ACT authorizing the appointment of an inspector by the state department of health for the purpose of assisting with the enforcement of the practice act, defining his duties and providing for his compensation and expenses, and to amend the law as it appears in section twenty-four hundred ninety-six (2496), code of Iowa, 1927, relating to the enforcement of the practice act and revocation of licenses.

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

1 SECTION 1. There is hereby created the position of health depart-
 2 ment inspector who shall be attached to the state department of
 3 health and who shall be appointed by the commissioner of health of
 4 the state of Iowa. The health department inspector's duties shall
 5 consist of investigating all violations of title VIII, code of Iowa, 1927,
 6 securing all available evidence and reporting to the department of
 7 health.

1 SEC. 2. The health department inspector shall (until June 30,
 2 1931) receive such salary as the executive council shall approve, and
 3 until said date be paid out of any money in the state treasury not
 4 otherwise appropriated, provided that the entire cost of the adminis-
 5 tration and enforcement of this title shall not exceed in any year the
 6 receipts by virtue of this title for such year.

1 SEC. 3. The law as it appears in section twenty-four hundred
2 ninety-six (2496), code of Iowa, 1927, be and the same is hereby
3 amended by striking therefrom all of lines five (5) and six (6)
4 thereof.

House File No. 185. Approved April 11, A. D. 1929.

CHAPTER 65

COUNTY BOARD OF HEALTH

AN ACT authorizing the county board of supervisors to adopt the county unit plan for public health work, to coordinate and correlate all public health activities within their county, and to create a county board of health.

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

1 SECTION 1. The county board of supervisors of any county in
2 Iowa may, by their own resolution, or by mutual agreement with any
3 local board or boards of health of their county, adopt the county health
4 unit plan.

1 SEC. 2. When a county health unit plan is adopted, a county board
2 of health shall be appointed by the county board of supervisors to
3 guide and direct all public health activities within such county.

4 This board of health shall consist of not more than eleven (11)
5 members, three of which shall be members of the local county med-
6 ical society, and the others, who may include representatives of local
7 boards of health of incorporated cities or towns situated within the
8 county, shall all be appointed by the county board of supervisors. All
9 financial expenditures shall first be approved by the county board of
10 supervisors, by budget or otherwise. The county board of health
11 shall serve as such without pay.

1 SEC. 3. The organization of a county health unit plan shall be made
2 only after consultation and after advising with the state commissioner
3 of health or his agent, who is hereby charged with the duty of the
4 investigation of all activities in public health in operation within the
5 county at the time and with the further duty of advising the county
6 board of health and the county board of supervisors toward the corre-
7 lation and coordination of all public health activities under the county
8 health unit plan. The state board of health shall adopt rules of pro-
9 cedure for the organization of county boards of health, as such, and
10 shall also specify their duties.

1 SEC. 4. The expense incurred by the county health unit shall be
2 paid by the county board of supervisors upon their own motion from
3 county funds legally available. Other organizations, including local
4 boards or board of health, may unite with the county board of super-
5 visors in defraying the necessary expense of such county health unit.

Senate File No. 393. Approved April 18, A. D. 1929.

CHAPTER 66

EUGENICS

AN ACT to repeal sections thirty-three hundred sixty-one (3361) to thirty-three hundred sixty-five (3365), inclusive, code, 1927, and to enact a substitute therefor, relating to the sterilization of certain persons, to create a state board of eugenics, to define the powers and duties of said board, to fix the procedure in the sexual sterilization of persons, to provide for the expense attending such procedure and to make an appropriation therefor.

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

Sections thirty-three hundred sixty-one (3361) to thirty-three hundred sixty-five (3365), inclusive, code, 1927, are hereby repealed and the following enacted as a substitute therefor:

1 **SECTION 1. State board of eugenics.** A state board of eugenics is
2 hereby created. Said board shall consist of the medical director of
3 the state psychopathic hospital connected with the college of medicine
4 of the state university at Iowa City, of the commissioner of public
5 health, and of the superintendents of the following state institutions,
6 to wit:

- 7 1. The Cherokee state hospital.
- 8 2. The Clarinda state hospital.
- 9 3. The Independence state hospital.
- 10 4. The Mount Pleasant state hospital.
- 11 5. The institution for feeble-minded children at Gleenwood.
- 12 6. The hospital for epileptics and school for feeble-minded at
13 Woodward.
- 14 7. The women's reformatory at Rockwell City.

1 **SEC. 2. Quarterly reports of defective.** Each member of said
2 board, and the warden of the penitentiary and the warden of the men's
3 reformatory, shall, annually, on the first day of January, April, July
4 and October, report to the state board of eugenics the names of all
5 persons, male or female, living in this state, of whom he or she may
6 have knowledge, who are feeble-minded, insane, syphilitic, habitual
7 criminals, moral degenerates, or sexual perverts and who are a men-
8 ace to society.

1 **SEC. 2-a. Notice.** Any person reported to the state board of
2 eugenics, under the provisions of section two (2) of this act, must be
3 served with a notice in writing of such report and fixing a time and
4 place not less than ten (10) days subsequent to such report for the
5 time and place of examination and hearing before said board. Said
6 notice shall be served as provided in section nine (9) of this act.

1 **SEC. 2-b. Hearing.** Any person reported to the state board of
2 eugenics, as provided in section two (2) of this act, and who has been
3 notified thereof, shall have the right to appear personally before said
4 board and to be represented by counsel at such hearing. He shall have
5 the right to have witnesses subpoenaed and to introduce such evidence
6 in regard to the matter at issue as the board shall deem relevant,
7 material and proper.

1 **SEC. 3. Examination and hearing.** It shall be the duty of said

2 board at the time and place named in the notice to the person reported
3 upon, with such reasonable continuances from time to time and from
4 place to place as the board may determine, to proceed to hear and
5 consider the evidence offered and to examine into the innate traits,
6 the mental and physical conditions, the personal records and family
7 traits and history of the person reported upon and notified as in this
8 act provided, in so far as the same can be ascertained. If the person
9 reported upon is an inmate of any institution, the said board shall
10 see to it that the inmate shall have opportunity and leave to attend
11 the said examination and hearing in person, if desired by him or if
12 requested by his guardian or person served with the notice as afore-
13 said.

1 **SEC. 4. Witnesses.** To enable the board to discharge said duty,
2 said board, or the chairman thereof, on the order of the board, shall
3 have power and authority to issue subpoenas and to cause the same
4 to be served.

1 **SEC. 5. Contempt.** Should a witness be duly served with a sub-
2 poena and refuse to appear, or should a witness refuse to answer,
3 the board shall report such refusal to the district court or judge
4 thereof, of the county in which the refusal occurs, and the court, or
5 judge thereof, shall proceed as though such refusal had occurred in
6 a proceeding before said court or judge.

1 **SEC. 6. Oaths.** Any member of said board shall have power to
2 administer an oath to witnesses before it.

1 **SEC. 7. Order for sterilization.** If in the judgment of a majority
2 of said board procreation by such persons would produce a child or
3 children having an inherited tendency to feeble-mindedness, syphilis,
4 insanity, epilepsy, criminality, or degeneracy, or who would probably
5 become a social menace or ward of the state, and there is no prob-
6 ability that the condition of such person so investigated and examined
7 will improve to such an extent as to avoid such consequences, then
8 it shall be the duty of such board to make an order embodying its
9 conclusions with reference to such person in said respects and specify-
10 ing such a type of sterilization as may be deemed by said board best
11 suited to the condition of said person and most likely to produce the
12 beneficial results in the respects specified in this section, but nothing
13 contained in this act shall be construed to authorize castration nor
14 removal of sound organs from the body.

1 **SEC. 8. Findings—record.** After fully inquiring into the condition
2 of each of such persons, said board shall make separate written find-
3 ings and conclusions for each of the persons into whose condition it
4 has examined, including its findings, conclusions, and order thereon
5 as herein provided, and the same shall be preserved in the records of
6 said board and a copy thereof shall be furnished to the official who
7 reported the case.

1 **SEC. 9. Service of order.** If an operation is deemed necessary by
2 said board for such person so investigated, then a copy of the order
3 of said board recommending such operation shall be served forthwith
4 on said person, or, in the case of an insane or feeble-minded person,

5 upon his legal guardian, and if such person has no legal guardian,
6 then upon his nearest known kin, or personal friend, within the state
7 of Iowa, and if such person has no known kin or personal friend within
8 the state of Iowa, then the board shall cause application to be made
9 to the district court of the county in which such person resided or may
10 be found for the appointment of some suitable person to act as guard-
11 ian of the person reported upon during and for the purposes of the
12 proceedings under this act, to defend the rights and interests of the
13 said person, and the court shall, by proper order, appoint some suit-
14 able person to act as guardian for said purposes who shall be paid
15 from any funds in the state treasury not otherwise appropriated, a
16 fee, but not exceeding twenty-five dollars (\$25.00), as may be deter-
17 mined by the judge of said court, for his services under said appoint-
18 ment. Such guardian may be removed or discharged at any time by
19 said court, or the judge thereof in vacation, and a new guardian
20 appointed and substituted in his place.

1 **SEC. 10. Purpose and objects sought.** Said investigation, findings,
2 and orders of said board shall be made with the purpose in view of
3 securing a betterment of the physical, mental, neural or physical con-
4 dition of the person, to protect society from the acts of such person,
5 or from the menace of procreation by such person, and not in any
6 manner as a punitive measure.

1 **SEC. 11. Consent to operation.** If any person whose condition has
2 been examined and reported upon by said board, as hereinbefore pro-
3 vided, shall consent in writing to have the operation specified in the
4 order of said board performed, such operation shall thereupon be per-
5 formed upon said person by or under the direction of the superin-
6 tendent of the institution in which he is confined, if such person be
7 an inmate of any of the state institutions herein mentioned, or if he
8 is not an inmate of any of said institutions, such operation shall be
9 performed by or under the direction of the state board of eugenics.
10 All such operations shall be performed with due regard for the physi-
11 cal condition of the person upon whom it is performed and in a safe
12 and humane manner.

1 **SEC. 12. Consent defined.** In case the person to be operated upon
2 be feeble-minded or insane, the consent hereinbefore mentioned in the
3 preceding section shall be construed to mean the written consent of
4 such person's legal guardian, or if such person has no legal guardian,
5 then the written consent of such person's nearest known kin or per-
6 sonal friend within the state of Iowa, or if such person be insane, or
7 feeble-minded, and has neither legal guardian nor known kin or per-
8 sonal friend within the state of Iowa, then the written consent of the
9 guardian appointed by the court for such person as provided in this
10 act.

1 **SEC. 13. Absence of consent—trial.** If any such person shall not
2 consent, within twenty (20) days from the service of such order upon
3 him, to the performance of such operation, said board of eugenics,
4 through its secretary, or other officer having charge of its records
5 and files, within fifteen (15) days thereafter, or such further time as
6 the court or judge thereof may allow, shall file a transcript of its pro-
7 ceedings and of its said findings, conclusions, and order with reference

8 to said person with the clerk of the district court of the county in
9 which such person resides or may be found.

1 SEC. 14. Upon the filing of such findings, conclusions, and order,
2 the clerk of the district court shall issue a summons directed to such
3 person and deliver the same to the sheriff, together with a copy of
4 such order prepared and certified by him and it shall be the duty of
5 said sheriff to forthwith serve said summons and copy of order upon
6 said person therein named, who shall be required, within twenty (20)
7 days after such service upon him, to enter his appearance in writing
8 with the clerk of the district court in such case or by appearing in
9 person before said clerk, who shall thereupon enter the appearance
10 of such person in such proceeding. If he be an insane or feeble-
11 minded person such appearance may be made by his guardian, if he
12 have one; if not, then by his nearest of kin or near friend. If he be
13 confined in an institution, facility shall be furnished him for making
14 such appearance.

1 SEC. 15. **Court procedure.** The issue thereby raised shall be
2 whether the findings and conclusions of said board shall be affirmed
3 by the court, and shall be tried in the district court of such county,
4 as a special proceeding, in the same manner as a civil action at law
5 in which the state shall be the plaintiff and the person so summoned
6 shall be the defendant. Each party shall have the same rights as to
7 production of evidence and the case shall be tried in the same manner
8 as any other civil action. In all such cases the county attorney of
9 the county where such proceedings are tried shall appear and prose-
10 cute such action on behalf of the state. If the defendant has no
11 attorney and he is unable to secure one, the court shall appoint an
12 attorney from the membership of the bar of said county to conduct
13 his defense, and appeal, if any be taken as hereinafter provided, and
14 such attorney shall be compensated by the state, upon order of the
15 court. Upon the request of either party to such proceeding all ques-
16 tions of fact shall be tried by a jury and the court in every instance
17 shall have the testimony fully reported at the expense of the state.

1 SEC. 16. **Judgment—enforcement.** If the findings and conclusions
2 of the state board of eugenics shall be affirmed by the court, the de-
3 fendant shall be immediately placed in custody by the sheriff of said
4 county, and may be admitted to bail by the court, who shall fix the
5 amount of such bail, and if not so admitted to bail, shall be held until
6 the operation provided in such findings be performed.

1 SEC. 17. **Appeal.** Either party to said proceedings may take an
2 appeal from the district court to the supreme court of this state in the
3 same manner and within the same time and with like effect as appeals
4 in other civil actions are taken, and such case shall be tried in the
5 supreme court in the same manner as other appeals in actions at law.
6 If the defendant be represented by an attorney appointed by the court,
7 and, in the opinion of the court, is financially unable to meet his part
8 of the expense of an appeal, the defendant's actual and necessary
9 expense of such appeal and prosecution thereof to final decree by the
10 supreme court shall be paid by the state upon order of said district
11 court, same to be paid out of the general funds of the state not other-
12 wise appropriated.

1 **SEC. 18. Expenses—liability of state.** The state shall be liable
 2 under this act, except as hereinabove provided for, only for the actual
 3 traveling expenses of the members of the board incurred in the per-
 4 formance of their duties, and the actual and necessary expense inci-
 5 dent to the investigations of said board either on original case or an
 6 appeal therefrom.

1 **SEC. 19. Selection of physician.** Nothing in this act shall be con-
 2 strued to empower or authorize the state board of eugenics or its
 3 representatives, or the state health officer, or his representatives, or
 4 the superintendent of any of the institutions mentioned, or his repre-
 5 sentatives, to interfere in any manner with the individual's right to
 6 select the physician of his choice; provided, that such physician is
 7 in the judgment of the state board of eugenics competent to perform
 8 such operation; nor to interfere with the practice of any person whose
 9 religion treats or administers to the sick or suffering by purely
 10 spiritual means; provided that such practice, treatment or administra-
 11 tion shall not in any way interfere with the operation of this act, and
 12 the carrying out of its purposes.

1 **SEC. 20. Fee.** A physician or surgeon, who is not in the employ
 2 of the state, shall receive a reasonable compensation for an operation
 3 performed hereunder, which compensation shall be paid from any
 4 funds in the state treasury not otherwise appropriated.

House File No. 243. Approved April 13, A. D. 1929.

CHAPTER 67

REGISTRAR OF VITAL STATISTICS

AN ACT to amend section twenty-three hundred eighty-nine (2389), code, 1927, relating to the appointment of the local registrar of vital statistics.

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

1 **SECTION 1.** Section twenty-three hundred eighty-nine (2389), code
 2 1927, is amended by adding in line three (3) and immediately after
 3 the word "county" the following words, to wit:
 4 ", except that such appointment shall be made by the local board
 5 of health in cities having a population of thirty-five thousand (35,000)
 6 or more."

Senate File No. 277. Approved April 5, A. D. 1929.

CHAPTER 68

GOVERNMENT AID IN HEALTH WORK

AN ACT permitting the state department of health to accept financial aid from the government of the United States for public health work in the state of Iowa.

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

1 SECTION 1. That the state department of health is hereby author-
2 ized to accept financial aid from the government of the United States
3 for the purpose of assisting in carrying on public health work in the
4 state of Iowa.

House File No. 346. Approved April 12, A. D. 1929.

CHAPTER 69

PRACTICE OF EMBALMING

AN ACT to repeal chapter one hundred twenty-four (124) of the code, 1927, and to enact a substitute therefor relating to the regulation of the practice of embalming, the licensing of its practitioners, the inspection of their places of business, the defining of misdemeanor for the violation of certain of its provisions, and the fixing of a penalty therefor.

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

1 SECTION 1. Chapter one hundred twenty-four (124) of the code,
2 1927, is repealed.

1 SEC. 2. For the purposes of this chapter, the following classes shall
2 be deemed to be engaged in the practice of embalming:

3 1. Any person, firm, corporation or association of persons who pre-
4 pares dead human bodies for burial, cremation or other final disposi-
5 tion; or who, in connection with the disposition or sale of any casket,
6 vault or other burial receptacle, shall furnish any embalming or fun-
7 eral service, directly or indirectly, by himself, or in conjunction with
8 another; or who publicly professes to be an embalmer, funeral director,
9 mortician, or any other title indicating that such person, firm, cor-
10 poration or association of persons assumes the duties, or any part of
11 the duties, incidental to the preparation, care, and final disposition of
12 any human dead; or who, in connection with the preparation of dead
13 human bodies for burial, cremation or other final disposition, furnishes
14 funeral services.

15 2. Any person, firm, corporation or association of persons who
16 shall disinfect, preserve and make final disposition of dead human
17 bodies, in whole or in part, or who shall attempt to do so, by the use
18 or application of chemical substances, fluids or gasses ordinarily used,
19 prepared or intended for such use, either by outward application of
20 such chemical substances, fluids or gasses on the body, or by the in-
21 troduction of same into the body by vascular or hypodermic injection
22 or by direct introduction into the organs or cavities, or by any other
23 methods or processes.

1 SEC. 3. The preceding sections shall not be construed to include the
2 following classes of persons:

3 1. Manufacturers, wholesalers and jobbers of caskets, vaults or
4 other burial receptacles not engaged in the other functions of em-
5 balming or furnishing of funeral services as above defined.

6 2. Those who distribute or sell caskets, vaults or any other burial
7 receptacles and who do not furnish any embalming or funeral service,
8 directly or indirectly, by himself or in conjunction with another,
9 except under the personal direction of a licensed embalmer.

10 3. Those who use bodies for scientific purposes as defined in sec-
11 tions twenty-three hundred fifty-one (2351), twenty-three hundred
12 fifty-two (2352) and twenty-three hundred fifty-five (2355) of the
13 code, 1927; or those who make scientific examination of dead bodies,
14 or perform autopsies.

15 4. Physicians or institutions who preserve parts of human bodies
16 either for scientific purposes or for use as evidence in prospective
17 legal cases.

18 5. Persons burying their own dead under burial permit from the
19 registrar of vital statistics.

1 SEC. 4. No applicant shall be issued a license to practice embalming
2 unless and until he shall:

3 1. File with the state department of health an application upon a
4 form prepared by the department, presenting satisfactory proof that
5 said applicant has completed an eighth grade common school course,
6 or the equivalent thereof; together with such other information as
7 may be deemed necessary.

8 2. Have taken and successfully completed, a course of training of
9 not less than twelve weeks in an accredited school of embalming.

10 3. Have completed one year of training as an apprentice under a
11 licensed embalmer in good standing in this state, and has arterially
12 embalmed not less than twenty-five human bodies during his appren-
13 ticeship under the direct supervision of said embalmer.

14 4. Have passed a satisfactory examination prescribed by the board
15 of embalmers' examiners in such subjects as the board may prescribe,
16 including the subjects of embalming, theory and practice, sanitary
17 science, chemistry, anatomy, physiology, bacteriology, pathology,
18 restorative art, transportation, the care, disinfection, preservation,
19 funeral direction, burial or other disposition of dead human bodies,
20 together with the laws, rules and regulations of the state department
21 of health relating to communicable diseases, quarantine and cause
22 of death.

23 5. Have demonstrated his proficiency as an embalmer, as directed by
24 the board of embalmers' examiners, by operation on a dead human
25 body, which body shall be furnished by the state department of
26 health, under the provisions of section twenty-three hundred fifty-two
27 of the code, 1927. This particular requirement shall apply to all ap-
28 plicants for a license by reciprocity, as well as by examination.

1 SEC. 5. The board of embalmers' examiners shall, by rule approved
2 by the state department of health, provide for apprenticeships in
3 embalming, and shall regulate the registration and training thereof;
4 and after January 31st, 1931, no applicant shall be eligible to take
5 the embalmers' examination who has not first been legally registered

6 as an apprentice. For such registration a fee of five (\$5.00) dollars
7 shall be collected from the applicant.

1 SEC. 6. For the purpose of revoking a license under the provisions
2 of section twenty-four hundred ninety-two (2492) of the code, 1927,
3 "Unprofessional Conduct" on the part of an embalmer shall consist
4 only of any one of the following acts:

5 1. Knowingly misrepresenting any material matter to a prospective
6 purchaser of funeral merchandise, furnishings, or services.

7 2. Executing a death certificate or shipping paper for use of anyone
8 except a licensed embalmer or a registered apprentice who is working
9 under his immediate personal supervision.

10 3. Recommending to the board of embalmers' examiners an appli-
11 cant for a license who has not, to his personal knowledge, complied
12 with the requirements of the law and the rules of the board of em-
13 balmers' examiners.

1 SEC. 7. Any embalmer who wilfully solicits professional patronage
2 or business and gives, or agrees to give, money, property, gift or other
3 reward therefor, and any person who wilfully and knowingly receives
4 the same, shall be guilty of a misdemeanor, and, upon conviction
5 thereof, shall be punished by a fine of not less than one hundred
6 (\$100.00) dollars and not more than five hundred (\$500.00) dollars,
7 or be imprisoned in the county jail for not less than thirty days or
8 more than six months.

1 SEC. 8. The commissioner of public health shall have power to
2 inspect all places where dead human bodies are prepared, or held for
3 burial, or entombment; and to prescribe and enforce such rules and
4 regulations in connection therewith as may be necessary for the pres-
5 ervation of the public health.

1 SEC. 9. No person licensed to practice embalming in Iowa shall be
2 required to secure a new license under this act.

Senate File No. 191. Approved April 5, A. D. 1929.

CHAPTER 70

COSMETOLOGY

AN ACT to regulate the practice of cosmetology and schools of instruction in such profession and to provide for license fees for practitioners, itinerants, apprentices, practitioners in the use of the electric needle, and for schools; and to amend the law as it appears in section twenty-five hundred eleven (2511), section twenty-five hundred sixteen (2516), section twenty-five hundred eighty-five-b two (2585-b2), section twenty-five hundred eighty-five-b four (2585-b4), and section twenty-five hundred eighty-five-b six (2585-b6) of the code, 1927; and to repeal section twenty-five hundred eighty-five-b five (2585-b5), and section twenty-five hundred eighty-five-b nine (2585-b9), of the code, 1927, and to enact substitutions therefor; relating to the practice of certain professions affecting the public health and pertaining to the practice of cosmetology.

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

1 SECTION 1. No school shall be approved by the board of cos-
2 metology examiners unless and until such school shall have made a

3 verified application to the department for a license to teach cosme-
4 tology. Such application shall be accompanied by the annual license
5 fee, shall state the name and location of said school, and such other
6 additional information as the board of cosmetology examiners may
7 require. When such application shall have been approved by the
8 board of cosmetology examiners the department shall issue to the
9 applicant a license to conduct such school of cosmetology for one (1)
10 year. Subject to the approval of the board of cosmetology examiners
11 any such license may be annually renewed upon the receipt of the
12 annual license fee.

1 SEC. 2. Any person having completed the prescribed course in, and
2 having obtained a diploma from a school of cosmetology approved by
3 the board of cosmetology examiners and licensed by the department,
4 and having made application to take the next succeeding examination
5 in cosmetology, shall be known as an apprentice and upon payment
6 of the required fee to the department and the submission of evidence
7 of his eligibility to the board of cosmetology examiners, shall be is-
8 sued a permit by the department which shall entitle such person to
9 work as a cosmetology operator from the date of such graduation to
10 the date of the next succeeding state examination in cosmetology.
11 Only one (1) permit may be issued to any person.

1 SEC. 3. Managers of shops or other places where cosmetology is
2 practiced, who directly supervise the work of operators, shall be li-
3 censed cosmetologists.

1 SEC. 4. No person, firm or corporation shall employ any person as
2 a practitioner of cosmetology unless such person is a licensed cos-
3 metologist, or an apprentice as defined by this act.

1 SEC. 5. All fees provided for by this act and all other fees paid to
2 the department by practitioners of cosmetology shall be paid by the
3 department to and receipted for by the treasurer of state, who shall
4 keep such fees in a separate fund to be known as the cosmetology
5 fund. Such fund shall be continued from year to year and the treas-
6 urer shall keep a separate account thereof showing receipts and dis-
7 bursements as authorized by section twelve (12) of this act, and the
8 balance therein; and no part of such fund shall be used for any other
9 purpose than the administration and enforcement of the laws relating
10 to the practice of cosmetology.

1 SEC. 6. That the law as it appears in section twenty-five hundred
2 eleven (2511) of the code, 1927, be amended by striking therefrom
3 the word "or" in line three (3) thereof, and by adding thereto after
4 the word "optometrist" in line three (3), a comma (,), and the words
5 "or itinerant cosmetologist"; also by striking therefrom the word
6 "or" in line seven (7) of said section, and by adding immediately
7 after the comma (,), following the word "optometry" in said line
8 seven (7), the following: "or cosmetology,".

1 SEC. 7. That the law as it appears in section twenty-five hundred
2 sixteen (2516) of the code, 1927, be amended as follows:

3 a. By adding after the word "barbering" in line four (4) of para-
4 graph seven (7) of said section, the words "or cosmetology".

5 b. By adding to said section the following paragraphs:

6 "11. For a license to conduct a school teaching cosmetology, an
7 annual fee of one hundred dollars (\$100.00).

8 "12. For a license to practice as an itinerant cosmetologist, in ad-
9 dition to any other fee required of cosmetologists, one hundred dol-
10 lars (\$100.00).

11 "13. For a permit to practice as an apprentice in cosmetology, one
12 dollar (\$1.00)."

1 SEC. 8. That the law as it appears in section twenty-five hundred
2 eighty-five-b two (2585-b2) of the code, 1927, be amended by striking
3 therefrom paragraphs one (1), and three (3), and by enacting in lieu
4 of paragraph one (1), the following:

5 "Licensed physicians, surgeons, osteopaths, nurses, dentists, podi-
6 atrists, optometrists and chiropractors when exclusively engaged in
7 the practice of their respective professions."

1 SEC. 9. That the law as it appears in section twenty-five hundred
2 eighty-five-b four (2585-b4) of the code, 1927, be amended by strik-
3 ing therefrom the comma (,), following the word "examiners" in
4 line seven (7), and all of the text in said section following said comma
5 (,), and by substituting in lieu thereof the following:

6 "and licensed by the department, showing that said applicant has
7 completed the course of study in said school prescribed by the board
8 of cosmetology examiners."

1 SEC. 10. That the law as it appears in section twenty-five hundred
2 eighty-five-b five (2585-b5) of the code, 1927, be repealed and the
3 following enacted in lieu thereof:

4 "If an applicant desires a license authorizing him to remove super-
5 fluous hair by the use of the electric needle, he shall present a diploma,
6 as evidence, of having completed such a course in a school recognized
7 by the board of cosmetology examiners which teaches a special course
8 in the practice of the use of the electric needle. The board of cos-
9 metology examiners shall give to such applicant an examination in
10 the use of the electric needle for which the applicant shall pay a fee
11 of ten dollars (\$10.00) to the department."

1 SEC. 11. That the law as it appears in section twenty-five hundred
2 eighty-five-b six (2585-b6) of the code, 1927, be amended by inserting
3 after the word "rules" in line three (3) thereof, the words "for shops
4 and schools."

1 SEC. 12. That the law as it appears in section twenty-five hundred
2 eighty-five-b nine (2585-b9) of the code, 1927, be repealed and the
3 following enacted in lieu thereof:

4 "The commissioner of public health, with the approval of the cos-
5 metology examiners, shall appoint such inspectors and clerical as-
6 sistants and incur such other expense as may be necessary to properly
7 administer and enforce the provisions of law relating to the practice
8 of cosmetology. The amount of compensation of such appointees
9 shall be fixed by the executive council. There is hereby annually ap-
10 propriated out of the cosmetology fund in the state treasury a sum
11 sufficient to pay the compensation and the expenses of said exam-
12 iners, inspectors and clerical assistants, and, other necessary expense.
13

14 Provided however that the entire cost of the administration and en-
15 forcement of the provisions of law relating to the practice of cos-
16 metology shall not exceed in any one (1) year, the receipts under such
17 laws for such year together with the balance held by the treasurer of
18 state in the cosmetology fund from preceding years."

1 SEC. 13. This act being deemed of immediate importance shall take
2 effect and be in full force from and after its publication in the Water-
3 loo Courier, a newspaper published in Waterloo, Iowa, and the Sioux
4 City Journal, a newspaper published in Sioux City, Iowa, without ex-
5 pense to the state.

Senate File No. 189. Approved April 15, A. D. 1929.

I hereby certify that the foregoing act was published in the Waterloo Courier April 22, 1929, and the Sioux City Journal April 23, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 71

BARBERING

AN ACT to amend the law as it appears in chapter one hundred twenty-four b two (124-b2), relating to the inspection of barber shops, and relating to the enforcement of the sanitary rules and regulations adopted by the state department of health for barber shops.

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

1 SECTION 1. That the law as it appears in chapter one hundred
2 twenty-four b two (124-b2), be and the same is hereby amended by
3 inserting immediately following section twenty-five hundred eighty-
4 five b fifteen (2585-b15), the following:

5 "2585-b15a. If the proprietor or person in charge of any barber
6 shop fails to comply with the sanitary rules prescribed by the state
7 department of health as provided in the preceding section, or fails
8 to maintain said barber shop as required by said rules, the state de-
9 partment of health may notify said person of such failure in writing,
10 and if said rules and regulations are not complied with within five
11 (5) days after receiving such written notice, the department shall in
12 writing order such shop closed and it shall remain closed until the
13 department is satisfied that the rules have been or will be complied
14 with. Any person who practices barbering in any shop while such
15 shop is ordered closed, as herein provided, shall be guilty of a mis-
16 demeanor. It shall be the duty of the county attorney in each county
17 to assist and aid the state department or any of its inspectors, in en-
18 forcing the provisions of this and the preceding section.

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in full force from and after its publication in the Evening
3 Gazette, a newspaper published at Cedar Rapids, Iowa, and the Council
4 Bluffs Nonpareil, a newspaper published at Council Bluffs, Iowa.

Senate File No. 124. Approved March 30, A. D. 1929.

I hereby certify that the foregoing act was published in the Evening Gazette April 3, 1929, and the Council Bluffs Nonpareil April 3, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 72

BARBERING

AN ACT to amend the law as it appears in section twenty-five hundred eighty-five-b thirteen (2585-b13) of the code of 1927, relating to the requirements for license to practice barbering.

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

- 1 SECTION 1. That the law as it appears in section twenty-five hun-
 2 dred eighty-five-b thirteen (2585-b13) of the code of 1927, be amended
 3 by adding at the end thereof the following:
 4 "4. Present to the barber examiners satisfactory evidence that
 5 he is a citizen of the United States, or has made application for citi-
 6 zenship."

Senate File No. 125. Approved April 17, A. D. 1929.

CHAPTER 73

DISEASED CATTLE

AN ACT to amend the law as it appears in section twenty-six hundred fifty-three (2653) of the code of Iowa, 1927, relating to importation of livestock into the state.

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

- 1 SECTION 1. That the law as it appears in section twenty-six hun-
 2 dred fifty-three (2653) of the code of Iowa, 1927, be and the same is
 3 hereby amended by inserting after the period (.) after the word "dis-
 4 eases" in line seven (7) thereof, the following:
 5 "No person shall bring in any manner into this state any cattle for
 6 dairy or breeding purposes unless such cattle have been tested within
 7 thirty days prior to date of importation by the agglutination test for
 8 contagious abortion, or abortion disease, and shown to be free from
 9 such disease."

House File No. 276. Approved April 16, A. D. 1929.

CHAPTER 74

BOVINE TUBERCULOSIS

AN ACT to amend the law as it appears in section twenty-six hundred ninety (2690) of the code of Iowa, 1927, relating to the eradication of bovine tuberculosis and to provide for the regulation of the importation into this state of cattle whether or not they have been tested for such disease, as provided in chapter one hundred twenty-nine (129) of the code, 1927, as amended.

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

- 1 SECTION 1. That the law as it appears in chapter one hundred
 2 twenty-nine (129) of the code of Iowa, 1927, be and the same is here-
 3 by amended by adding thereto the following:

4 "No dairy or breeding cattle shall be shipped, driven on foot, or
5 transported, into the state of Iowa, except upon one of the following
6 conditions:

7 1. That such cattle come from a herd which has been officially
8 accredited as a tuberculosis free accredited herd by the state from
9 which such cattle come or by the department of agriculture of the
10 United States; or

11 2. That such cattle come from an area officially declared as a
12 modified accredited area by such state or the department of agricul-
13 ture of the United States, and the herd from which they originate,
14 if previously infected, has passed two tests free from tuberculosis; or

15 3. That such cattle are brought into the state of Iowa under quar-
16 antine to be tuberculin tested for tuberculosis and fully examined
17 in not less than sixty days nor more than ninety days, such test to be
18 applied by a veterinarian accredited by the department of agriculture
19 of the state of Iowa and at the expense of the owners. Such cattle
20 brought in under quarantine shall be accompanied by an official cer-
21 tificate issued by a veterinarian accredited by the state from which
22 the cattle come or by the department of agriculture of the United
23 States showing them to be free from tuberculosis. The quarantine
24 thus provided for shall be established by the department of agricul-
25 ture of the state of Iowa and shall not be released until the examina-
26 tion has been made and such cattle found free from tuberculosis.

1 SEC. 2. The law as it appears in section twenty six hundred ninety
2 (2690) of the code of Iowa, 1927, is hereby amended by striking from
3 lines three (3) and four (4) thereof the following:

4 "enrolled under the county area plan."

Senate File No. 153. Approved April 11, A. D. 1929.

CHAPTER 75

BOVINE TUBERCULOSIS

AN ACT to repeal the law as it appears in sections twenty-six hundred sixty-seven (2667), twenty-six hundred eighty-three (2683), twenty-six hundred eighty-four (2684), twenty-six hundred eighty-five (2685), twenty-six hundred ninety-four (2694), twenty-six hundred ninety-five (2695), twenty-six hundred ninety-six (2696), twenty-six hundred ninety-seven (2697), and twenty-six hundred ninety-eight (2698), of the code of Iowa 1927, relating to the eradication of bovine tuberculosis; to repeal the law as it appears in sections twenty-six hundred sixty-six (2666), twenty-six hundred seventy-three (2673), twenty-six hundred seventy-four (2674), twenty-six hundred eighty-six (2686), twenty-six hundred ninety-nine (2699), twenty-seven hundred (2700), twenty-seven hundred one (2701), twenty-seven hundred two (2702), twenty-seven hundred three (2703), twenty-seven hundred four b one (2704-b1), twenty-seven hundred four b two (2704-b2), twenty-seven hundred four b three (2704-b3), and to enact substitutes therefor relating to the eradication of bovine tuberculosis; to establish the state of Iowa as an accredited area for the eradication of bovine tuberculosis and require the examination of all breeding and dairy cattle therein; to define a modified accredited county; and to prohibit the transportation of dairy or breeding cattle into such county unless accompanied by certificate of health, and to provide a penalty for the violation thereof.

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

1 SECTION 1. Repeal. That the law as it appears in section twenty-

2 six hundred sixty-seven (2667), section twenty-six hundred eighty-
3 three (2683), section twenty-six hundred eighty-four (2684), section
4 twenty-six hundred eighty-five (2685), section twenty-six hundred
5 ninety-four (2694), section twenty-six hundred ninety-five (2695),
6 section twenty-six hundred ninety-six (2696), section twenty-six hun-
7 dred ninety-seven (2697), and section twenty-six hundred ninety-
8 eight (2698), of the code of Iowa, 1927, all in chapter one hundred
9 twenty-nine (129) of said code, be and the same is hereby repealed.

1 **SEC. 2. Testing and examining herds.** That the law as it appears
2 in section twenty-six hundred sixty-six (2666) of the code of Iowa,
3 1927, be and the same is hereby repealed and the following enacted in
4 lieu thereof:

5 "The state of Iowa is hereby declared to be and is hereby estab-
6 lished as an accredited area for the eradication of bovine tuberculosis
7 from the dairy and breeding cattle of the state. It shall be the duty
8 of the department of agriculture to eradicate bovine tuberculosis in
9 all of the counties of the state in the manner provided by law as it
10 appears in chapter one hundred twenty-nine (129) of the code of Iowa,
11 1927, as amended. Said department shall proceed with the examina-
12 tion, including the tuberculin test, of all such cattle as rapidly as prac-
13 ticable and as is consistent with efficient work, and as funds are avail-
14 able for paying the indemnities as provided by law.

15 "After the effective date of this act it shall be the duty of each and
16 every owner of dairy or breeding cattle in the state to conform to and
17 abide by the rules laid down by the state and federal departments of
18 agriculture and follow their instructions designed to suppress the
19 disease, prevent its spread, and avoid reinfection of the herd."

1 **SEC. 3. Levy for eradication fund.** That the law as it appears in
2 section twenty-six hundred eighty-six (2686) of the code of Iowa
3 1927, be and the same is hereby repealed and the following enacted
4 in lieu thereof:

5 "In each county in the state, the board of supervisors shall each
6 year when it makes the levy for taxes, levy a tax sufficient to provide
7 a fund to pay the indemnity and other expenses provided in said chap-
8 ter one hundred twenty-nine (129), as amended, except as provided
9 therein, but such levy shall not exceed three (3) mills in any year
10 upon the taxable value of all the property in the county."

1 **SEC. 4. Compulsory provisions.** That the law as it appears in sec-
2 tion twenty-six hundred ninety-nine (2699) of the code of Iowa 1927,
3 be and the same is hereby repealed and the following enacted in lieu
4 thereof:

5 "After the effective date of this act every owner of dairy or breed-
6 ing cattle in the state shall permit his cattle to be tested for tuber-
7 culosis as provided in chapter one hundred twenty-nine (129), as
8 amended, and shall confine his cattle in a proper place so that the
9 examination and test can be applied. If he refuses to so confine his
10 cattle the department may employ sufficient help to properly confine
11 them and the expense of such help shall be paid by the owner or
12 deducted from the indemnity if any is paid. Such owner shall comply
13 with all the requirements for the establishment and maintenance of a
14 tuberculosis free accredited herd."

1 **SEC. 5. Penalty.** That the law as it appears in section twenty-seven
2 hundred (2700) of the code of Iowa, 1927, be and the same is hereby
3 repealed, and the following enacted in lieu thereof:

4 "After the effective date of this act any owner of dairy or breeding
5 cattle in the state who prevents, hinders, obstructs or refuses to allow
6 a veterinarian authorized by the department of agriculture to con-
7 duct such tests for tuberculosis on his cattle, shall be deemed guilty
8 of a misdemeanor and shall be punished by a fine of not more than
9 one hundred dollars (\$100.00), nor less than twenty-five dollars
10 (\$25.00)."

1 **SEC. 6. Quarantine.** That the law as it appears in section twenty-
2 seven hundred one (2701) of the code of Iowa, 1927, be and the same
3 is hereby repealed and the following enacted in lieu thereof:

4 "The cattle owned by any owner who violates the provisions of
5 chapter one hundred twenty-nine (129) of the code of Iowa, 1927, as
6 amended, or which have reacted to the tuberculin test, shall be quar-
7 antined by the department until the law is complied with. When
8 such quarantine is established no beef or dairy products shall be sold
9 from cattle under quarantine until the test has been applied or the
10 quarantine released.

11 "The accredited veterinarians appointed under this chapter shall
12 enforce this quarantine and all of the rules of the department of agri-
13 culture of the state of Iowa and of the provisions of chapter one hun-
14 dred twenty-nine (129) of the code of Iowa, 1927, as amended, and in
15 so doing may call to their assistance any peace officer of the state."

1 **SEC. 7. Notice.** That the law as it appears in section twenty-seven
2 hundred two (2702) of the code of Iowa, 1927, be and the same is
3 hereby repealed and the following enacted in lieu thereof:

4 "Before any action is commenced under the second preceding sec-
5 tion, upon request of the secretary of agriculture, the board of super-
6 visors of any county shall cause such owner to be served with a writ-
7 ten notice of the provisions of this chapter, at least fifteen days before
8 the commencement of the action."

1 **SEC. 8. Allotment of funds.** That the law as it appears in section
2 twenty-seven hundred three (2703) of the code of Iowa 1927, be and
3 the same is hereby repealed and the following enacted in lieu thereof:

4 "The department shall allot, on or before November first of each
5 year, among the counties of the state in proportion to the number of
6 breeding cattle owned in each county as shown by the last assessors'
7 books, the amount of the state funds estimated to be available for the
8 testing of cattle for tuberculosis. The department shall also attempt
9 to secure a similar allotment each year of the available federal funds
10 by the federal department of agriculture."

1 **SEC. 9. Retest.** That the law as it appears in section twenty-seven
2 hundred four-b one (2704-b1) of the code of Iowa 1927, be and the
3 same is hereby repealed and the following enacted in lieu thereof:

4 "The secretary of agriculture may order a retest of any dairy or
5 breeding cattle at any time when, in his opinion, it is necessary to do
6 so, and shall, once in three years, order the tuberculin testing of any
7 cattle to conform to and comply with the regulations of the federal
8 bureau of animal industry in any county where the percentage of

9 bovine tuberculosis has been reduced to one half of one per cent or
10 less, subject to the provisions of this chapter with reference to the
11 disposition or slaughtering of animals found to be reactors when given
12 a tuberculin test. Such county shall be a modified accredited county,
13 and it shall be unlawful for any person to transport any dairy or
14 breeding cattle into such county unless they have been examined for
15 tuberculosis as provided in this chapter.

1 **SEC. 10. Penalty.** Any person found guilty of violating the provi-
2 sions of the preceding section shall be deemed guilty of a misdemeanor
3 and punished by a fine of not to exceed one hundred dollars (\$100.00)
4 nor less than twenty-five dollars (\$25.00).

1 **SEC. 11. Levying of tax. Survey.** That the law as it appears in
2 sections twenty-seven hundred four-b two (2704-b2) and 2704-b3 of
3 the code of Iowa 1927, be and the same is hereby repealed and the
4 following enacted in lieu thereof:

5 "The board of supervisors shall use whatever tuberculosis eradica-
6 tion funds may be on hand in said county, and shall levy the tax pro-
7 vided in this act, each year for the purpose of paying the expenses of
8 such testing and the indemnities provided for herein if the state and
9 federal funds are not sufficient to pay the cost thereof and the in-
10 demnities for such animals. The township trustees in such county
11 are hereby constituted the animal board of health in their respective
12 townships and they shall by April first of each year and at such other
13 times as they shall deem advisable, make a survey and report to the
14 state department of agriculture all breeding cattle brought into their
15 respective townships from outside of the county."

1 **SEC. 12. Limits on compensation.** That the law as it appears in
2 section twenty-six hundred seventy-three (2673) of the code of Iowa
3 1927, be and the same is hereby repealed and the following enacted
4 in lieu thereof:

5 "No compensation shall be paid to any person for an animal con-
6 demned for tuberculosis unless said animal, if produced in, or im-
7 ported into, the state has been owned by such owner for at least six
8 months prior to condemnation or was raised by such person."

1 **SEC. 13. Priority in testing.** That the law as it appears in section
2 twenty-six hundred seventy-four (2674) of the code of Iowa 1927,
3 be repealed and the following enacted in lieu thereof:

4 "The department in making examinations of cattle shall give pri-
5 ority to applications by owners for the testing of dairy cattle from
6 which are sold, or are offered for sale, in cities and towns, milk or
7 milk products in liquid or condensed form."

Senate File No. 64. Approved February 22, A. D. 1929.

CHAPTER 76

STATE AID FOR FARMERS' INSTITUTES

AN ACT to amend sections twenty-nine hundred sixteen (2916), twenty-nine hundred eighteen (2918) and twenty-nine hundred twenty (2920), code, 1927, relating to state aid for farmers' institutes.

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

1 SECTION 1. Section twenty-nine hundred sixteen (2916), code, 1927,
2 is amended by inserting immediately following paragraph two (2)
3 the following:

4 "3. The association shall notify the department of agriculture on
5 or before the second Wednesday in December, of its intention of
6 holding a farmers' institute."

7 Also amend by renumbering paragraph three (3) as paragraph
8 four (4).

1 SEC. 2. Amend section twenty-nine hundred eighteen (2918), code,
2 1927, by striking from lines three (3) and four (4) the following
3 words:

4 "county where such institute is located"

5 and substituting in lieu thereof, the following:

6 "president, secretary or treasurer of said organization".

1 SEC. 3. Amend section twenty-nine hundred twenty (2920) by
2 striking from lines three (3) and four (4), the following words:

3 "board of supervisors shall equitably divide the fund",

4 and by substituting in lieu thereof, the following:

5 "state aid available for the county shall be equally divided".

House File No. 403. Approved April 11, A. D. 1929.

CHAPTER 77

STATE AID FOR FAIRS

AN ACT to amend section twenty-eight hundred ninety-four (2894) of the code, 1927, relating to state aid for county and district fairs.

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

1 SECTION 1. Amend paragraph two (2) of section twenty-eight
2 hundred ninety-four (2894) by striking out period (.) at the end
3 of said paragraph and adding the following: ", or any incorporated
4 farm organization authorized to hold an agricultural fair which owns
5 or leases buildings and grounds especially constructed for fair pur-
6 poses of the value of fifty thousand dollars (\$50,000.00) in a county
7 where no other agricultural fair receiving state aid is held."

House File No. 534. Approved April 11, A. D. 1929.

CHAPTER 78

COUNTY AND DISTRICT FAIRS

AN ACT to amend sections twenty-nine hundred one (2901) and twenty-nine hundred two (2902) of the code, 1927, relating to publication of financial statements and requirements for state aid to county and district fairs.

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

1 SECTION 1. That section twenty-nine hundred one (2901) of the
2 code, 1927, is hereby amended by striking from lines two (2) and
3 three (3) thereof, the words "an itemized list of awards paid, and".

1 SEC. 2. That section twenty-nine hundred two (2902) of the code.
2 1927, be amended by striking from sub-section two (2) thereof, all
3 after the word "amusements" and by striking from line one (1) of
4 sub-section four (4), the words, "list of awards, and", and by insert-
5 ing following the word, "publication" in line three (3) the following:
6 "and a certified statement showing an itemized list of premiums
7 awarded."

House File No. 398. Approved April 13, A. D. 1929.

CHAPTER 79

FARM AID ASSOCIATIONS

AN ACT to amend the law as it appears in section twenty-nine hundred thirty (2930) of the code, 1927, and providing for additional appropriations in certain cases.

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

1 SECTION 1. That section twenty-nine hundred thirty (2930) of the
2 code, 1927, be and the same is hereby amended by adding thereto the
3 following:
4 "Provided that in counties holding court in two cities and having
5 a population greater than sixty thousand wherein two farm aid asso-
6 ciations have been organized and shall have qualified under this law
7 for the appropriations, the total appropriations in any one year shall
8 not exceed seven thousand dollars (\$7000.00)."

House File No. 191. Approved April 4, A. D. 1929.

CHAPTER 80

FARM AID ASSOCIATIONS

AN ACT to amend section twenty-nine hundred and twenty-six (2926), section twenty-nine hundred and twenty-six-b1 (2926-b1), section twenty-nine hundred and thirty (2930), and section twenty-nine hundred and thirty-eight (2938) of the code, 1927, relating to articles of incorporation of farm aid associations, and to extend the powers of such associations, and providing for appropriation by board of supervisors to such associations, and relating to the annual reports of such associations.

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

1 SECTION 1. Section twenty-nine hundred and twenty-six (2926) of
2 the code, 1927, is amended by inserting in line two (2) thereof, imme-
3 diately following the word "be", the word "substantially"; by striking
4 the word "and" in line ten (10) of said section, and by striking the
5 period (.) at the end of said line ten (10) and inserting therefor a
6 comma (,), and by adding immediately thereafter the following "and
7 the marketing of farm products." Said section twenty-nine hundred
8 and twenty-six (2926) is further amended by striking out the period
9 (.) following the word "directors" at the end of the sixth (6) line of
10 article three (3) of said section, and inserting in lieu thereof a comma
11 (,), and adding immediately thereafter, the words "which shall include
12 the president, vice president, secretary, and treasurer as members
13 thereof." Said section is further amended by striking out the period
14 (.) following the word "elected" in the fourteenth line of article 3 of
15 said section and adding immediately thereafter the words "and have
16 qualified."; said section is further amended by inserting the words
17 "not less than" immediately following the word "be" in line two (2)
18 of article four (4) of said section.

1 SEC. 2. Section twenty-nine hundred and twenty-six-b1 (2926-
2 b1) of the code, 1927, is amended by striking out all of said section
3 and inserting in lieu thereof, the following
4 "2926-b1. The articles of incorporation of such farm aid associa-
5 tions may be amended to conform to the provisions of this act at any
6 regular annual meeting, or at any special meeting of the members of
7 such corporation called for that purpose. Notice of such meeting shall
8 be sufficient if published in at least two regular issues of a daily or
9 weekly newspaper of general circulation published in the county in
10 which the meeting is to be held, or by notice mailed to each member
11 at his last known address, at least five (5) days prior to such meet-
12 ing."

1 SEC. 3. Section twenty-nine hundred and thirty (2930) of the
2 code, 1927, is amended by striking out all of said section and inserting
3 in lieu thereof the following
4 "2930. When articles of incorporation have been filed as provided
5 by this chapter and the secretary and treasurer of the corporation
6 have certified to the board of supervisors of such county that the or-
7 ganization has at least two hundred bona fide members, whose aggre-
8 gate yearly membership dues and pledges to such organization,
9 amount to not less than one thousand dollars (\$1,000.00), the board of
10 supervisors shall appropriate to such organization from the general

11 fund of the county a sum double the amount of the aggregate of such
 12 dues and pledges. Such sum shall not exceed, in any year, a total
 13 of five thousand dollars in counties with a population of twenty-five
 14 thousand or over, nor a total of three thousand dollars in counties
 15 with a smaller population."

1 SEC. 4. Section twenty-nine hundred and thirty-eight (2938)
 2 of the code, 1927, is amended by striking out of lines eight (8) and
 3 nine (9) thereof, the words "laid before the members of the corpora-
 4 tion at the annual meeting"; and inserting in lieu thereof the words
 5 "forwarded to the Iowa state college of agriculture and mechanics
 6 arts." Said section is further amended by striking out the word "it" in
 7 line eleven (11) thereof and inserting the word "they".

1 SEC. 5. This act, being deemed of immediate importance, shall
 2 go into effect immediately upon publication in two newspapers of the
 3 state, as provided by law.

Senate File No. 293. Approved March 30, A. D. 1929.

I hereby certify that the foregoing act was published in the West Union Argo Gazette April 10, 1929, and the Washington Democrat April 4, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 81

DAIRY PRODUCTS

AN ACT to amend section three thousand seventy-six (3076), of the code, 1927, relating to the pasteurization of skimmed milk and buttermilk.

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

1 SECTION 1. Section three thousand seventy-six (3076), of the code,
 2 1927, is hereby amended by inserting in line nine (9) and immediately
 3 after the word "cream", where it first appears in said line, the fol-
 4 lowing words, "skimmed milk or buttermilk".

House File No. 226. Approved April 16, A. D. 1929.

CHAPTER 82

DAIRY AND FOOD

AN ACT defining overrun and percentage of overrun in the manufacture of butter, limiting the percentage of overrun permissible in such manufacture, providing penalties and prescribing rules of evidence in prosecutions thereunder.

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

1 SECTION 1. **Overrun defined.** For the purpose of this act "over-
 2 run" is the difference between the weight of any given amount of
 3 pure butterfat and the weight of the butter manufactured therefrom,
 4 and this difference, ascertained in any case, divided by the given
 5 amount of pure butterfat in such case and multiplied by 100, is the
 6 "percentage of overrun", in the manufacture of butter.

1 SEC. 2. **Limit of overrun.** It shall be and hereby is declared to
 2 be unlawful for any person to have or permit a percentage of over-
 3 run in excess of twenty-four and one-half (24½) per cent in butter
 4 manufactured by him.

1 **SEC. 3. Records required.** Every person engaged in the purchase,
2 manufacture or sale of dairy products, and all owners of skimming
3 stations or other places engaged in the business of purchasing milk
4 or cream, and operators of condenseries, creameries, milk factories
5 and cheese factories, shall keep in proper books true and full records
6 of all milk, cream, butterfat and other dairy products purchased, re-
7 ceived, shipped, stored or handled by them, the amount of salted
8 butter and unsalted butter manufactured therefrom, and the amounts
9 of butterfat used in the form of cream, ice cream, milk, or any other
10 products.

1 **SEC. 4. Records not open to public inspection.** The books and
2 records, or a certified copy of same, of all persons, owners and opera-
3 tors coming within the provisions of section 3 of this act shall be kept
4 within this state and shall be open for the inspection of the secretary
5 of agriculture and his deputies or employes at all times, who shall
6 make such examination thereof as is desired or deemed necessary by
7 the secretary of agriculture. Any statement, report, or information
8 required by this act to be made or furnished by any person, corpora-
9 tion, or association, shall be for the information of the secretary of
10 agriculture, the attorney general, or any public official who may be
11 interested in an official way in receiving such statement, report, or
12 information, but such statement, report or information shall not be
13 open to public inspection, nor shall it be published or used for private
14 purposes, but may be used in an official, legitimate way in the enforce-
15 ment of this act.

1 **SEC. 5. Reports as evidence.** The reports required by law to be
2 made and which are made to the secretary of agriculture by persons
3 engaged in the manufacture of butter shall be competent evidence in
4 any prosecution under this act against the person making the same,
5 whenever such reports, received in evidence upon the trial, show that
6 during a period of one month or more the person on trial and charged
7 with a violation of this act, alleged to have been committed on a cer-
8 tain date within said period, has had or permitted an average per-
9 centage of overrun in excess of twenty-four and one-half (24½) per
10 cent in the salted butter manufactured by him during said period,
11 such showing shall be a violation of this act by the person so charged,
12 committed as to the date alleged.

1 **SEC. 6. Penalty.** Any person violating any provision of this act
2 shall be deemed guilty of a misdemeanor and shall be punished by fine
3 of not less than twenty-five (\$25.00) dollars nor more than one hun-
4 dred (\$100.00) dollars or imprisonment in the county jail not to
5 exceed thirty (30) days, and on third violation of the same may be
6 restrained by injunction from operating such a business.

Senate File No. 134. Approved March 26, A. D. 1929.

CHAPTER 83

SALE OF FOODS

AN ACT to amend the law as it appears in section thirty-two hundred thirty-six (3236) of the code of Iowa, 1927, relating to the sale of food commodities by weight or in United States standard containers.

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

- 1 SECTION 1. That the law as it appears in section thirty-two hun-
- 2 dred thirty-six (3236) of the code of Iowa, 1927, be and the same is
- 3 hereby amended by adding after the word "sold" in line four (4) of
- 4 said section, the following words: "in a United States standard con-
- 5 tainer or".

House File No. 215. Approved April 11, A. D. 1929.

CHAPTER 84

COMMERCIAL FEEDS

AN ACT to amend section thirty-one hundred fifteen (3115) of the code, 1927, relating to the requirements for labeling mineral mixtures.

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

- 1 SECTION 1. Section thirty-one hundred fifteen (3115) of the code,
- 2 1927, is amended by adding thereto the following:
- 3 "In the case of commercial feeds containing more than five per
- 4 centum (5%) of mineral ingredients, in addition to the requirements
- 5 of the preceding section, the label shall state the minimum percent-
- 6 ages of lime (CaO), phosphoric acid (P205), and iodine (I), and the
- 7 maximum percentage of salt (NaCl)."

House File No. 154. Approved March 27, A. D. 1929.

CHAPTER 85

COMMERCIAL FEEDS

AN ACT to amend section thirty-one hundred thirteen (3113) of the code, 1927, relating to definitions and rules of construction for commercial feeds.

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

- 1 SECTION 1. Section thirty-one hundred thirteen (3113) of the
- 2 code, 1927, is amended by striking out of line four (4) of subsection
- 3 two (2) the following:
- 4 "—except liquids—".

House File No. 155. Approved March 27, A. D. 1929.

CHAPTER 86

MEMBERS OF BOARD OF CONTROL

AN ACT to amend section thirty-two hundred eighty (3280), code, 1927, relating to the disqualification of the members of the board of control of state institutions.

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

- 1 SECTION 1. Section thirty-two hundred eighty (3280) of the code,
- 2 1927, is hereby amended by striking therefrom in lines four (4) and
- 3 five (5) the following words: "or for one year thereafter".

Senate File No. 450. Approved April 18, A. D. 1929.

CHAPTER 87

EMPLOYMENT OF PRISONERS

AN ACT to amend section thirty-seven hundred fifty-seven (3757) of the code, 1927, relating to the employment of prisoners.

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

- 1 SECTION 1. That section thirty-seven hundred fifty-seven (3757)
- 2 of the code, 1927, be and the same is hereby amended by striking from
- 3 lines twenty-two (22) and twenty-three (23) the following: ", but
- 4 such contract shall not extend beyond July 1, 1929".

House File No. 20. Approved March 12, A. D. 1929.

CHAPTER 88

POWERS OF BOARD OF PAROLE AGENTS

AN ACT to give the investigators or agents appointed by the board of parole, the powers of peace officers while acting in the line of their employment.

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

- 1 SECTION 1. Any agent or investigator appointed by the board of
- 2 parole for the purpose of making investigations and of apprehending
- 3 and returning paroled persons under the jurisdiction of the board to
- 4 any institution, shall, while engaged in such duty or work, have all
- 5 the powers of peace officers.

House File No. 413. Approved April 11, A. D. 1929.

CHAPTER 89

DEPENDENT AND NEGLECTED CHILDREN

AN ACT to amend section thirty-six hundred eighteen (3618), code, 1927, relating to dependent and neglected children, and to further define dependent child.

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

- 1 SECTION 1. That section thirty-six hundred eighteen (3618), of
- 2 the code, 1927, be amended by striking out the period (.) at the end

3 of paragraph six (6) and in place thereof inserting a semi-colon (;)
 4 and adding thereto the following:
 5 "or is living in a home wherein because of carelessness or neglect
 6 of a person or persons having a transmissible disease of a serious
 7 nature as determined by the local board of health, local health of-
 8 ficer or the state department of health, the health of said child may
 9 be in danger."

Senate File No. 175. Approved March 30, A. D. 1929.

CHAPTER 90

JUVENILE DELINQUENCY

AN ACT to amend sections thirty-six hundred fifty-eight (3658), thirty-six hundred fifty-nine (3659), and thirty-six hundred sixty-one (3661), code, 1927, relating to juvenile delinquency, and to define contributing to dependency and to provide a penalty therefor.

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

1 SECTION 1. That section thirty-six hundred fifty-eight (3658), of
 2 the code, 1927, be amended by adding thereto the following para-
 3 graph:

4 5. To knowingly contribute to the dependency of a child as defined
 5 in section thirty-six hundred eighteen (3618), of the code, 1927.

1 SEC. 2. That section thirty-six hundred fifty-nine (3659), of the
 2 code, 1927, be amended by inserting after the word "delinquency" in
 3 line nine (9) thereof the words "or dependency."

1 SEC. 3. That section thirty-six hundred sixty-one (3661), of the
 2 code, 1927, be amended by inserting after the word "delinquency" in
 3 line five (5) thereof the words "or dependency."

1 SEC. 4. For the purposes of this act the word "dependency" shall
 2 mean all the conditions as enumerated in section thirty-six hundred
 3 eighteen (3618).

Senate File No. 174. Approved March 30, A. D. 1929.

CHAPTER 91

CHILDREN'S BOARDING HOMES

AN ACT to amend section thirty-six hundred sixty-one-a forty-three (3661-a43), of the code, 1927, relating to the age of children in children's boarding homes.

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

1 SECTION 1. That section thirty-six hundred sixty-one-a forty-three
 2 (3661-a43), of the code, 1927, (section one (1), chapter seventy-eight
 3 (78), acts of the 41st general assembly), be and the same is hereby
 4 amended by striking out of said section the word "three (3)", and
 5 inserting in lieu thereof the word "fourteen (14)".

Senate File No. 206. Approved April 17, A. D. 1929.

CHAPTER 92

WIDOWED MOTHERS

AN ACT to amend section three thousand six hundred forty-one-b1 (3641-b1) of the code, 1927, relating to the levying of a tax to pay pensions to widowed mothers.

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

1 SECTION 1. That section three thousand six hundred forty-one-b
2 one (3641-b1) of the code, 1927, is hereby amended by striking out
3 of lines two (2) and three (3) thereof the words "one hundred forty
4 thousand" and inserting in lieu thereof the words "eighty thousand".

Senate File No. 40. Approved April 16, A. D. 1929.

CHAPTER 93

BLIND AND DEAF PERSONS

AN ACT to amend the law as it appears in section forty-four hundred twenty-six (4426), code of 1927, relating to assessors' returns on blind and deaf children.

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

1 SECTION 1. That section forty-four hundred twenty-six (4426),
2 code of 1927, is amended by striking from lines three (3) and four
3 (4) the words "Secretary of State" and inserting in lieu thereof the
4 following, "Secretary of the State Board of Education".

Senate File No. 121. Approved April 5, A. D. 1929.

CHAPTER 94

STATE FIRE MARSHAL

AN ACT to amend, revise, and codify section sixteen hundred thirty-two (1632), code, 1927, relating to the inspection of buildings and premises by the state fire marshal, his deputies and inspectors and chiefs of fire departments, and to define the duties and powers of said officers.

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

1 SECTION 1. Section sixteen hundred thirty-two (1632), code, 1927,
2 is amended, revised, and codified to constitute two sections and to
3 read as follows:
4 "1632. Authority to enter and inspect. The state fire marshal, his
5 deputies and inspectors, in the performance of their duties, shall have
6 authority to enter any building or premises and to examine the same
7 and the contents thereof.
8 "1632-cl. Additional authority. In order to effect the purposes of
9 this chapter, the chief of the fire department aforesaid shall have
10 authority to enter any building or premises and to examine the same
11 and the contents thereof, and orally or in writing, to order the cor-
12 rection of any condition contemplated by section sixteen hundred
13 thirty-three (1633), code, 1927. Should said order be not complied
14 with the officer making the inspection shall report such inspection
15 and the facts thereof to the state fire marshal who shall proceed as
16 though the inspection had been made by himself."

1 SEC. 2. **Publication clause.** This act, being deemed of immediate
 2 importance, shall take effect from and after its publication in the
 3 Center Point Independent, a newspaper published at Center Point,
 4 Iowa, and the Mount Vernon Hawkeye-Record, a newspaper published
 5 at Mount Vernon, Iowa.

Senate File No. 377. Approved April 17, A. D. 1929.

I hereby certify that the foregoing act was published in the Center Point Independent April 25, 1929, and the Mount Vernon Hawkeye-Record April 25, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 95

STATE FIRE MARSHAL

AN ACT to give the fire marshal or his assistants the power of peace officers.

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

1 SECTION 1. The fire marshal, his deputy and assistant deputies,
 2 shall, while engaged in the duties of their office, have all the powers
 3 of peace officers.

House File No. 455. Approved April 13, A. D. 1929.

CHAPTER 96

APPLICANTS FOR TEACHERS' CERTIFICATES

AN ACT to amend the law as it appears in section thirty-eight hundred eighty-four (3884) of the code, 1927, relating to applicants for teachers' certificates.

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

1 SECTION 1. That section thirty-eight hundred eighty-four (3884)
 2 of the code, 1927, be and the same is hereby repealed and the follow-
 3 ing enacted in lieu thereof:

4 "All applicants for teachers' certificates shall have completed an
 5 approved four year high school course or its equivalent and shall
 6 have had before receiving a certificate to teach, at least twelve weeks
 7 of normal training as approved by the state board of educational
 8 examiners, and shall furnish a certificate from the institution where
 9 such training has been received, which certificate shall have printed
 10 thereon the subjects taken and the standing in each subject; but the
 11 examination in all subjects other than didactics may be taken at any
 12 regular examination prior to, or after, the term of normal training
 13 has been taken; the examination shall not be complete until the nor-
 14 mal training has been certified as herein provided."

House File No. 8. Approved April 9, A. D. 1929.

CHAPTER 97

SCHOOLS. INDIAN CHILDREN

AN ACT to empower a county board of education or the school board of a school district to enter into a contract with the United States government for the education of Indian children.

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

1 SECTION 1. That the county board of education or a school board
2 in a county wherein is located an Indian reservation shall have power
3 to enter into a contract with the United States government to operate
4 and maintain a school or schools to be operated as a public school
5 approved as provided for by the laws of this state for the purpose of
6 educating Indian children. The expense of such operation and main-
7 tenance shall be paid by the United States government.

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Toledo
3 Chronicle, a newspaper published at Toledo, Iowa, and in the Star-
4 Clipper, a newspaper published at Traer, Iowa.

House File No. 5. Approved February 12, A. D. 1929.

I hereby certify that the foregoing act was published in the Toledo Chronicle February 21, 1929, and the Traer Star-Clipper February 22, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 98

GIFTS TO EDUCATIONAL INSTITUTIONS

AN ACT to amend section thirty-nine hundred twenty-six (3926), code, 1927, relating to the acceptance of gifts for the state educational institutions and the investment of the money derived therefrom.

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

1 SECTION 1. Section thirty-nine hundred twenty-six (3926), code,
2 1927, is amended by inserting after subsection three (3) thereof the
3 following:
4 "Any gift accepted by the Iowa State Board of Education for the
5 use and benefit of any institution under its control may be invested in
6 securities designated by the donor, but whenever such gifts are ac-
7 cepted and the money invested according to the request of the said
8 donor, neither the state, the Iowa state board of education, the finance
9 committee, nor any member thereof, shall be liable therefor or on
10 account thereof."

Senate File No. 474. Approved April 16, A. D. 1929.

CHAPTER 99

SCHOOLS AND SCHOOL DISTRICTS

AN ACT to amend the law as it appears in section four thousand ninety-five (4095) of the code, 1927, relating to the election to abolish a county high school.

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

1 SECTION 1. That the law as it appears in section four thousand
2 ninety-five (4095) of the code, 1927, be amended by striking the
3 words "twenty-five per cent of the voters at the last general election"
4 from lines two (2) and three (3) thereof, and inserting in lieu thereof
5 the following:

6 "five hundred voters".

7 Also amend said section by striking therefrom the following:

8 "Chapter two hundred seventy-eight shall apply to and govern the
9 matter including the manner of presenting and determining the suffi-
10 ciency of such petition and remonstrances thereto."

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 The Guthrian, a newspaper published at Guthrie Center, Iowa, and in
4 The Guthrie Vedette, a newspaper published at Panora, Iowa.

House File No. 227. Approved April 16, A. D. 1929.

I hereby certify that the foregoing act was published in the Guthrie Center Guthrian April 25, 1929, and the Guthrie Vedette (Panora) April 25, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 100

SCHOOL ELECTIONS

AN ACT to amend, revise, and codify the law as it appears in chapters two hundred eleven (211) and two hundred eleven-b one (211-b1) of the code, 1927, relating to school elections.

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

That chapters two hundred eleven (211) and two hundred eleven-b one (211-b1) of the code, 1927, are amended, revised, and codified to read as follows:

1 SECTION 1. **Regular election.** A regular election shall be held
2 annually on the second Monday in March in each school corporation
3 and in each subdistrict for the purpose of submitting to the voters
4 thereof any matter authorized by law, except that in all independent
5 school districts which embrace a city and which have a population
6 of one hundred twenty-five thousand or more such election shall be
7 held biennially on the second Monday in March of odd numbered
8 years.

1 SEC. 2. **Special election.** The board of directors in any school cor-
2 poration may call a special election at which election the voters shall
3 have the powers exercised at a regular election with reference to the
4 sale of school property and the application to be made of the proceeds,
5 the authorization of a schoolhouse tax or indebtedness, as provided
6 by law, for the purchase of a site and the construction of a necessary
7 schoolhouse, and for obtaining roads thereto.

1 **SEC. 3. Notice of election.** There shall be a written notice of all
2 regular or special elections, which notice shall be given not less than
3 ten days next preceding the day of the election, except as otherwise
4 provided in this section, and shall contain the date, the polling place,
5 the hours during which the polls will be open, the number of directors
6 or officers to be elected and the terms thereof, and such propositions
7 as will be submitted to and be determined by the voters.

8 In those corporations where registration is not required and in
9 which only one voting precinct has been established said notice shall
10 be posted by the secretary of the board in five public places in the
11 corporation.

12 In those corporations in which registration of voters is required or
13 in which more than one voting precinct has been established the
14 secretary shall post the notice in each precinct, and also publish it
15 once each week for two consecutive weeks preceding the election in
16 some newspaper published in the county and of general circulation
17 in the corporation.

18 In subdistricts said notice shall be posted in three public places
19 by the subdirector, or if there be none, or if the subdirector fails,
20 any voter of the subdistrict may secure from the county superin-
21 tendent the proper form for the required notice and post the same not
22 later than five days before the date of the election.

1 **SEC. 4. Nominations required.** Nomination papers for all candi-
2 dates for election to office in each independent city, town, or consoli-
3 dated district shall be filed with the secretary of the school board not
4 earlier than thirty days nor later than noon of the tenth day prior
5 to said election. Each candidate shall be nominated by a petition
6 signed by not less than ten qualified electors of the district, except
7 that in city independent districts where the regular election is held
8 biennially such petition shall be signed by not less than fifty qualified
9 electors of the district. To each such petition shall be attached the
10 affidavit of a qualified elector of the district that all the signers
11 thereof are electors of such district and that the signatures thereto
12 are genuine.

1 **SEC. 5. Precincts for voting.** School corporations other than city,
2 town, or village independent districts shall constitute a voting pre-
3 cinct, but the voting precincts at all school elections in corporations
4 in whole or in part in cities, towns, and villages shall be the same as
5 for the last general state election except that the board may con-
6 solidate two or more such precincts into one unless there shall be
7 filed with the secretary of the board at least twenty days before the
8 election, a petition signed by twenty-five or more electors of any
9 precinct requesting that such precinct shall not be consolidated with
10 any other precinct. To such petition shall be attached the affidavit
11 of a qualified elector of the precinct that all the signers thereof are
12 electors of such precinct, and that the signatures thereon are genuine.

13 In subdistrict elections the subdistrict shall constitute a single
14 voting precinct.

1 **SEC. 6. Territory outside city or town.** If there is within a school
2 corporation any territory not within the limits of a city or town the
3 board may divide the territory which lies outside the city but within

4 the school district into additional precincts, or may attach the vari-
5 ous parts thereof to such contiguous city precincts as will best serve
6 the convenience of the electors of said outside territory in voting on
7 school matters, but the voters within such territory shall not be
8 required to register.

1 **SEC. 7. Polling place.** In all school corporations the board shall
2 determine a suitable polling place in each precinct, which polling place
3 shall be, when practicable, the same place used by the last city or
4 state election.

5 In subdistricts the subdirector shall determine a suitable polling
6 place except that if there is no subdirector the polling place shall be
7 selected by the voter who posts the notices.

1 **SEC. 8. Printed ballots required.** In school corporations where
2 nomination of candidates for election to office is required the secre-
3 tary shall cause to be printed and delivered at the several polling
4 places a sufficient number of ballots printed on plain, substantial
5 paper of uniform quality, with no party designation or mark thereon.
6 Such ballots shall contain in alphabetical order the names of all can-
7 didates for each office, filed as provided by law, and a blank line for
8 each such officer to be elected. There shall be at the left of each name
9 and each blank line a square, and there shall also be a direction to
10 the voter as to the number of candidates to be voted for at said school
11 election.

1 **SEC. 9. Opening polls.** In all school corporations in which registra-
2 tion of voters is required the polls shall open at seven o'clock A. M.
3 and close at seven o'clock P. M.; in school corporations where regis-
4 tration of voters is not required composed in whole or in part of
5 cities, towns, or in consolidated school districts, the polls shall open
6 at twelve o'clock M. and close at seven o'clock P. M., except that in
7 districts where the board has combined voting precincts the board
8 may order the polls to open at seven o'clock A. M. and to close at
9 seven o'clock P. M.; in all other independent school districts and
10 school townships the polls shall open at one o'clock P. M. and remain
11 open not less than two hours; in subdistricts the polls shall open not
12 earlier than nine o'clock A. M. nor adjourn before twelve o'clock M.,
13 but shall remain open not less than two hours.

1 **SEC. 10. Judges of election.** In corporations consisting of one vot-
2 ing precinct the president and the secretary of the board, with one
3 of the directors shall act as judges of the election. If any such judge
4 of election is absent at the organization of the meeting the voters
5 present shall appoint one of their number to act in his stead.

6 In corporations consisting of more than one precinct the board in
7 such district shall appoint three voters of the precinct as judges of
8 the election and one voter of the precinct as clerk thereof. Not more
9 than one member of the board shall act as such judge at any one
10 voting precinct. If any person so appointed is absent or fails to
11 qualify the judge or judges attending shall fill the place by appoint-
12 ment of any voter present. Should all of the appointees fail to qualify
13 their places shall be filled by the voters from those in attendance.

14 In subdistrict elections the voters present shall select a chairman
15 and a secretary of the meeting who shall act as judges of the election.

1 **SEC. 11. Oath required to judges and clerks of election.** All judges
2 or clerks of election shall qualify before opening of polls by taking
3 the oath as provided for in sections seven hundred ninety-two (792)
4 and seven hundred ninety-three (793).

1 **SEC. 12. Right to vote.** To have the right to vote at a school
2 election a person shall have the same qualifications as for voting at
3 a general election and must have been for ten days prior to such
4 school election an actual resident of the corporation and precinct or
5 subdistrict in which he offers to vote.

1 **SEC. 13. Method of voting.** Voting at all school elections shall be
2 by ballot or by voting machines.

1 **SEC. 14. Ballot box—voting machines—poll books.** The board shall
2 provide the necessary ballot box or voting machine and poll books
3 for each precinct.

1 **SEC. 15. Voting machines.** Voting machines may be used for all
2 school elections in all precincts where the same are in use at general
3 elections and the names of the candidates and the propositions to be
4 voted upon shall be arranged thereon as by law provided. The state
5 and county, or either, as the case may be, shall without charge permit
6 the use for school elections of voting machines used at the general
7 elections, and the same shall be used according to the general election
8 law so far as applicable.

1 **SEC. 16. Precincts for registration.** In corporations where regis-
2 tration is required, except in those corporations where permanent
3 registration is otherwise provided for by statute, the board may con-
4 solidate precincts into registration districts as provided by law ap-
5 plicable to registration for general elections and shall designate suit-
6 able and convenient places for such registration.

1 **SEC. 17. Registrars appointed.** The board of directors of school
2 corporations where registration is required at general elections, except
3 where permanent registration is required, shall, not less than ten
4 days prior to the school election, appoint two registrars in each of the
5 registration districts of such school corporation for the registration
6 of voters therein who shall have the same qualifications as registrars
7 appointed for general elections and shall qualify in the same manner
8 and receive the same compensation to be paid by the school corpora-
9 tion. The person in custody of the registration books, records, and
10 poll books for the general election shall furnish the same to the board
11 of directors which shall distribute them to the proper registrars and
12 judges and they shall be used for registration for school elections
13 the same as the general elections, and shall, within ten days after
14 the school election, be returned to the proper custodian.

1 **SEC. 18. Registration days.** The registrars shall meet and remain
2 in session on election day only and during the time the polls are open.
3 In all respects except as in this chapter provided the general registra-
4 tion laws shall apply to registration for school elections wherein

5 registration is required for general elections, except that administra-
6 tive and clerical duties imposed thereby on the mayor and city clerk
7 shall be performed by the president and secretary of the board re-
8 spectively.

1 **SEC. 19. Canvassing the votes.** In school corporations consisting
2 of one precinct the judges of election shall canvass the vote and shall
3 issue certificates to all officers elected and make a record of the propo-
4 sitions adopted.

5 In corporations consisting of more than one precinct the judges
6 shall canvass the vote and make and certify a return to the secretary
7 of the corporation of the votes cast for officers and upon each ques-
8 tion submitted.

9 In a subdistrict the judges shall canvass the vote for subdirector
10 and issue a certificate of election to the person receiving the highest
11 number of votes, and shall immediately notify the secretary in writ-
12 ing of the subdirector elected and the votes for and against all propo-
13 sitions voted upon. They shall also canvass the vote for director-
14 at-large in those subdistricts where a director-at-large is voted for
15 and forthwith make certified returns thereof in a sealed envelope to
16 the secretary of the school township.

17 In all school corporations it shall be the duty of the secretary to
18 cause a permanent record to be made of the vote on each officer and
19 on each proposition submitted to the electors.

1 **SEC. 20. Canvassing returns.** On the next Monday after the elec-
2 tion in each corporation consisting of more than one precinct and in
3 each school township having an even number of subdistricts the
4 board shall canvass the returns made to the secretary, ascertain the
5 result of the voting with regard to every matter voted upon, declare
6 the same, cause a record to be made thereof, and at once issue a
7 certificate to each person elected.

1 **SEC. 21. Tie vote.** If there is a tie vote for any elective school
2 office in any school corporation or subdistrict the judges of election
3 or the board canvassing the returns, as the case may be, shall decide
4 the election by lot substantially as provided in section eight hundred
5 eighty-three (883).

1 **SEC. 22. Contested elections.** School elections may be contested
2 as provided by law for the contesting of other elections.

1 **SEC. 23. Number on board.** In any district including all or part
2 of a city of the first class or a city under special charter the board
3 shall consist of seven members; in all other independent city or town
4 districts, in consolidated districts, and in rural and village independent
5 districts having a population of over five hundred, the board shall
6 consist of five members; in all other rural and village independent
7 districts having a population of five hundred or less and in school
8 townships not divided into subdistricts the board shall consist of
9 three members; in school townships divided into subdistricts the
10 board shall consist of one subdirector from each subdistrict with a
11 director-at-large in those school townships that are divided into an
12 even number of subdistricts.

1 **SEC. 24. Term of office.** Members of the board in all independent
2 districts and undivided school townships shall be chosen for a term
3 of three years to succeed those whose terms expire and shall hold
4 office for the term for which elected and until their successors are
5 elected or appointed and qualified, except that in those independent
6 districts which embrace a city and which have a population of one
7 hundred and twenty-five thousand or more the term shall be six years.
8 In school townships divided into subdistricts the subdirector and the
9 director-at-large where one is required shall be chosen for a term of
10 one year.

11 In all school corporations and subdistricts the term of office shall
12 begin at the organization of the board on the third Monday of March.

1 **SEC. 25. Directors in new districts.** At the first election in newly
2 organized districts the directors shall be elected as follows:

3 1. In districts having three directors, one director shall be elected
4 for one year, one for two years, and one for three years.

5 2. In districts having five directors, one shall be elected for one
6 year, two for two years, and two for three years.

7 3. In districts having seven directors, three shall be elected for
8 one year, two for two years, and two for three years.

1 **SEC. 26. Treasurer.** In districts composed in whole or in part of
2 cities or towns a treasurer shall be chosen at the regular election.
3 He shall serve without pay and his term shall begin on the first
4 secular day of July and continue for two years and until his successor
5 is elected or appointed and qualified.

1 **SEC. 27. Qualification.** A school officer or member of the board
2 shall, at the time of election or appointment, be a qualified voter of
3 the corporation or subdistrict.

1 **SEC. 28. Oath required.** Each director elected shall qualify on or
2 before the time set for the organization of the board of the corpora-
3 tion in which he was elected by taking the oath required of civil
4 officers as provided in section ten hundred fifty-four (1054).

1 **SEC. 29. Vacancies.** Failure to qualify within the time prescribed
2 by law; the incumbent ceasing to be a resident of the district or sub-
3 district; the resignation or death of incumbent or of the officer-elect;
4 the removal of the incumbent from, or forfeiture of, his office, or the
5 decision of a competent tribunal declaring his office vacant; the con-
6 viction of incumbent of an infamous crime or of any public offense
7 involving the violation of his oath of office, shall constitute a vacancy.

1 **SEC. 30. Vacancies filled by election.** When vacancies are to be
2 filled at the annual meeting, at a special meeting called for that pur-
3 pose, or at the biennial meeting, as the case may be, the election
4 shall be for the number of years required to fill the vacancy and until
5 a successor is elected, or appointed, and qualified.

1 **SEC. 31. Surrendering office.** Each school officer or member of
2 the board upon the termination of his term of office shall immediately
3 surrender to his successor all books, papers, and moneys pertaining
4 or belonging to the office, taking a receipt therefor.

1 **SEC. 32. Penalties.** Any school officer wilfully violating any law
2 relative to common schools, or wilfully failing or refusing to perform
3 any duty imposed by law, shall forfeit and pay into the treasury of
4 the particular school corporation in which the violation occurs the
5 sum of twenty-five dollars, action to recover which shall be brought
6 in the name of the proper school corporation, and be applied to the
7 use of the schools therein.

1 **SEC. 33. Application of general election laws.** So far as applicable
2 all laws relating to the conduct of general elections and voting thereat
3 and the violation of such laws shall, except as otherwise in this chap-
4 ter provided, apply to and govern all school elections.

1 **SEC. 34. Absent voter's law.** In the application of the absent vot-
2 er's law as provided for in section nine hundred twenty-seven (927)
3 the secretary of the board shall perform the duties therein imposed
4 upon the county auditor or clerk of the city or town. In independent
5 districts in cities of the first class the board shall have power to
6 appoint such deputies as are necessary to enable him properly to
7 perform the duties imposed by this section.

1 **SEC. 35. "Annual" defined.** In independent school districts which
2 embrace a city and which have a population of one hundred twenty-
3 five thousand or more the word "annual" where it appears in sections
4 forty-two hundred seventeen (4217), forty-two hundred eighteen
5 (4218), forty-two hundred twenty-two-a two (4222-a2), forty-two
6 hundred twenty-three-b one (4223-b1), forty-two hundred twenty-
7 eight (4228), forty-three hundred fifty-four (4354), forty-four hun-
8 dred one (4401), forty-four hundred six (4406), forty-four hundred
9 fifty-three (4453), and forty-four hundred sixty-four (4464) shall
10 have the same force and be construed as "biennial".

1 **SEC. 36. Term of office.** In all independent school districts which
2 embrace a city and which have a population of one hundred twenty-
3 five thousand or more the term of office of the two directors which
4 would otherwise expire on the third Monday of March 1929 shall be
5 extended to expire on the third Monday of March of the year 1931,
6 and their successors shall be elected for a term of six years. The
7 term of office of the two directors which would otherwise expire on
8 the third Monday of March 1930 shall be extended to expire on the
9 third Monday of March of the year 1933 and their successors shall be
10 elected for a term of six years. Thereafter all directors shall be
11 elected for a term of six years and until their successors are elected
12 or appointed and qualified.

Senate File No. 263. Approved April 15, A. D. 1929.

CHAPTER 101

SCHOOLS AND SCHOOL DISTRICTS

AN ACT to amend the law as it appears in sections forty-one hundred twenty-nine (4129), forty-one hundred thirty (4130), and forty-one hundred fifty-one (4151) of the code, 1927, relating to the time that changes in subdistrict boundaries, and when new school township organizations, shall become effective.

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

1 SECTION 1. That section forty-one hundred twenty-nine (4129) be
2 and the same is hereby amended by striking out the word "first" in
3 line four (4) and inserting the word "second".

1 SEC. 2. That section forty-one hundred thirty (4130) be and the
2 same is hereby amended by striking out the word "first" from line
3 three (3) and inserting in lieu thereof the word "second".

1 SEC. 3. That section forty-one hundred fifty-one (4151) be and the
2 same is hereby amended by striking out the word "first" from line
3 twenty-three (23) and inserting in lieu thereof the word "second".

Senate File No. 297. Approved April 5, A. D. 1929.

CHAPTER 102

SCHOOLS AND SCHOOL DISTRICTS

AN ACT to amend section four thousand one hundred thirty-one (4131), code, 1927, relating to attaching and detaching territory to and from adjoining corporations.

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

1 SECTION 1. Section four thousand one hundred thirty-one (4131),
2 code, 1927, is amended by striking the period after the word "cor-
3 poration" at the end of the thirteenth (13th) line and inserting in
4 lieu thereof a semi-colon, and by adding the following:
5 "and in case of an independent school district not consolidated,
6 consisting of an incorporated town and four or more sections of land
7 wholly outside the corporate limits of such town, and such sections
8 of land lying in close proximity to each other as shall make the opera-
9 tion of a country school practicable, and upon which territory there
10 already being one or more country schools, and a petition signed by
11 two-thirds (2/3) of the electors residing upon such territory being
12 presented to the county superintendent asking detachment from such
13 independent district, and the petition further naming the school cor-
14 poration to which attachment of territory is desired, then the county
15 superintendent must forthwith detach the territory therein described
16 and attach the same to the adjoining school corporation named in the
17 petition, providing such school corporation so named will receive such
18 territory, and the county superintendent shall file the written order
19 thereof as herein provided, and in case the adjoining school corpora-
20 tion named in the petition will not receive such territory so detached,
21 then the county superintendent shall proceed at once to organize the
22 detached territory into a rural independent school district and file the
23 written orders thereof with the auditor of the county or counties
24 affected thereby, and that the assets and liabilities of the school cor-

25 porations affected by this section shall be divided as provided in sec-
26 tion four thousand one hundred thirty-seven (4137)."

1 SEC. 2. This act being deemed of immediate importance shall be
2 in force and effect from and after its publication in the Plain Talk,
3 a newspaper published at Des Moines, Iowa, and in the Pocahontas
4 Democrat, a newspaper published at Pocahontas, Iowa.

House File No. 152. Approved March 23, A. D. 1929.

I hereby certify that the foregoing act was published in the Plain Talk April 4, 1929, and the Pocahontas Democrat April 4, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 103

SCHOOLS. STATEMENT OF RECEIPTS AND EXPENDITURES

AN ACT to repeal the law as it appears in section forty-two hundred thirty-nine-a2 (4239-a2) of the code, 1927, relating to statement by school boards of receipts and expenditures.

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

1 SECTION 1. That section forty-two hundred thirty-nine-a2 (4239-
2 a2) of the code, 1927, be and the same is hereby repealed.

House File No. 87. Approved February 13, A. D. 1929.

CHAPTER 104

SCHOOLS. SETTLEMENT BY TREASURER

AN ACT to amend the law as it appears in section forty-two hundred forty (4240) of the code, 1927, relating to the annual settlement by school treasurers.

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

1 SECTION 1. That section forty-two hundred forty (4240) of the
2 code, 1927, be and the same is hereby amended by inserting imme-
3 diately after the "period" following the word "it" in line ten (10) the
4 following:

5 "The treasurer at the time of such settlement shall furnish the
6 board with a sworn statement from each depository showing the bal-
7 ance then on deposit in such depository."

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Wapello
3 Republican, a newspaper published at Wapello, Iowa, and in the Oak-
4 ville Sentinel, a newspaper published at Oakville, Iowa.

House File No. 71. Approved February 19, A. D. 1929.

I hereby certify that the foregoing act was published in the Wapello Republican February 28, 1929, and the Oakville Sentinel February 28, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 105

SCHOOLS. TUITION

AN ACT to amend the law as it appears in section forty-two hundred seventy-four (4274) of the code, 1927, relating to the payment of tuition.

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

- 1 SECTION 1. That section forty-two hundred seventy-four (4274)
 2 of the code, 1927, be and the same is hereby amended by striking out
 3 all after the word "shall" in line twenty-four (24) and inserting in lieu
 4 thereof the following:
 5 "transmit to the county treasurer an order directing him to transfer
 6 the amount of such account from the funds of the debtor corporation
 7 to the creditor corporation, who shall pay the same accordingly".

House File No. 174. Approved March 19, A. D. 1929.

CHAPTER 106

SCHOOLS AND SCHOOL DISTRICTS

AN ACT to authorize resident pupils to attend high school in an adjoining state and to provide for the payment of tuition in such cases.

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

- 1 SECTION 1. Any person under twenty-one (21) years of age resid-
 2 ing in any school district or portion thereof in this state which district
 3 or portion thereof does not maintain a high school and is severed from
 4 the balance of the state or the school district by a navigable stream,
 5 who has successfully completed the eighth grade, may with the con-
 6 sent of a majority of the school board of his residence district, ex-
 7 pressed at a meeting thereof, attend any high school in any adjoining
 8 state willing to admit him, which high school is nearer to his place
 9 of residence than any duly established high school in Iowa, the dis-
 10 tances being measured by the usual traveled routes.

- 1 SEC. 2. Any tuition charged by the district so attended shall be
 2 paid by the school district in which such person resides; but such
 3 tuition shall not be more than such district charges non-resident
 4 pupils residing in such state if any such tuition is charged, and if no
 5 tuition is charged for non-resident pupils of said state, then such
 6 tuition shall not exceed the sum of ten dollars (\$10.00) per month.
 7 The person so attending high school in another state shall continue
 8 to be treated as a pupil of the district of his residence in apportion-
 9 ment of the current school fund and the payment of state aid.

House File No. 224. Approved April 3, A. D. 1929.

CHAPTER 107

SCHOOLS AND SCHOOL DISTRICTS

AN ACT to amend, revise and recodify the law as it appears in chapter two hundred fifteen-B one (215-B1) of the code, 1927, relating to the education of children of state or federal employees.

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

That chapter two hundred fifteen-B one (215-B1) is amended, revised and codified to read as follows:

1 SECTION 1. Lands acquired by the state or federal government and
2 removed from taxation for school purposes shall be deemed an insti-
3 tution within the meaning of this chapter.

1 SEC. 2. The term "children" shall embrace any person of school
2 age who is a member of the family of an appointee or employee of said
3 institution.

1 SEC. 3. When the children of the appointees or employees of the
2 board or governing body of any institution reside in such institution
3 but attend school in the school district in which such institution is
4 situated or in any nearby district, the state shall pay to the school
5 corporation which conducts such school the tuition for said children
6 to the extent that said tuition exceeds any sum which said corporation
7 may have received during the school year from the semiannual ap-
8 portionments derived from the permanent and temporary school
9 funds, less the amount of school taxes paid to said district by the
10 parent or guardian of said child.

1 SEC. 4. Said tuition shall not exceed the average cost of tuition
2 per week for the school the pupil attends.

1 SEC. 5. Immediately following the close of school for the year the
2 creditor corporation shall file claim for said tuition with the superin-
3 tendent of public instruction on blank forms provided by said super-
4 intendent.

1 SEC. 6. Said claim shall be audited, adjusted, and approved by said
2 superintendent in the correct amount and thereupon passed to the
3 state board of audit for final audit and approval.

1 SEC. 7. The superintendent of public instruction shall promulgate
2 all rules and regulations which may be necessary accurately to deter-
3 mine said tuition and to adjust the same.

1 SEC. 8. There is hereby appropriated from any funds in the state
2 treasury not otherwise appropriated an amount sufficient to pay said
3 tuition.

1 SEC. 9. **Publication clause.** This act is deemed of immediate im-
2 portance and shall take effect from and after its publication in "The
3 Toledo Chronicle", a newspaper published in Toledo, Iowa, and the
4 "Tama News Herald", a paper published in Tama, Iowa.

House File No. 133. Approved April 4, A. D. 1929.

I hereby certify that the foregoing act was published in the Toledo Chronicle April 11, 1929, and the Tama News-Herald April 11, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 108

PART TIME SCHOOLS

AN ACT to amend the law as it appears in section forty-two hundred ninety-one (4291) of the code, 1927, relating to part time schools.

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

- 1 SECTION 1. That section forty-two hundred ninety-one (4291) of
- 2 the code, 1927, be and the same is hereby amended by striking out
- 3 the comma (,) following the word "school" in line nine (9) and in-
- 4 serting in lieu thereof the following:
- 5 "and who have not graduated from a four-year approved high
- 6 school,".

House File No. 72. Approved February 12, A. D. 1929.

CHAPTER 109

STATE AID FOR STANDARD SCHOOLS

AN ACT to amend the law as it appears in section four thousand three hundred thirty-five (4335) relating to state aid for standard schools, how obtained and expended.

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

- 1 SECTION 1. That section four thousand three hundred thirty-five
- 2 (4335), code, 1927, be and the same is hereby amended by inserting
- 3 after the word "expended" in line nineteen (19) thereof the following
- 4 words:
- 5 "with the approval of the county superintendent".

House File No. 217. Approved April 11, A. D. 1929.

CHAPTER 110

TEACHERS' PENSION AND ANNUITY SYSTEM

AN ACT to amend section four thousand three hundred forty-five (4345) of the code, 1927, relating to the establishing of a pension and annuity retirement system for public school teachers in certain school districts.

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

- 1 SECTION 1. That section four thousand three hundred forty-five
- 2 (4345) of the code, 1927, be amended by striking out of lines 2 and 3,
- 3 the words "having a population of seventy-five thousand" and insert-
- 4 ing in lieu thereof, the words "located in whole or in part within a
- 5 city having a population of twenty-five thousand one hundred
- 6 (25,100). Providing said pension and annuity system be ratified by
- 7 a vote of the people at a general election."
- 8 "Also that section forty-three hundred forty-five (4345) of the
- 9 code, 1927, be amended by adding at the end of said section the words
- 10 'Such ratification shall not be necessary in cities having a population
- 11 in excess of seventy-five thousand.'"

Senate File No. 78. Approved April 23, A. D. 1929.

CHAPTER 111

SCHOOLS AND SCHOOL DISTRICTS

AN ACT to repeal section forty-three hundred seventy (4370) of the code, 1927, relating to the erection or repair of school houses and to enact a substitute therefor.

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

1 SECTION 1. That section forty-three hundred seventy (4370) of
2 the code, 1927, be repealed and that the following be enacted in lieu
3 thereof. "Before erecting a school house, the board of directors shall
4 consult with the county superintendent as to the most approved plan
5 for such building, and secure his approval of the plan submitted.
6 Before any one-room schoolhouse shall be erected or repaired at a
7 cost exceeding five hundred dollars, or before any schoolhouse con-
8 taining more than one room shall be erected or repaired at a cost
9 exceeding one thousand dollars, proposals therefor shall be invited
10 by advertisement published once each week for two consecutive weeks
11 in some newspaper published in the county in which the work is to
12 be done, and the contract shall be let to the lowest responsible bidder
13 but the board may reject any and all bids and advertise for new bids.
14 After any bid is accepted, a written contract shall be entered into,
15 and the contractor shall furnish bonds with sureties for the faithful
16 performance of the contract."

1 SEC. 2. When emergency repairs costing more than one thousand
2 dollars are necessary in order to prevent the closing of any school,
3 the provisions of the act with reference to advertising for bids shall
4 not apply, and in that event the board may contract for such emer-
5 gency repairs without advertising for bids; provided, however, that
6 before such emergency repairs can be made to any schoolhouse, it
7 shall be necessary to procure a certificate from the county superin-
8 tendent that such emergency repairs are necessary to prevent the
9 closing of such school.

House File No. 157. Approved March 28, A. D. 1929.

CHAPTER 112

COMPULSORY EDUCATION. PROCEDURE

AN ACT to amend section forty-four hundred twenty-eight (4428) and section forty-four hundred twenty-nine (4429) of the code, 1927, relating to procedure in cases of compulsory education.

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

1 SECTION 1. That section forty-four hundred twenty-eight (4428)
2 of the code, 1927, is hereby amended by inserting after the word
3 "court" in line six (6), the words "or the juvenile court".

1 SEC. 2. That section forty-four hundred twenty-nine (4429) of
2 the code, 1927, is hereby amended by inserting immediately after the
3 catchword "order", the following:

4 "Upon the filing of the application mentioned in the preceding sec-
5 tion, the time of hearing shall be determined by the juvenile court
6 or the district court."

House File No. 234. Approved April 13, A. D. 1929.

CHAPTER 113

PAYMENT OF AID TO BLIND PERSONS

AN ACT to amend section fifty-three hundred eighty-four (5384), code, 1927, relating to payment of benefits in aid of blind persons.

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

- 1 SECTION 1. That section fifty-three hundred eighty-four (5384),
2 code, 1927, is amended by striking out the word "quarter" in line
3 seven (7) and inserting in lieu thereof the word "month".

Senate File No. 280. Approved April 15, A. D. 1929.

CHAPTER 114

RESEARCH. HANDICAPPED CHILDREN

AN ACT to direct the superintendent of public instruction to make research study of certain features of the public school system, and as to the number of physically and mentally handicapped children of school age in the state, and to make an appropriation to defray the expense of such survey.

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

- 1 SECTION 1. That the superintendent of public instruction be author-
2 ized to employ a statistician and such clerical help as may be needed
3 to make a fact-finding survey as hereinafter provided.

4 The said superintendent shall also appoint one (1) member from
5 the school's committee of the senate, and one (1) member from the
6 school's committee of the house, to act in the advisory capacity to
7 said superintendent, and who shall be paid their actual and necessary
8 expense in attending all meetings.

1 SEC. 2. Said survey shall be a research study embracing the ad-
2 ministration, supervision, and the instruction of the public school
3 system and the costs thereof with data to show the financial ability
4 of the various districts to meet such costs and to secure data as to
5 the types and number of each type of handicapped children of school
6 age in the state.

1 SEC. 3. Said superintendent of public instruction shall make a
2 report of such findings.

1 SEC. 4. There is hereby appropriated, out of any funds in the state
2 treasury, not otherwise appropriated, the sum of eight thousand
3 (8,000) dollars, to defray expenses incurred under the provisions of
4 the act.

House File No. 503. Approved April 13, A. D. 1929.

CHAPTER 115

SCHOOLS AND SCHOOL DISTRICTS

AN ACT to provide for the payment by the state of certain sums of money for the support of rural schools in school districts wherein the state is owner of agricultural land and said districts being located outside of cities and towns.

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

1 SECTION 1. Wherever the state of Iowa is owner of agricultural
2 lands in school districts not located within the limits of any city or
3 town and in said district there are established and being conducted
4 rural schools, the state of Iowa shall contribute to the support of said
5 rural school in such districts.

1 SEC. 2. The board of supervisors of the county containing such
2 school districts after ascertaining the amount of money estimated for
3 school purposes in such school district shall cause to be certified to the
4 executive council of the state of Iowa the amount to be paid by the
5 state under the provisions of this act, which shall be computed by
6 the board of supervisors on the basis of the proportion that the aver-
7 age assessable value of the total number of acres owned by the state
8 in such school district bears to the average assessable value of the
9 total number of acres in said district. The average assessable value
10 per acre of the land owned by the state in such school district shall
11 not exceed the average assessable value per acre of all the land in
12 said district.

1 SEC. 3. The board of supervisors in determining the levy necessary
2 to raise funds for school purposes in each of the school districts re-
3 ferred to in this act, shall deduct from the total amount estimated
4 for such district the amount which the state is to contribute as herein
5 provided and shall fix a levy sufficient to raise the remaining funds
6 necessary for said district.

1 SEC. 4. The executive council of the state of Iowa shall pay to the
2 treasurer of each of said school districts the amount certified to it
3 as provided in this act, from any funds of the state not otherwise
4 appropriated; provided, however, that if the state of Iowa has paid
5 any tuition for the children of appointees or employees of the govern-
6 ing body in charge of such lands the executive council shall deduct
7 such amount from the amount certified to it as provided in this act.

House File No. 504. Approved April 9, A. D. 1929.

CHAPTER 116

DESTRUCTION OF WEEDS

AN ACT to amend the law as it appears in sections forty-eight hundred eighteen (4818), forty-eight hundred nineteen (4819), forty-eight hundred twenty-two (4822), forty-eight hundred twenty-three-b1 (4823-b1), forty-eight hundred twenty-four (4824), forty-eight hundred twenty-five (4825), and repeal sections forty-eight hundred seventeen (4817), forty-eight hundred twenty-one (4821), and forty-eight hundred twenty-three (4823) of the code, 1927, and to enact substitutes therefor, and to repeal section forty-eight hundred twenty-seven (4827) of the code, 1927, relating to the destruction of weeds, and to provide for the appointment of "weed commissioners" and to prescribe their powers and duties.

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

1 SECTION 1. The law as it appears in section forty-eight hundred
2 seventeen (4817) of the code of 1927, is hereby repealed and the fol-
3 lowing enacted in lieu thereof.

4 The responsibility for the enforcement of the provisions of this
5 chapter shall be vested in the board of supervisors as to all farm
6 lands, railroad lands, state lands and state parks, primary and sec-
7 ondary roads; roads, streets and other lands within cities having a
8 population of less than five thousand people, and towns.

9 For the purpose of this chapter, the board of supervisors shall have
10 general supervision:

11 1. Over all county roads.

12 2. Over the state highway commission as to primary roads.

13 3. Over the councils and commissioners of all towns and cities,
14 having a population of less than five thousand, as to all roads, streets
15 and other lands within said cities and towns.

16 4. Over the township trustees as to all township roads and as to
17 all other lands, including railroad lands, within the township not
18 embraced in paragraphs one (1), two (2) and three (3) hereof. In
19 cities having a population of five thousand (5,000) people or more,
20 the authority for the execution of the provisions of this chapter shall
21 be vested in the city councils or commissioners, as the case may be.

22 The councils of towns and cities having a population of less than
23 five thousand (5,000) and township trustees of all townships shall at
24 their April meeting designate one of their number as weed commis-
25 sioner for said city, town or township as the case may be, the name
26 of the person appointed, and date of appointment shall be certified
27 to the county auditor.

28 If in any city, having a population of less than five thousand people,
29 town or township, no weed commissioner has been certified to the
30 county auditor as provided, said appointment shall be made by the
31 board of supervisors, from the membership of such delinquent board.

32 Each weed commissioner shall have supervision over the destruc-
33 tion of noxious weeds in his particular district and shall hire labor
34 and equipment necessary for the performance of his duties, subject
35 to the approval of the board of supervisors. The board of supervisors
36 shall fix the wage scale of such labor and equipment.

37 Each weed commissioner shall receive such amount per diem and
38 mileage as shall be fixed by the respective board, commission or
39 council which he represents.

40 The board of supervisors shall on the request of forty (40) tax-

41 payers of the county not later than May 15th call a meeting of all
42 weed commissioners certified to the county auditor for the purpose
43 of outlining a comprehensive plan for eradicating and keeping from
44 going to seed, any noxious weeds defined in Sec. 4818.

45 In the event it becomes necessary for the weed commissioner to
46 enter upon any land to destroy or keep from seeding, any noxious
47 weeds, he shall apply the best known methods and use the utmost
48 diligence in eradicating such weeds but he shall not expend in labor
49 and materials more than one hundred dollars (\$100.00) on any one
50 infested tract, without the advice and consent, in writing of the board
51 of supervisors.

52 Each weed commissioner shall, annually, on or before the first day
53 of November, make a written report to the board of supervisors. Said
54 report shall state:

55 First—Whether, to the best of his knowledge, there are Canada
56 thistles, quack grass, or other noxious weeds growing in his district.

57 Second—If any are growing, where and to what extent, and if
58 possible when and how introduced.

59 Third—A detailed statement of his treatment of each infested
60 tract, which he has attempted to exterminate, and the cost and re-
61 sults. Also the treatment of noxious weeds that he has ordered
62 exterminated, and the results obtained, and such other information
63 as the board of supervisors may request.

64 Fourth—His views on their further treatment, and make such sug-
65 gestions and recommendations as he may deem proper and useful.

66 From the reports received from the commissioners the board of
67 supervisors shall make a summary report and forward a copy thereof
68 to the state secretary of agriculture.

69 The state secretary of agriculture shall co-operate with all boards
70 of supervisors and shall furnish blank forms for reports, for the use
71 of the supervisors and weed commissioners and make suggestions to
72 promote extermination of Canada thistles, quack grass and other
73 noxious weeds.

1 SEC. 2. That the law as it appears in section forty-eight hundred
2 eighteen (4818), of the code of 1927, be and the same is hereby
3 amended by striking the period at the end thereof and adding the
4 following: European bind weed (*convolvulus arvensis*).

1 SEC. 3. That the law as it appears in sub-section two (2) of sec-
2 tion forty-eight hundred nineteen (4819), of the code of 1927, be and
3 the same is hereby amended by striking out in lines two (2) and three
4 (3) thereof the following: "or destroyed in the manner and".

1 SEC. 4. That the law as it appears in section forty-eight hundred
2 twenty-one (4821), of the code of 1927, be and the same is hereby
3 repealed, and the following substituted in lieu thereof:

4 The board of supervisors of each county shall at their April meet-
5 ing of each year by resolution make an order fixing the time for de-
6 struction of noxious weeds and may fix different times for the destruc-
7 tion of different varieties of weeds.

1 SEC. 5. That the law as it appears in section forty-eight hundred
2 twenty-two (4822), of the code of 1927, be and the same is hereby

3 amended by inserting after the period (.) in line four (4) thereof the
4 following: Provided, however, that where any railroad company has
5 filed a written instrument in the county auditor's office, designating
6 the name and address of its agent, the county auditor shall send, by
7 registered mail, a copy of said notice to such agent.

8 Further amend the law as it appears in section forty-eight hun-
9 dred twenty-two (4822), of the code of 1927, by striking from lines
10 ten (10) and eleven (11) the following: "trustees (or council or com-
11 missioners as the case may be)", and substituting in lieu thereof
12 the words "weed commissioner".

1 SEC. 6. That the law as it appears in section forty-eight hundred
2 twenty-three (4823) of the code, 1927, be and the same is hereby
3 repealed and the following inserted in lieu thereof: In case of a
4 substantial failure to comply with such order, the weed commissioner
5 shall forthwith cause such weeds to be destroyed, and the expense
6 of such destruction and the costs of any special meetings, if any,
7 shall be deducted from the county general fund.

1 SEC. 7. That the law as it appears in section forty-eight hundred
2 twenty-three-b1 (4823-b1), of the code of 1927, be and the same is
3 hereby amended by striking from lines one (1) and two (2) thereof
4 the word "officers" and substituting therefor the words "weed com-
5 missioners".

1 SEC. 8. That the law as it appears in section forty-eight hundred
2 twenty-four (4824), of the code of 1927, be and the same is hereby
3 amended by striking from lines one (1) and two (2) thereof the
4 following: "trustees, council, commissioners, or".

1 SEC. 9. That the law as it appears in section forty-eight hundred
2 twenty-five (4825), of the code of 1927, be and the same is hereby
3 amended by striking from lines four (4) and five (5) thereof the
4 following: "trustees, council, commissioners, or".

1 SEC. 10. Section forty-eight hundred twenty-seven (4827) of the
2 code, 1927, is hereby repealed.

1 SEC. 11. This act being deemed of immediate importance shall be
2 in force from and after its publication in the Cherokee Daily Times,
3 a newspaper published in Cherokee, Iowa, and in the Estherville
4 News, a newspaper published in Estherville, Iowa.

House File No. 204. Approved April 13, A. D. 1929.

I hereby certify that the foregoing act was published in the Cherokee Daily Times
April 17, 1929, and the Estherville News April 18, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 117

NOTICE OF ASSESSMENT FOR CUTTING WEEDS

AN ACT to repeal section four thousand eight hundred twenty-five (4825) of the code, 1927, relating to notice of assessment for cutting noxious weeds, and to enact a substitute for the section repealed.

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

1 SECTION 1. That section four thousand eight hundred twenty-five
2 (4825) of the code, 1927, relating to notice of assessment for cutting
3 noxious weeds be and the same is hereby repealed and the following
4 enacted in lieu thereof:

5 SEC. 2. Before making any assessment the board of supervisors,
6 city or town council or township trustees, as the case may be, shall
7 prepare a plat or schedule showing the several lots, tracts of land
8 or parcels of ground to be assessed and the amount proposed to be
9 assessed against each of the same for weed cutting prior thereto
10 during that calendar year.

11 SEC. 3. Such board, council or trustees, shall thereupon fix a
12 time for the hearing on such proposed assessments, and at least
13 twenty (20), days prior to the time thus fixed for such hearing shall
14 give notice thereof to all concerned that such plat or schedule is on
15 file and that the amounts as shown therein will be assessed against
16 the several lots, tracts of land or parcels of ground described in said
17 plat or schedule at the time fixed for such hearing, unless objection
18 is made thereto. Notice of such hearing shall be given by one pub-
19 lication in a daily or weekly newspaper of general circulation published
20 in the county, town or city, as the case may be, in which the property
21 to be assessed is situated; or by posting a copy of such notice on the
22 premises affected and by mailing a copy by registered mail to the
23 last known address of the person owning or controlling said premises.

24 SEC. 4. At such time and place the owner of said premises or
25 anyone liable to pay such assessment, may appear with the same
26 rights given by law before boards of review, in reference to assess-
27 ments for general taxation.

House File No. 220. Approved April 13, A. D. 1929.

CHAPTER 118

ACCIDENT LIABILITY

AN ACT to amend chapter two hundred fifty-one (251) of the code, 1927, in relation to the registration of motor vehicles and the right to operate motor vehicles and providing for the suspension of licenses and the surrendering of license plates until payment of final judgment for damages caused by the operation of a motor vehicle and to declare a penalty for a violation of the provisions of this act.

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

1 SECTION 1. Chapter two hundred fifty-one (251) of the code, 1927,
2 is hereby amended by adding thereto the following additional sections:
3 a. **Suspension of licenses.** Whenever a final judgment is recovered
4 in any court of record of this state in an action for damages for injury

5 to or death of a person or for injury to property caused by the opera-
6 tion or ownership of any motor vehicle on the highways of the state,
7 and such judgment shall remain unsatisfied and unstayed for a period
8 of sixty (60) days after the entry thereof, a transcript of such judg-
9 ment duly authenticated may be filed with the county treasurer and
10 thereupon the county treasurer shall forthwith suspend the license,
11 if any, of the judgment debtor or debtors, as the case may be, to
12 operate a motor vehicle on the highways of the state and shall forth-
13 with suspend the registration of any and every motor vehicle regis-
14 tered in the name of such judgment debtor or debtors, and the county
15 treasurer shall forthwith notify such owner or owners by registered
16 mail of such cancellation and the owner or owners so notified shall
17 within ten (10) days of the date of mailing such notice surrender to
18 the county treasurer all license plates so suspended, and such suspen-
19 sion shall not be removed nor such license plates returned by the
20 county treasurer nor shall a license to operate a motor vehicle there-
21 after be issued to such judgment debtor or debtors, nor shall a motor
22 vehicle be registered in the name of such judgment debtor or debtors
23 until proof that such judgment has been stayed, satisfied or other-
24 wise discharged of record shall be filed with the county treasurer.

25 Provided, however, that (1) when five thousand dollars (\$5000.00)
26 has been credited upon any judgment or judgments, rendered in ex-
27 cess of that amount for personal injury to or the death of one person
28 as the result of any one accident, or (2) when subject to the limit of
29 five thousand dollars (\$5000.00) for each person, the sum of ten thou-
30 sand dollars (\$10,000.00) has been credited upon any judgments rendered
31 in excess of that amount for personal injury to or the death of
32 more than one person as a result of any one accident, or (3) when
33 one thousand dollars (\$1,000.00) has been credited upon any judgment
34 or judgments, rendered in excess of that amount for damage to prop-
35 erty as the result of any one accident, resulting from the ownership
36 or operation of a motor vehicle by such judgment debtor, or with his
37 permission express or implied, then and in such event such payments
38 or payment shall be deemed a satisfaction of such judgment or judg-
39 ments for the purposes of this section only.

40 b. **Final judgment defined.** No judgment shall be deemed final
41 after an appeal from such judgment is perfected and a supersedeas
42 bond is executed, filed and approved as provided in section twelve
43 thousand eight hundred fifty-eight (12858) of the code, 1927.

44 c. **Registration reinstated.** If after registration has been sus-
45 pended a judgment is satisfied or otherwise stayed or rendered non-
46 final by the perfecting of an appeal and by the execution filing an
47 [and] approval of a supersedeas bond, the county treasurer shall
48 reinstate and reregister such licenses so suspended, and shall forth-
49 with return such license plates so surrendered.

50 d. The operation of a motor vehicle on the highways of this state
51 during the period of such suspension by any person whose right to
52 operate a motor vehicle in this state shall have been suspended under
53 the provisions hereof shall constitute a misdemeanor and upon con-
54 viction thereof, shall be punished by a fine of not less than twenty-five
55 dollars (\$25.00), nor more than one hundred dollars (\$100.00).

CHAPTER 119

MOTOR VEHICLES

AN ACT relating to general exemptions from executions to heads of families.

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

1 SECTION 1. No motor vehicle shall be held exempt from any order,
2 judgment or decree for damages occasioned by the use of said motor
3 vehicle upon a public highway of this state.

Senate File No. 139. Approved April 16, A. D. 1929.

CHAPTER 120

MOTOR VEHICLES

AN ACT to regulate the operation, of school busses, to require motor vehicles meeting or overtaking such busses to stop and remain stationary under certain circumstances, to prohibit the purchase or hire of school busses unless provided with front and rear entrance, and to declare certain violations to constitute misdemeanors.

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

1 SECTION 1. Full stop required—penalty. The driver or operator of
2 every motor vehicle when meeting or overtaking a school bus shall
3 bring said vehicle to a full stop at least five (5) feet from the front or
4 rear (as the case may be) of such bus when pupils are being taken
5 upon or discharged from said bus, and shall keep said vehicle at a
6 standstill until all said pupils or passengers have entered said bus,
7 or alighted therefrom and reached a place of reasonable safety. A
8 violation of this section shall constitute a misdemeanor, and any per-
9 son convicted thereof shall be punished by imprisonment in the county
10 jail not more than thirty days or by a fine not exceeding one hundred
11 dollars.

1 SEC. 2. "School bus" signs. No school bus shall be operated, ex-
2 cept under circumstances of unavoidable necessity, while conveying
3 pupils to and from their homes, unless there is displayed in a con-
4 spicuous place both on the front and rear of such bus, a placard or
5 sign substantially six (6) inches wide and fifteen (15) inches long on
6 which appear the words "SCHOOL BUS" in letters, each stroke of each
7 letter of which shall be at least four (4) inches long and five-eighths
8 (5/8) of an inch wide, and so designed as to show a marked contrast
9 between the color of the letters and the color of the material on which
10 the letters are printed or painted.

11 The provisions of this section shall not apply to automobiles
12 equipped and used for the purposes set out in section four (4) hereof.

1 SEC. 3. Front and rear entrance to bus. School directors shall not
2 hereafter purchase or hire a school bus unless it is provided with an
3 adequate front and rear entrance.

1 SEC. 4. Exceptions. The provisions of the last preceding section
2 shall not apply to horse-drawn vehicles or horse-drawn school busses,
3 nor to automobiles used in transporting children to and from school
4 where such automobiles are equipped with at least two doors, one on
5 each side thereof.

Senate File No. 59. Approved March 12, A. D. 1929.

CHAPTER 121

"CHAUFFEUR" DEFINED

AN ACT to amend paragraph six (6) of section forty-eight hundred sixty-three (4863), code of 1927, relating to the definition of the term "chauffeur".

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

1 SECTION 1. Section forty-eight hundred sixty-three (4863) code
2 of 1927, is amended by adding to paragraph six (6) thereof the fol-
3 lowing words, to wit:

4 "Nor to the operator of a motor vehicle while engaged in trans-
5 porting children to and from public school, providing, however, such
6 operators shall have first secured written permission from the board
7 of directors of the school district in which such service is performed."

House File No. 124. Approved April 11, A. D. 1929.

CHAPTER 122

MOTOR VEHICLES

AN ACT to repeal paragraphs one (1), seven (7), and nineteen (19) of section forty-eight hundred sixty-three (4863), and to enact substitutes for said paragraphs one (1) and seven (7); to amend sections forty-eight hundred sixty-five (4865), forty-eight hundred sixty-six (4866), forty-eight hundred eighty-six (4886), forty-eight hundred ninety-nine (4899), forty-nine hundred twenty-six (4926), forty-nine hundred sixty-eight (4968), forty-nine hundred seventy-one (4971), forty-nine hundred seventy-three (4973), forty-nine hundred ninety-nine (4999); to repeal sections forty-eight hundred seventy-three (4873), forty-eight hundred seventy-nine (4879), forty-eight hundred ninety-six (4896), forty-nine hundred twenty (4920), forty-nine hundred thirty-eight (4938), and to enact substitutes for said repealed sections; all of said sections relating to motor vehicles and to the regulation, taxation, and licensing thereof, and all of said sections being of the code, 1927.

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

1 SECTION 1. Paragraph one (1) of section forty-eight hundred
2 sixty-three (4863), code, 1927, is repealed and the following is enacted
3 in lieu thereof, to wit:

4 "1. The term "motor vehicle" shall include all vehicles propelled
5 by any power other than muscular power except traction engines,
6 road rollers, cranes, corn shellers, wood saws, sprayers, disc sharpen-
7 ers, and other articles of husbandry of a like or similar nature, and
8 such vehicles as are run only upon tracks or rails."

1 SEC. 2. Paragraph seven (7) of section forty-eight hundred sixty-
2 three (4863), code, 1927, is repealed and the following is enacted in
3 lieu thereof, to wit:

4 "7. "Nonresidents" shall mean residents of states other than the
5 state of Iowa or residents of countries other than the United States."

1 SEC. 3. Paragraph nineteen (19) of section forty-eight hundred
2 sixty-three (4863), code, 1927, is repealed.

1 SEC. 4. Section forty-eight hundred sixty-five (4865), code, 1927,
2 is amended by striking from line six (6) the words "or dealer" and
3 by inserting in lieu of said stricken words, the following, to wit:
4 "dealer or owner".

1 SEC. 5. Section forty-eight hundred sixty-six (4866), code, 1927,
2 is amended by adding thereto the following, to wit:

3 "Nonresident cars shall be registered within ten (10) days after
4 entering the state, with the county treasurer or department who will
5 issue the certificate of registration for the period of exemption."

1 SEC. 6. Section forty-eight hundred seventy-three (4873), code,
2 1927, is repealed and the following is enacted in lieu thereof, to wit:

3 "4873. **Quadruple receipts.** Upon receipt of a license fee for a
4 motor vehicle or trailer, the county treasurer shall issue quadruple
5 receipts therefor, one of which shall be delivered to the licensee, two
6 of which shall be forwarded to the department, and one of which the
7 treasurer shall retain in the records of his office."

1 SEC. 7. Section forty-eight hundred seventy-nine (4879), code,
2 1927, is repealed and the following is enacted in lieu thereof, to wit:

3 "4879. **Display of certificate.** The certificate of registration issued
4 by the county treasurer shall be displayed in the container furnished
5 by the department. Such certificate container shall be attached to the
6 vehicle in the driver's compartment so that same may be plainly seen
7 without entering the car."

1 SEC. 8. Section forty-eight hundred eighty-six (4886), code, 1927,
2 is amended by striking out the last sentence thereof and by inserting
3 in lieu thereof the following, to wit:

4 "Duplicate certificates of registration may, upon the filing of such
5 affidavit and the payment of a fee of fifty cents (50c), be issued by
6 the county treasurer."

1 SEC. 9. Section forty-eight hundred ninety-nine (4899), code 1927,
2 is amended by striking from lines four (4) and five (5) of paragraph
3 three (3) the words "one dollar" and by inserting in lieu thereof the
4 words "fifty cents".

1 SEC. 10. Section forty-nine hundred twenty (4920), code, 1927,
2 is repealed and the following is enacted in lieu thereof, to wit:

3 "4920. **Trailers.** Trailers weighing less than one thousand pounds,
4 or with a loading capacity of less than one thousand pounds, shall
5 not be subject to a license fee.

6 All other trailers shall be subject to a license fee to be fixed in
7 accordance with the following schedule:

8 When equipped with pneumatic tires:

9 Trailers with a capacity of ½ ton, but with a	
10 maximum capacity of less than 1 ton,	\$ 10.00
11 Trailers with a capacity of 1 ton, but with a	
12 maximum capacity of less than 2 tons,	\$ 15.00
13 Trailers with a capacity of 2 tons, but with a	
14 maximum capacity of less than 3 tons,	\$ 20.00
15 Trailers with a capacity of 3 tons, but with a	
16 maximum capacity of less than 4 tons,	\$ 25.00
17 Trailers with a capacity of 4 tons, but with a	
18 maximum capacity of less than 5 tons,	\$ 40.00
19 Trailers with a capacity of 5 tons, but with a	
20 maximum capacity of less than 6 tons,	\$ 50.00

21	Trailers with a capacity of 6 tons, but with a	
22	maximum capacity of less than 7 tons,	\$ 60.00
23	When equipped with two or more solid rubber tires:	
24	Trailers with a capacity of 1/2 ton, but with a	
25	maximum capacity of less than 1 ton,	\$ 15.00
26	Trailers with a capacity of 1 ton, but with a	
27	maximum capacity of less than 2 tons,	\$ 20.00
28	Trailers with a capacity of 2 tons, but with a	
29	maximum capacity of less than 3 tons,	\$ 25.00
30	Trailers with a capacity of 3 tons, but with a	
31	maximum capacity of less than 4 tons,	\$ 35.00
32	Trailers with a capacity of 4 tons, but with a	
33	maximum capacity of less than 5 tons,	\$ 50.00
34	Trailers with a capacity of 5 tons, but with a	
35	maximum capacity of less than 6 tons,	\$ 60.00
36	Trailers with a capacity of 6 tons, but with a	
37	maximum capacity of less than 7 tons,	\$ 70.00
38	When equipped with iron, steel, or hard tires:	
39	Trailers with a capacity of 1 ton, but with a	
40	maximum capacity of less than 2 tons,	\$ 15.00
41	Trailers with a capacity of 2 tons, but with a	
42	maximum capacity of less than 3 tons,	\$ 30.00

1 SEC. 11. Section forty-nine hundred twenty-six (4926), code, 1927,
2 is amended by striking from lines two (2) and three (3) the words,
3 "one-half of".

1 SEC. 12. Section forty-nine hundred thirty-eight (4938), code,
2 1927, is repealed and the following is enacted in lieu thereof, to wit:
3 "4938. Notice. The sheriff shall give ten days' notice of the time,
4 place, and hour of said sale

5 1. By publishing said notice in one issue of one of the official news-
6 papers of the county, and

7 2. By posting written notice thereof, in three places in the county.
8 One of said places shall be at a main entrance door of the courthouse,
9 one at some other public place in the county, and one at or as near as
10 practicable to the place where said vehicle was seized."

1 SEC. 13. Section forty-nine hundred sixty-eight (4968), code, 1927,
2 is amended by adding thereto the following, to wit:

3 "He shall also make the same report on subsequent new models
4 manufactured prior to August first of the following year."

1 SEC. 14. Section forty-nine hundred seventy-one (4971), code, 1927,
2 is amended by striking out all parts of said section after line five (5).

1 SEC. 15. Section forty-nine hundred seventy-three (4973), code,
2 1927, is amended by striking from line two (2) the figures "1925"
3 and by inserting in lieu thereof, the word, "annually".

1 SEC. 16. Section forty-nine hundred ninety-nine (4999), code,
2 1927, is amended by striking from line one (1) of paragraph two (2),
3 the words, "and one-half".

4 Also amend by striking from line four (4) of paragraph three (3)
5 the words, "one-half of".

1 SEC. 17. Section forty-eight hundred ninety-six (4896), code, 1927,
 2 is repealed and the following is enacted in lieu thereof, to wit:
 3 "4896. Display of used car dealer's plates. In case of the use of
 4 "U. D." plates by used car dealers, such plates shall be displayed in
 5 the same manner as prescribed herein for dealers' plates.
 6 "U. D." plates shall not be used upon a motor vehicle upon which
 7 the current year's license fee in this state has been paid. Any viola-
 8 tion of this section shall constitute a misdemeanor, and upon convic-
 9 tion, shall be punished accordingly."

Senate File No. 312. Approved April 17, A. D. 1929.

CHAPTER 123

MOTOR VEHICLE REGISTRATION FEES. REFUND

AN ACT to amend section forty-nine hundred twenty-four (4924) and section forty-nine hundred twenty-five (4925) of the code of Iowa, 1927, relating to motor vehicle registration fees and providing for refund of a portion of the license fee upon certain conditions.

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

1 SECTION 1. Section forty-nine hundred twenty-four (4924) of the
 2 code of Iowa 1927, is hereby amended by adding and inserting after
 3 the comma following the word "accident" in the fourth and fifth lines
 4 thereof, the following words: "or junked and identity as a motor
 5 vehicle entirely eliminated," and by adding and inserting after the
 6 word "accident" in the eleventh line thereof the following words:
 7 "or the junking and entire elimination of identity as a motor vehicle."

1 SEC. 2. Section forty-nine hundred twenty-five (4925) of the code
 2 of Iowa, 1927, is hereby amended by adding and inserting after the
 3 comma following the word "accident" in the fourth line thereof the
 4 following words: "or the junking and entire elimination of identity
 5 as a motor vehicle."

House File No. 426. Approved April 11, A. D. 1929.

CHAPTER 124

MOTOR VEHICLES

AN ACT to repeal section forty-nine hundred seventy-eight (4978), code, 1927, and to enact a substitute therefor relating to motor vehicle number plates.

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

1 SECTION 1. Section forty-nine hundred seventy-eight (4978), code,
 2 1927, is repealed and the following is enacted in lieu thereof, to wit:
 3 "4978. Specifications. Such number plates shall be of metal, and
 4 of a size not to exceed six (6) inches in width by fifteen (15) inches
 5 in length, on which there shall be the word "Iowa", and numerals in-
 6 dicating the year for which it is issued. They shall be of a dis-
 7 tinctively different color each year. There shall be at all times a
 8 marked contrast between the colors of the number plates and of the

9 numerals or letters thereon, said colors to be designated by the de-
10 partment.

11 The distinctive number assigned to the vehicle shall be set forth in
12 numerals which shall not exceed a length of four (4) inches nor a
13 stroke exceeding five eighths (5/8) of an inch in width.

14 In the case of a motor vehicle registered by a manufacturer or
15 dealer, there shall be on such plate, in addition to the foregoing, the
16 letter "D" and, in case of a motor vehicle registered by a used car
17 dealer, the letters "U. D.", each stroke of each letter to be not to
18 exceed four (4) inches long and not to exceed five-eighths (5/8) of
19 an inch in width.

20 The number plates for use on a motor bicycle or a motorcycle shall
21 be substantially one-half (1/2) the size above stated."

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Keosauqua
3 Republican, a newspaper published at Keosauqua, Iowa, and the Cor-
4 rectionville News, a newspaper published at Correctionville, Iowa.

Senate File No. 15. Approved February 13, A. D. 1929.

I hereby certify that the foregoing act was published in the Keosauqua Republican
February 21, 1929, and the Correctionville News February 21, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 125

REGISTER OF CARS IN GARAGES

AN ACT to repeal sections forty-nine hundred eighty-eight (4988), forty-nine hundred
eighty-nine (4989) and forty-nine hundred ninety (4990) of chapter 251 of the code
and enacting a substitute therefor, relating to registering of cars in garages and
the keeping of a garage record.

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

1 SECTION 1. The law as it appears in section forty-nine hundred
2 eighty-eight (4988), forty-nine hundred eighty-nine (4989) and
3 forty-nine hundred ninety (4990) of the code, 1927, is hereby re-
4 pealed, and the following substituted in lieu thereof:

5 "Every person or corporation operating a public garage shall keep
6 for public inspection a record of the license number and engine or
7 factory serial number of every motor vehicle offered for sale or taken
8 in for repairs in said garage."

House File No. 425. Approved April 11, A. D. 1929.

CHAPTER 126

MOTOR VEHICLE LICENSE FEES

AN ACT to amend the law as it appears in section fifty hundred three (5003) of the code, 1927, relating to the proceeds from the motor vehicle license fees and the handling thereof by the treasurer of state.

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

- 1 SECTION 1. That the law as it appears in section fifty hundred
 2 three (5003) of the code, 1927, be and the same is hereby amended
 3 by striking from lines four (4) and five (5) thereof, the following:
 4 "of not to exceed five hundred thousand dollars," and by substitut-
 5 ing in lieu thereof, the following: "sufficient to pay the anticipated
 6 expenditures by the highway commission for the ensuing month,".
 7 Also, by striking lines seven (7) and eight (8) of said section, the
 8 following:
 9 "When such cash balance becomes less than one hundred thousand
 10 dollars" and by substituting in lieu thereof the following: "When
 11 necessary to restore the cash balance in the state treasury".
 12 Also, by inserting a period (.) after the word "balance" in line
 13 thirteen (13), and by striking all of line thirteen (13) appearing
 14 thereafter.
 15 Also, by adding at the end of said section the following:
 16 "The auditor of the state highway commission shall, on the first
 17 day of each month, furnish an estimate in writing to the treasurer of
 18 state of the amount of expenditures to be made by the highway com-
 19 mission during that month."

Senate File No. 452. Approved April 17, A. D. 1929.

CHAPTER 127

MOTOR VEHICLES

AN ACT to repeal section five thousand ten (5010), code, 1927, and to enact a substitute therefor, relating to the duty of the secretary of state to maintain in his office certain files relating to motor vehicles.

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

- 1 SECTION 1. Section five thousand ten (5010), code, 1927, is repealed
 2 and the following is enacted in lieu thereof, to wit:
 3 "5010. Files required. The department shall install and maintain
 4 a numerical and a motor number file, using for such files the duplicate
 5 registration receipts, which shall contain the following information;
 6 viz., name and address of owner, license number, make, factory num-
 7 ber, model, style, engine number, date of purchase, registration cer-
 8 tificate number, rated load carrying capacity, weight, list price or
 9 value of car fixed by the executive council, fees paid and date of pay-
 10 ment."

1 **SEC. 2. Publication clause.** This act is deemed of immediate im-
 2 portance and shall take effect from and after its publication in two (2)
 3 newspapers of this state as provided by law.

Senate File No. 197. Approved March 9, A. D. 1929.

I hereby certify that the foregoing act was published in the Clarinda Herald March 14, 1929, and the Council Bluffs Nonpareil March 14, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 128

SPEED OF MOTOR VEHICLES ON HIGHWAYS

AN ACT to amend sections five thousand twenty-eight (5028) and five thousand twenty-one (5021) of the code of 1927, relating to the driving of motor vehicles on the highways; to amend section five thousand twenty-nine (5029) of the code of 1927, relating to the speed of motor vehicles on the highways, and to remove the speed limit on motor vehicles weighing three tons or less.

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

1 **SECTION 1.** That section five thousand twenty-eight (5028) of the
 2 code of 1927 is hereby amended and revised to read as follows:

3 "Any person who drives any motor vehicle upon a highway care-
 4 lessly and heedlessly in willful or wanton disregard of the rights or
 5 safety of others, or without due caution and circumspection, or at a
 6 speed or in a manner so as to endanger or be likely to endanger any
 7 person or property, shall be guilty of reckless driving, and upon con-
 8 viction shall be punished as provided in section five thousand eighty-
 9 nine (5089) of the code of 1927."

1 **SEC. 2.** That section five thousand twenty-nine (5029) of the code
 2 of 1927 is hereby amended and revised to read as follows:

3 "Any person driving a motor vehicle on a highway shall drive the
 4 same at a careful and prudent speed not greater than nor less than
 5 is reasonable and proper, having due regard to the traffic, surface
 6 and width of the highway and of any other conditions then existing,
 7 and no person shall drive any vehicle upon a highway at a speed
 8 greater than will permit him to bring it to a stop within the assured
 9 clear distance ahead. Provided, however, it shall be unlawful for the
 10 driver of a freight carrying vehicle to drive the same at a speed
 11 exceeding the following:

12 a. Twenty-five (25) miles per hour for any freight-carrying
 13 vehicle if the weight of the vehicle and load is more than three tons
 14 or less than six tons and the vehicle is equipped with pneumatic tires,
 15 and twenty (20) miles per hour if such vehicle is equipped with solid
 16 rubber tires.

17 b. Sixteen (16) miles per hour for any freight-carrying vehicle
 18 if the weight of the vehicle and load is more than six tons and the
 19 vehicle is equipped with pneumatic tires, and twelve (12) miles per
 20 hour if such vehicle is equipped with solid rubber tires.

21 c. Ten (10) miles per hour if the vehicle or any trailer is equipped
 22 with two or more metal tires.

1 **SEC. 4.** Amend section five thousand twenty-one (5021) code of
 2 1927 by adding to said section the following:

3 "Any person operating a vehicle or other conveyance or machine
 4 upon the paved portion of any hard surfaced highway, outside of the
 5 incorporated limits of any city or town, at a slower rate of speed than
 6 twenty-five miles per hour, when the conditions of traffic are such
 7 that motor vehicles approaching from the rear are unable to pass,
 8 and when overtaken by a faster moving motor vehicle proceeding in
 9 the same direction, upon a signal, either by the sounding of a bell,
 10 horn, or other signaling device, given by the overtaking vehicle, shall
 11 cause his vehicle to be driven as soon as possible to the right on the
 12 shoulder of the road so as to permit the overtaking vehicle to pass."

Senate File No. 150. Approved April 16, A. D. 1929.

CHAPTER 129

REGULATION OF MOTOR TRUCKS

AN ACT to provide for the supervision and regulation, by the board of railroad commissioners of this state, of all persons engaged in the public transportation of property for hire by motor vehicles not operating between fixed termini nor over a regular route and for the enforcement of this act and punishment for the violation of the provisions thereof and to provide for the levy and collection of a permit fee to be paid by such truck operators for the administration and enforcement of the provisions thereof.

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

1 SECTION 1. When used in this act.

2 1. The term "motor truck" shall mean any automobile, automobile
 3 truck, or other self propelled vehicle, not operated upon fixed rails or
 4 track, but principally used for the public transportation of freight
 5 for compensation, not operating between fixed termini, nor over a
 6 regular route.

7 2. The term "truck operator" shall mean any person operating
 8 any motor truck or motor trucks upon any highway in this state.

9 3. The term "highway" shall mean every street, road, bridge, or
 10 thoroughfare of any kind in this state.

11 4. The term "commission" shall mean the board of railroad com-
 12 missioners of this state.

1 SEC. 2. The commission is hereby vested with power and authority
 2 and it shall be its duty to:

3 1. Require a periodic inspection of the equipment of every truck
 4 operator and said equipment shall be subject at all times to inspec-
 5 tion by the commission or its duly authorized representatives.

6 2. Fix or approve the rates, charges, classifications, and rules and
 7 regulations pertaining thereto, of each truck operator, after complaint
 8 has been filed in accordance with rules established by the commission.

9 3. Regulate and supervise the service and safety of operation of
 10 each truck operator.

11 4. Require the filing of annual and such other reports as it may
 12 deem necessary.

13 5. Supervise and regulate truck operators in all other matters
 14 affecting the relationship between such truck operators and the trav-
 15 eling and shipping public.

1 SEC. 3. The commission shall also have power and authority by
2 general or special order to prescribe rules and regulations applicable
3 to any and all truck operators.

1 SEC. 4. All control, power, and authority over railroads and rail-
2 road companies, motor vehicles and motor carriers now vested in the
3 commission, in so far as the same are applicable, are hereby specifi-
4 cally extended to include truck operators.

1 SEC. 5. All charges made by any truck operator for any service
2 rendered or to be rendered in the public transportation of property,
3 or in connection therewith, shall be just, reasonable and non-discrimi-
4 nating, and every unjust, unreasonable, or discriminating charge for
5 such service or any part thereof is prohibited and declared unlawful.

1 SEC. 6. It is hereby declared unlawful for any truck operator to
2 operate or furnish public service within this state without first hav-
3 ing obtained from the commission a permit as hereinafter defined.

1 SEC. 7. Before a permit shall be issued, the person seeking the
2 same shall file an application therefor. All such applications shall
3 be in writing, and in addition to other information required, shall
4 contain the following:

5 1. The name of the individual, firm or corporation making the
6 application.

7 2. The principal office or place of business of the applicant.

8 3. A general description of the territory in which the applicant
9 proposes to operate and a general description of the service proposed
10 to be rendered.

11 4. A complete description of the equipment which the applicant
12 proposes to use in furnishing the service.

1 SEC. 8. Upon the filing of the application and if the applicant shall
2 otherwise comply with the terms and conditions of this act, the com-
3 mission shall issue to the applicant a permit as herein defined.

1 SEC. 9. No permit shall be issued nor continued in force until the
2 holder thereof shall have paid to the commission for the administra-
3 tion of this act an annual permit fee for each motor truck operated
4 thereunder in the amount of five dollars (\$5.00).

1 SEC. 10. It shall be the duty of the commission to collect all permit
2 fees provided in this act, and failure to pay any such permit fee within
3 thirty days after the time the same shall become due shall be cause
4 for revocation of the permit of the truck operator in arrears.

1 SEC. 11. The commission shall, on the last day of each month,
2 remit to the treasurer of state all moneys collected under this act
3 during such month.

1 SEC. 12. All moneys received under the provisions of this act or
2 so much thereof as may be necessary shall be used for the administra-
3 tion and enforcement of the provisions of this act and the regulation
4 of truck operators, and shall be paid to the commission by warrant
5 drawn from time to time by the auditor of state upon the treasurer

6 of state. Unexpended balances shall be credited to the general fund
7 of the state.

1 SEC. 13. Permits issued hereunder shall be personal property and
2 may be sold, transferred, leased or assigned under such reasonable
3 rules and regulations as may be fixed by the commission.

1 SEC. 14. No permit shall be issued until and after the applicant
2 shall have filed with the commission an insurance policy, policies or
3 surety bond, in form to be approved by the commission issued by
4 some insurance carrier or bonding company authorized to do business
5 in this state, in such amount as the commission may deem necessary
6 to protect the interests of the public with due regard to the number
7 of persons and amount of property involved, which insurance policy,
8 policies or surety bond shall bind the obligors thereunder to make
9 compensation for injuries to persons and loss of or damage to prop-
10 erty resulting from the operation of such motor truck and for which
11 such truck operator would be legally liable. Such insurance policy,
12 policies or surety bond shall also provide that any person, firm, asso-
13 ciation or corporation having a right of action against such truck
14 operator for injuries to persons or loss of or damage to property, may
15 bring action for recovery directly upon such insurance policy, policies
16 or surety bond against such insurance carrier or bonding company
17 when service cannot be obtained on the truck operator within this
18 state. No other or additional policies or bond shall be required of
19 any truck operator by any city, town or other agency in the state.

1 SEC. 15. For just cause, after due hearing, the commission may
2 at any time alter, amend or revoke any permit issued.

1 SEC. 16. Every motor truck and all parts thereof shall be main-
2 tained in a safe and sanitary condition at all times, and shall be at
3 all times, subject to inspection by the commission and its duly author-
4 ized representatives.

1 SEC. 17. Every person driving a motor truck as defined in this
2 act shall be at least nineteen (19) years of age; in good physical con-
3 dition; of good moral character; shall be fully competent to operate
4 the motor truck under his charge and if not the owner of such motor
5 truck shall hold a regular chauffeur's license from the state motor
6 vehicle department.

1 SEC. 18. No part of the load carried on any motor truck shall be
2 allowed to project more than six inches beyond the running board
3 or measure more than eight feet wide over all.

1 SEC. 19. Types of reflective signals as may be approved by the
2 commission shall be carried in addition to a tail light and in the same
3 approximate position as a tail light on all motor trucks operated under
4 the provisions of this act; and all motor trucks operated under the
5 provisions of this act, the width of which, measuring at the widest
6 point either of the vehicle or the load, is greater than seventy-two
7 inches, must carry on each of the four corners of the body a glass
8 reflector of a type to be approved by the commission so placed that
9 the rays of light from an approaching motor vehicle either from the
10 front or rear will reflect said light and clearly define the limits of said

11 body, provided however, that such reflectors when carried on the rear
12 of said motor truck shall reflect a red ray of light and when carried
13 on the front of said motor truck shall reflect a green ray of light.

1 SEC. 20. A type of rear vision mirror as may be approved by the
2 commission shall be carried on the cab of all motor trucks operated
3 under the provisions of this act and shall be placed in such a manner
4 as to clearly reflect to the driver of such motor truck the vision of
5 vehicles approaching said motor truck from the rear.

1 SEC. 21. Accidents arising from or in connection with the opera-
2 tion of motor truck shall be reported to the commission in such detail
3 and in such manner as the commission may require.

1 SEC. 22. There shall be attached to each motor truck such distinc-
2 tive markings or tags as shall be prescribed by the commission.

1 SEC. 23. The commission shall promulgate such other safety rules
2 and regulations as it may deem necessary to govern and control the
3 operation of motor trucks upon the highways and the maintenance
4 and inspection thereof.

1 SEC. 24. For violation by any truck operator of any provision of
2 this act or of any rule or regulation promulgated thereunder, the
3 commission may, in addition to other penalties herein provided, sus-
4 pend or revoke and cancel the permit of such truck operator.

1 SEC. 25. Any person who is, on the date this act becomes effective,
2 in good faith engaged in the business of operating within this state
3 a motor truck or motor trucks as herein defined is hereby given a
4 period of six months after this act becomes effective within which to
5 file an application with the commission as in this act provided. The
6 amount of permit fee to be paid by any person coming within the
7 provisions of this section shall be computed as of the date this act
8 becomes effective.

1 SEC. 26. Every owner, officer, agent, or employee of any truck
2 operator, and every other person who violates or fails to comply with,
3 or who procures, aids or abets in the violation of any provision of
4 this act, or who fails to obey, observe, or comply with any order,
5 decision, rule or regulation, direction, demand, or requirement or any
6 part or provision thereof, of the commission, or who procures, aids
7 or abets any corporation or person in his failure to obey, observe or
8 comply with any such order, decision, rule, direction, demand, or regu-
9 lation or any part or provision thereof, shall be guilty of a misde-
10 meanor and upon conviction shall be punished by a fine not exceeding
11 one thousand dollars or by imprisonment in the county jail not ex-
12 ceeding one year, or by both such fine and imprisonment.

1 SEC. 27. Should any section of this act, or any part thereof, be
2 held by any court of competent jurisdiction to be unconstitutional,
3 such section or part thereof shall be deemed to be independent of and
4 unrelated to any other section or part of this act, and such decision
5 shall affect only the specific provision which it is held offends against
6 the constitution, and shall not be held to be an inducement to the
7 passage of any other section or provision of this act.

House File No. 424. Approved April 12, A. D. 1929.

CHAPTER 130

MOTOR CARRIERS

AN ACT to repeal section fifty-one hundred five-a twenty-six (5105-a26) of the code, 1927, relating to the liability bond of a motor carrier, and to enact a substitute therefor.

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

1 SECTION 1. Section fifty-one hundred five-a twenty-six (5105-a26)
2 of the code, 1927, is hereby repealed and the following enacted in
3 lieu thereof:

4 "No certificate shall be issued until and after the applicant shall
5 have filed with the commission an insurance policy, policies or surety
6 bond, in form to be approved by the commission, issued by some com-
7 pany, association, reciprocal or interinsurance exchange or other in-
8 surer authorized to do business in this state, in such penal sum as
9 the commission may deem necessary to protect the interests of the
10 public with due regard to the number of persons and amount of prop-
11 erty involved, which insurance policy, policies or surety bond shall
12 bind the obligors thereunder to make compensation for injuries to
13 persons and loss of or damage to property resulting from the opera-
14 tion of such motor carrier and for which such motor carrier would
15 be legally liable. Such insurance policy, policies or surety bond shall
16 also provide that any person, firm, association or corporation having
17 a right of action against such motor carrier for injuries to persons
18 or loss of or damage to property, when service cannot be obtained on
19 the motor carrier within this state, may bring action for recovery
20 directly upon such insurance policy, policies or surety bond and
21 against such insurance company, association, reciprocal or interinsur-
22 ance exchange or other insurer or bonding company. No other or
23 additional policies or bonds shall be required of any motor carrier
24 by any city, town or other agency of the state.

1 SEC. 2. This act, being deemed of immediate importance, shall be
2 in full force and effect from and after its publication in two news-
3 papers of this state as provided by law.

House File No. 307. Approved March 22, A. D. 1929.

I hereby certify that the foregoing act was published in the North English Record March 28, 1929, and the Ft. Dodge Messenger March 26, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 131

OPERATION OF MOTOR TRUCKS

AN ACT relating to the operation of motor trucks or trailers upon the public highways of this state; requiring the payment of license fees based upon the actual weight of loads carried; and providing penalties for violations thereof.

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

1 SECTION 1. The owner of any motor truck or trailer may secure a
2 license therefor at a higher rated loading capacity than that specified
3 by the manufacturer or maker, by the payment of the fee required

4 therefor; and upon such application such owner shall be entitled to
5 credit against such higher fee for the amount, if any, already paid as
6 a license fee for such vehicle for the then current year.

1 SEC. 2. It shall be unlawful to operate upon the public highways
2 of this state any motor truck or trailer carrying a load more than
3 twenty-five per cent in excess of the rated loading capacity on which
4 the license fee paid on said vehicle is based. Any person owning or
5 operating a motor truck or trailer in violation of the provisions of
6 this section shall be guilty of a misdemeanor, and upon conviction
7 thereof, shall be fined not less than twenty-five (\$25.00) dollars and
8 not more than one hundred (\$100.00) dollars and upon the third con-
9 viction of violation of this act by the owner or operator of such ve-
10 hicle, the license on such vehicle may be revoked by the motor vehicle
11 department. In that event the number plates and certificate of
12 registration of such vehicle shall be returned to the county treasurer
13 issuing the same. The motor vehicle department, or any of its agents,
14 or any peace officer of the state, shall have authority to enforce pro-
15 visions of this section.

1 SEC. 3. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 the Rock Rapids Reporter, a newspaper published at Rock Rapids,
4 Iowa, and the Iowa Legionaire, a newspaper published at Des Moines,
5 Iowa.

Senate File No. 199. Approved April 15, A. D. 1929.

I hereby certify that the foregoing act was published in the Rock Rapids Reporter
April 25, 1929, and the Iowa Legionaire May 3, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 132

SPECIAL FREIGHT RATES FOR CERTAIN INDUSTRIES

AN ACT to repeal section eight thousand sixty-two, (8062) of the code, 1927, and
enacting a substitute therefor, relating to the making of special rates for certain
industries and to enact a substitute therefor.

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

1 SECTION 1. That section eight thousand sixty-two (8062), of the
2 code, 1927, be repealed and the following enacted in lieu thereof:

3 For the protection and development of any new industry, including
4 existing coal mines and agricultural enterprises in the state, any
5 common carrier may grant concessions or special rates on freight
6 shipments from such new industry or such coal mines, on any agreed
7 number of carloads or for a specified period of time, which rates and
8 period of time, shall be fixed and approved by the board of railroad
9 commissioners, and a copy thereof filed in its office:

10 Provided that any concessions or special rates fixed and approved
11 under the provisions of this section shall not affect or otherwise
12 disturb existing rates on points intermediate between the origin and
13 destination of the shipment as to which such concession or special
14 rates shall be so fixed and approved; and

15 Provided further that the provisions of the seven preceding sec-

16 tions shall not apply to any concessions or special rates fixed and ap-
 17 proved by the board of railroad commissioners as provided in this
 18 section, and when any concessions or special rates shall be fixed and
 19 approved, as provided for herein, the provisions of this section shall
 20 apply thereto to the exclusion of all other provisions of law in real
 21 or apparent conflict therewith; and

22 Provided further that "new industries" as used in this section shall
 23 include any and all industries that have not been operating within
 24 this state for a period exceeding ten years, and "existing coal mines"
 25 shall mean all coal mines being operated, or now being developed, or
 26 now partially developed for operation, within this state.

1 SEC. 2. This act being deemed of immediate importance shall take
 2 effect and be in force from and after its publication in Albia Union-
 3 Republican, a newspaper published in Albia, Iowa, and in the Knox-
 4 ville Journal, a newspaper published in Knoxville, Iowa.

House File No. 498. Approved April 3, A. D. 1929.

I hereby certify that the foregoing act was published in the Albia Union-Republican
 April 18, 1929, and the Knoxville Journal April 18, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 133

RAILROADS. BUS AND AIR TRANSPORT

AN ACT to amend chapter three hundred seventy (370), code of Iowa, 1927, relating
 to general powers of railway corporations, by adding thereto section seven thousand
 nine hundred forty-five-c1 (7945-c1) authorizing railroad corporations to engage in
 the business of transporting persons and property for hire upon the public highways,
 or by air, and to own capital stock and securities of corporations organized for or
 engaged in such transportation.

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

1 SECTION 1. That the law as it appears in chapter three hundred
 2 seventy (370) of the code, 1927, be and the same is hereby amended
 3 by adding thereto as section seven thousand nine hundred forty-
 4 five-c1 (7945-c1) the following:

5 "Any railroad company operating a railroad in this state may own
 6 and operate over the highways of this state for hire and as a common
 7 carrier of passengers, freight, mail or express, automobile busses or
 8 motor vehicles, subject to the laws of the state applicable to the use
 9 of such highways by motor vehicle carriers, and may also own and
 10 operate equipment for, and engage in aerial transportation, subject
 11 to the laws of the state applicable thereto. Any such railroad com-
 12 pany may purchase and own capital stock and securities of a cor-
 13 poration organized for or engaged in the business of a motor carrier,
 14 or of aerial transportation."

1 SEC. 2. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its publication in the Sioux
 3 City Journal, a newspaper published at Sioux City, Iowa, and in the
 4 Iowa Legionaire, a newspaper published at Des Moines, Iowa.

House File No. 359. Approved March 27, A. D. 1929.

I hereby certify that the foregoing act was published in the Sioux City Journal
 April 1, 1929, and the Iowa Legionaire May 3, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 134

REGISTRATION OF GRAVES

AN ACT to amend section four hundred forty-six (446) of the code, 1927, relating to the duties of the adjutant general, so as to provide for permanent registration of the graves of all persons who shall have served in the military or naval forces of the United States and whose remains may rest in Iowa.

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

1 SECTION 1. That the law as it appears in section four hundred
2 forty-six (446) of the code, 1927, be amended by adding thereto,
3 after the period following the word "report" in line twenty-three (23)
4 thereof and preceding the word "the" in said line twenty-three (23),
5 the following:

6 "He shall make and preserve by counties a permanent registry of
7 the graves of all persons who shall have served in the military or
8 naval forces of the United States in time of war and whose mortal
9 remains may rest in Iowa."

House File No. 261. Approved April 13, A. D. 1929.

CHAPTER 135

AIRCRAFT

AN ACT concerning the licensing of aircraft and airmen, the establishment of air traffic rules, and to make uniform the law with reference thereto.

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

1 SECTION 1. **Definition.** Whenever the word "aircraft" is used in
2 this act, it shall mean any contrivance now known or hereafter in-
3 vented, used or designed for navigation of or flight in the air, except
4 a parachute designed for such navigation but used primarily as
5 safety equipment. Whenever the word "airman" is used in this act,
6 it shall mean any person who engages in the navigation of aircraft
7 while under way, and any individual who is in charge of the inspec-
8 tion, overhauling or repairing of aircraft. Whenever the word
9 "passenger" is used in this act, it shall mean any person riding in
10 an aircraft other than its pilot or a member of its crew. The term
11 "public aircraft" means an aircraft used exclusively in the govern-
12 mental service of the United States or of any of the states. The
13 term "civil aircraft" means any aircraft other than "public aircraft".

1 SEC. 2. **License required.** It shall be unlawful for any person to
2 navigate any civil aircraft within the state of Iowa, unless such air-
3 craft is registered and licensed under or pursuant to the laws of the
4 United States then in force.

1 SEC. 3. **Display of license—revocation—inspection.** The aircraft
2 license must be carried in the aircraft whenever it is in service, and
3 must be conspicuously posted where it may readily be seen by any
4 passenger or inspector. Whenever the craft is unairworthy the
5 license must be removed from the craft, and when the license is sus-
6 pended or revoked, or when it is no longer in force, it shall be sur-
7 rendered to the authority issuing the same. The license must be

8 produced for inspection upon demand of any passenger of such air-
 9 craft, or by any peace officer of the state of Iowa, or by any officer,
 10 manager or employee in charge of any airport, landing field or air-
 11 drome upon which such aircraft has been landed, or from which it
 12 is proposed to be navigated.

1 **SEC. 4. Pilot license.** It shall be unlawful for any person within
 2 the state of Iowa to navigate any civil aircraft, carrying a passenger,
 3 unless such person is an airman licensed to operate aircraft by the
 4 United States government, in accordance with the laws, rules and
 5 regulations then in force.

1 **SEC. 5. Inspection of pilot's certificate.** Pilots' certificates shall
 2 be kept in their personal possession when navigating aircraft within
 3 the state of Iowa, and shall be produced for inspection upon demand
 4 by any passenger of such aircraft, or by any peace officer of the
 5 state of Iowa, or by an officer, manager or employee in charge of
 6 any airport, landing field or airdrome upon which such pilot has
 7 landed or from which he proposes to make a flight.

1 **SEC. 6. Mechanics.*** It shall be unlawful for any person to have
 2 charge of the inspection, overhauling or repairing of aircraft within
 3 the state of Iowa, unless he is the holder of a mechanic's license,
 4 issued under or pursuant to the laws of the United States then in
 5 force.

1 **SEC. 7. Rules.** The operation of civil aircraft in the state of Iowa
 2 shall be in accordance with the following rules:

3 A. Aircraft flying in established civil airways, when it is safe
 4 and practicable, shall keep to the right side of such airways.

5 B. Aircraft shall give way to each other in the following order.

6 1. Airplanes.

7 2. Airships.

8 3. Balloons, fixed or free.

9 An airship not under control is classed as a free balloon.

10 Aircraft required to give way shall keep a safe distance, having
 11 regard to the circumstances of the case. Three hundred (300) feet
 12 will be considered a minimum safe distance.

13 C. If the circumstances permit, the craft which is required to
 14 give way shall avoid crossing ahead of the other. The other craft
 15 may maintain its course and speed, but no engine-driven craft may
 16 pursue its course if it would come within three hundred (300) feet
 17 of another craft, three hundred (300) feet being the minimum dis-
 18 tance within which aircraft other than military aircraft of the United
 19 States engaged in military maneuvers and commercial aircraft en-
 20 gaged in local industrial operations, may come within proximity of
 21 each other in flight.

22 D. When two engine-driven aircraft are on crossing courses the
 23 aircraft which has the other on its right side shall keep out of the
 24 way.

25 E. When two engine-driven aircraft are approaching head-on, or
 26 approximately so, and there is risk of collision, each shall alter its
 27 course to the right, so that each may pass on the left side of the
 28 other. This rule does not apply to cases where aircraft will, if each

29 keeps on its respective course, pass more than three hundred (300)
30 feet from each other.

31 F. 1. An overtaking aircraft is one approaching another directly
32 from behind or within seventy degrees of that position, and no sub-
33 sequent alteration of the bearing between the two shall make the
34 overtaking aircraft a crossing aircraft within the meaning of these
35 rules or relieve it of the duty of keeping clear of the overtaken craft
36 until it is finally past and clear.

37 2. In case of doubt as to whether it is forward or abaft such
38 position it should assume that it is an overtaking aircraft and keep
39 out of the way.

40 3. The overtaking aircraft shall keep out of the way of the over-
41 taken aircraft by altering its own course to the right, and not in the
42 vertical plane.

43 G. Exclusive of taking off from or landing on an established
44 landing field, airport, or on property designated for that purpose by
45 the owner, and except as otherwise permitted by this act, aircraft
46 shall not be flown—

47 1. Over the congested parts of cities, towns, or settlements, ex-
48 cept at a height sufficient to permit of a reasonably safe emergency
49 landing, which in no case shall be less than one thousand (1000)
50 feet.

51 2. Elsewhere at height less than five hundred (500) feet, except
52 where indispensable to an industrial flying operation.

53 H. No flight under one thousand (1000) feet in height shall be
54 made over any open-air assembly of persons except with the consent
55 of the secretary of state. Such consent will be granted only for
56 limited operations.

57 I. 1. Acrobatic flying means intentional maneuvers not neces-
58 sary to air navigation.

59 2. No person shall acrobatically fly an aircraft—

60 a. Over a congested area of any city, town, or settlement.

61 b. Over any open-air assembly of persons or below two thousand
62 (2000) feet in height over any established civil airway, or at any
63 height over any established airport or landing field, or within one
64 thousand (1000) feet horizontally thereof.

65 c. Any acrobatic maneuvers performed over any other place
66 shall be concluded at a height greater than fifteen hundred (1500)
67 feet.

68 d. No person shall acrobatically fly any airplane carrying pas-
69 sengers for hire.

70 e. When an aircraft is in flight the pilot shall not drop or release,
71 or permit any person to drop or release, any object or thing which
72 may endanger life or injure property, except when necessary to the
73 personal safety of the pilot, passengers, or crew.

74 J. Take-offs and landings shall be made upwind when practicable.
75 The take-off shall not be commenced until there is no risk of colli-
76 sion with landing aircraft and until preceding aircraft are clear of
77 the field. No take-off or landing shall be made from or on a public
78 street or highway without the consent of the local governing author-
79 ity and the approval of the board of railroad commissioners.

80 K. If practicable, when within one thousand (1000) feet hori-

81 zontally of the leeward side of the landing field the airplane shall
82 maintain a direct course toward the landing zone.

83 L. A landing plane has the right of way over planes moving on
84 the ground or taking off.

85 M. When landing and maneuvering in preparation to land, the
86 airplane at the greater height shall be responsible for avoiding the
87 airplane at the lower height and shall, as regards landing, observe
88 the rules governing overtaking aircraft.

89 N. An aircraft in distress shall be given free way in attempting
90 to land.

91 O. The angular limits laid down in these rules will be determined
92 as when the aircraft is in normal flying position.

93 P. Between one-half hour after sunset and one-half hour before
94 sunrise airplanes in flight must show the following lights:

95 1. On the right side a green light and on the left side a red light,
96 each showing unbroken light between two vertical planes whose
97 dihedral angle is one hundred ten (110) degrees when measured to
98 the left and right, respectively, from dead ahead. These lights shall
99 be visible at least two (2) miles.

100 2. At the rear and as far aft as possible a white light shining
101 rearward, visible in a dihedral angle of one hundred forty (140)
102 degrees bisected by a vertical plane through the line of flight and
103 visible at least three (3) miles.

104 Q. Between one-half hour after sunset and one-half hour before
105 sunrise airships shall carry and display the same lights that are
106 prescribed for airplanes, excepting the side lights shall be doubled
107 horizontally in a fore-and-aft position, and the rear light shall be
108 doubled vertically. Lights in a pair shall be at least seven (7) feet
109 apart.

110 R. A free balloon, between one-half hour after sunset and one-
111 half hour before sunrise, shall display one white light not less than
112 twenty (20) feet below the car, visible for at least two (2) miles.
113 A fixed balloon, or airship, shall carry three lights—red, white, and
114 red—in a vertical line, one over the other, visible at least two (2)
115 miles. The top red light shall be not less than twenty (20) feet
116 below the car, and the lights shall be not less than seven (7) nor
117 more than ten (10) feet apart.

118 S. 1. Between one-half hour after sunset and one-half hour be-
119 fore sunrise, all aircraft which are on the surface of water and not
120 under control, or which are moored or anchored in navigation lanes,
121 shall show a white light visible for at least two (2) miles in all
122 directions.

123 2. Balloon and airship mooring cable between one-half hour after
124 sunset and one-half hour before sunrise shall show groups of three
125 (3) red lights at intervals of at least every one hundred (100)
126 feet, measured from the basket, the first light in the first group to
127 be approximately twenty (20) feet from the lower red balloon light.
128 The object to which the balloon is moored on the ground shall have
129 a similar group of lights to mark its position.

130 T. By day, balloon and airship mooring cable shall be marked
131 with tubular streamers not less than eight (8) inches in diameter
132 and seven (7) feet long and marked with alternate bands of white
133 and red, twenty (20) inches in width. The object to which the bal-

134 loon or airship is moored on the ground shall have the same kind
135 of streamers, which must be in the same position as the lights
136 specified herein.

137 U. The following signals, separately or together, shall, where
138 practicable, be used in case of distress:

139 1. The international signal, S O S, by radio.

140 2. The international-code flag signal of distress, NC.

141 3. A square flag having either above or below it a ball, or any-
142 thing resembling a ball.

143 V. When an aircraft is forced to land at night at a lighted air-
144 port it shall signal its forced landing by making a series of short
145 flashes with its navigation lights if practicable to do so.

146 W. In fog, mist, or heavy weather an aircraft on the water in
147 navigation lanes, when its engines are not running, shall signal its
148 presence by a sound device emitting a signal for about five seconds
149 in two-minute intervals.

1 SEC. 8. **Penalty.** Any person violating any of the provisions of
2 this act, shall be guilty of a misdemeanor, and shall be punished by
3 a fine of not more than one hundred (\$100.00) dollars or imprison-
4 ment for not more than thirty (30) days, or by both such fine and
5 imprisonment.

1 SEC. 9. **Publication.** This act being deemed of immediate im-
2 portance shall be in full force and effect from and after its publica-
3 tion in the Waterloo Tribune, a newspaper published in Waterloo,
4 Iowa, and the Sioux City Journal, a newspaper published in Sioux
5 City, Iowa.

Senate File No. 284. Approved March 21, A. D. 1929.

I hereby certify that the foregoing act was published in the Waterloo Tribune March 23, 1929, and the Sioux City Journal March 23, 1929.

ED. M. SMITH, *Secretary of State.*

See Chapter 136.

CHAPTER 136

LICENSING OF AIRCRAFT

AN ACT to amend an act duly passed by the forty-third (43rd) general assembly as senate file No. two hundred eighty-four (284), and signed by the governor on March 21, 1929, and now on file in the office of the secretary of state, and entitled "An act concerning the licensing of aircraft and airmen, the establishment of air traffic rules, and to make uniform the law with reference thereto".

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

1 SECTION 1. That an act duly passed by the forty-third (43rd) gen-
2 eral assembly as senate file No. two hundred eighty-four (284) and
3 signed by the governor on March 21, 1929, and now on file in the
4 office of the secretary of state, and entitled "An act concerning the
5 licensing of aircraft and airmen, the establishment of air traffic rules,
6 and to make uniform the law with reference thereto" is hereby
7 amended by striking therefrom section nine (9).

1 SEC. 2. The publications already made of said act in compliance

2 with the section herein repealed are hereby declared null and void
 3 and without legal effect, except that this amendment shall not be con-
 4 strued as prohibiting the payment of the legal cost of such publica-
 5 tion. The legislative intent in the enactment of this amendment is
 6 to so amend said act that the same will take effect under the constitu-
 7 tion on July 4, 1929, and at no earlier date.

1 **SEC. 3. Publication clause.** This act is deemed of immediate im-
 2 portance and shall take effect from and after its publication in the
 3 Waterloo Morning Tribune, a newspaper published at Waterloo, Iowa,
 4 and the Minden News, a newspaper published at Minden, Iowa.

House File No. 535. Approved April 13, A. D. 1929.

I hereby certify that the foregoing act was published in the Waterloo Morning
 Tribune April 19, 1929, and the Minden News April 18, 1929.

ED. M. SMITH, *Secretary of State.*

See Chapter 135.

CHAPTER 137

AIRCRAFT

AN ACT to amend section thirteen thousand four hundred fifty-three (13453), code,
 1927, and to fix jurisdiction of offenses committed in aircraft.

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

1 **SECTION 1.** That section thirteen thousand four hundred fifty-
 2 three (13453), code, 1927, be amended by inserting after the comma
 3 following the word "voyage" in line six (6) of said section the fol-
 4 lowing:
 5 "or in any kind of aircraft while in flight,".

House File No. 194. Approved March 27, A. D. 1929.

CHAPTER 138

AIRPORTS

AN ACT authorizing cities and towns to acquire, establish, improve, maintain and
 operate airports within or without their limits; to acquire property for such pur-
 pose, and to levy a tax and issue bonds in payment of the cost thereof.

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

1 **SECTION 1.** Cities and towns shall have the right to acquire, estab-
 2 lish, improve, maintain and operate airports, either within or without
 3 their corporate limits.

1 **SEC. 2.** Any such city or town is hereby authorized and empowered
 2 to acquire by purchase, gift, condemnation, lease or otherwise, either
 3 within or without its corporate limits, real estate and personal prop-
 4 erty for airport purposes.

1 SEC. 3. Any such city or town may erect on any land so acquired,
2 or owned by it, such buildings and equipment, and make such im-
3 provements as may be necessary for the purpose of adapting such
4 property to the use of aerial traffic.

1 SEC. 4. The cost of acquiring, improving, equipping, operating or
2 maintaining any airport by any such city or town may be paid from
3 the general fund of such city or town, and/or such city or town may
4 levy annually a special tax, in addition to all other taxes wherewith
5 to pay all or any part of such cost. In all cities having a population
6 of more than thirty thousand (30,000) such special tax shall not
7 exceed one (1) mill. In all cities having a population of more than
8 ten thousand (10,000) and not exceeding thirty thousand (30,000)
9 such special tax shall not exceed three (3) mills. In all cities having
10 a population of ten thousand (10,000) or less, and in towns, such
11 special tax shall not exceed five (5) mills. The special tax authorized
12 by this act shall not be levied by any city or town until approved by
13 the electors of such city or town, in accordance with the provisions
14 of chapter 319 of the code.

1 SEC. 5. Any such city or town may anticipate the collection of the
2 special tax authorized to be levied under this act for a period of not
3 more than twenty (20) years, and for such purpose may issue "air-
4 port certificates or bonds", with interest coupons, and the provisions
5 of chapter 320 of the code shall apply to such certificates, bonds and
6 coupons, with such changes only as are necessary to adapt them
7 thereto.

8 Such certificates or bonds and interest coupons, shall be secured by
9 said levy and shall be payable only out of the funds derived there-
10 from and pledged to the payment of the same, and no certificates or
11 bonds shall be issued in excess of taxes authorized and levied to secure
12 the payment of the same. It shall be the duty of any such city or
13 town to collect such funds with interest thereon and to hold the same
14 separate and apart in trust for the payment of said certificates, bonds
15 and interest, and to apply the proceeds of such funds, pledged for
16 that purpose, to the payment of such certificates, bonds and interest.

1 SEC. 6. Before an airport is acquired by any such city or town
2 the plans and specifications therefor shall be submitted to the board
3 of railroad commissioners who shall require that they show:

4 The legal description and plat of the site; distance from the near-
5 est postoffice and railroad station; location and type of highways;
6 location and type of obstructions on and near the site; kind of soil
7 and subsoil; costs and details of grading and draining; location of
8 proposed runways, hangars, buildings and other structures.

9 And they shall furthermore require that the plans and specifica-
10 tions be in substantial accord with the regulations of the U. S. depart-
11 ment of commerce or other department of the federal government
12 having general supervision of air navigation as it relates to plans
13 and specifications for air ports. And if so found they shall approve
14 such plans and specifications.

1 SEC. 6a. The cost of preparing the plans and specifications shall
2 be paid from any of the funds provided in section 4 of this bill.

1 SEC. 7. Such cities and towns shall have the power to make and
 2 enforce ordinances, rules and regulations for control, supervision and
 3 operation of airports, and for control of aircraft and airmen. This
 4 power shall extend to the space above the lands and waters included
 5 within the limits of any city or town, and to any airport owned, con-
 6 trolled, maintained or operated by any city or town outside its limits,
 7 and to the space above the same. Provided, however, that no such
 8 ordinance, rule or regulation, shall be in conflict with state law or
 9 regulation, or in conflict with federal law or regulation.

1 SEC. 8. Any such city or town may from time to time fix, establish
 2 and collect a schedule of charges for the use of such property or any
 3 part thereof, which charges shall be used in connection with the
 4 maintenance and operation of such airport. When the public needs
 5 will not be injured thereby, any such city or town may lease all or
 6 any portion of such property, or sell any equipment no longer re-
 7 quired. Real estate may be sold only by unanimous vote of all mem-
 8 bers of the council.

1 SEC. 9. Any property acquired, owned, controlled or occupied for
 2 the purposes enumerated in this act, shall be and is hereby declared
 3 to be acquired, owned, controlled and occupied for a public purpose
 4 and as a matter of public need, and the liability of any city or town
 5 in connection therewith shall be no greater than that imposed upon
 6 municipalities in the maintenance and operation of public parks.

1 SEC. 10. The word "airport" as used in this act, shall include land-
 2 ing field, airdrome, aviation field, or other similar term used in con-
 3 nection with aerial traffic.

1 SEC. 11. The provisions of this act shall also apply to cities acting
 2 under special charter.

1 SEC. 12. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its publication in the Traer
 3 Star-Clipper, a newspaper published in Traer, Iowa, and the Cedar
 4 Valley Daily Times, a newspaper published in Vinton, Iowa.

Senate File No. 285. Approved April 5, A. D. 1929.

I hereby certify that the foregoing act was published in the Traer Star-Clipper
 April 12, 1929, and the Cedar Valley Daily Times April 8, 1929.

Ed. M. SMITH, *Secretary of State.*

CHAPTER 139

DISEASES OF BEES

AN ACT to amend section forty hundred thirty-eight (4038), code, 1927, relating to
 diseases of bees, to provide for county appropriation of funds in the eradication of
 such diseases.

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

1 SECTION 1. That section forty hundred thirty-eight (4038) of the
 2 code be amended by adding to said section at the end thereof the fol-
 3 lowing:

4 "The board of supervisors of any county, when petitioned by not
 5 less than fifteen beekeepers of that county, may appropriate funds

6 not to exceed six hundred dollars (\$600.00) per annum from the gen-
 7 eral fund for the purpose of eradicating diseases among bees. Such
 8 work of eradication shall be done in such county under the super-
 9 vision of the state apiarist."

House File No. 216. Approved April 11, A. D. 1929.

CHAPTER 140

SHERIFF. USE OF AUTOMOBILES

AN ACT to amend the law as it appears in section fifty-one hundred thirty (5130) of the code of Iowa, 1927, relating to the general powers of the board of supervisors.

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

1 SECTION 1. That the law as it appears in section fifty-one hundred
 2 thirty (5130) of the code of Iowa, 1927, be and the same is hereby
 3 amended by adding thereto the following:

4 "18. To own and operate automobiles used or needed by the county
 5 sheriff and used in the performance of the duties of that office; to
 6 operate a service garage for the purpose of servicing automobiles or
 7 other motor vehicles owned and operated by the county in the per-
 8 formance of its duties, and the board may own and service all motor-
 9 cycles used by the county sheriff in the performance of the duties of
 10 that office. The board of supervisors may also make such contracts
 11 with the employees of the sheriff's office who use automobiles in the
 12 performance of their duties in connection with the use of such auto-
 13 mobiles as in their judgment shall be advantageous to the county."

1 SEC. 2. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its publication in Plain Talk,
 3 a newspaper published in Des Moines, Iowa, and The Booster, a news-
 4 paper published in Valley Junction, Iowa.

House File No. 262. Approved April 16, A. D. 1929.

I hereby certify that the foregoing act was published in the Des Moines Plain Talk April 25, 1929, and the Valley Junction Booster May 2, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 141

POWERS OF BOARDS OF SUPERVISORS

AN ACT to amend the law as it appears in section fifty-one hundred thirty (5130) of the code, 1927, relating to the powers of the board of supervisors.

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

1 SECTION 1. The law as it appears in section fifty-one hundred
 2 thirty (5130) of the code, 1927, is hereby amended by adding after
 3 the last line thereof the following:

4 "To establish, publish, and enforce rules regulating and restricting

5 the use by the public of all county buildings and grounds. Such rules
6 when established shall be posted in conspicuous places about said
7 buildings and grounds. Any person violating any such rule shall be
8 guilty of a misdemeanor and upon conviction be punished by a fine
9 of not to exceed one hundred dollars (\$100.00) or be imprisoned in
10 the county jail not to exceed thirty (30) days."

House File No. 419. Approved April 12, A. D. 1929.

CHAPTER 142

MARGINAL ASSIGNMENTS OR RELEASES

AN ACT amending sections fifty-one hundred seventy-seven (5177) and ten thousand one hundred fifteen (10115) of the code, 1927, relating to marginal assignments or releases of mortgages, contracts or other instruments constituting encumbrances on real estate.

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

1 SECTION 1. That section fifty-one hundred seventy-seven (5177)
2 of the code, 1927, be amended by adding thereto the following: "3.
3 For every marginal assignment or release (except those made by the
4 clerk of the district court) twenty-five (25) cents."

1 SEC. 2. That section ten thousand one hundred fifteen (10115) of
2 the code, 1927, be amended by adding thereto the following: "As
3 soon as a marginal assignment or release has been witnessed by the
4 county recorder, the county recorder shall forthwith index the same
5 just as though such assignment or release had been by separate writ-
6 ten instrument."

House File No. 186. Approved March 27, A. D. 1929.

CHAPTER 143

REPORTS OF CORONERS

AN ACT to amend the law as it appears in section fifty-two hundred fourteen (5214) of the code, 1927, relating to the reports by coroners of deaths coming within their jurisdiction.

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

1 SECTION 1. That the law as it appears in section fifty-two hundred
2 fourteen (5214) of the code, 1927, be and the same is hereby amended
3 by adding to the end thereof the following:

4 "The coroner shall also immediately report to the state bureau of
5 investigation, all deaths coming within his jurisdiction due to acci-
6 dental or violent means, and said report shall be upon such forms as
7 shall be prescribed and furnished by the state bureau of investiga-
8 tion."

1 SEC. 2. This act being deemed of immediate importance shall be

2 in full force and effect from and after its passage and publication in
 3 the Onawa Democrat, a newspaper published at Onawa, Iowa, and in
 4 the Hustler, a newspaper published at Little Sioux, Iowa.

Senate File No. 88. Approved March 16, A. D. 1929.

I hereby certify that the foregoing act was published in the Onawa Democrat March 21, 1929, and the Little Sioux Hustler March 22, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 144

COMPENSATION OF COUNTY OFFICERS

AN ACT to amend the law as it appears in sections fifty-two hundred twenty-one (5221), fifty-two hundred twenty-three (5223), and fifty-two hundred thirty-one (5231) of the code, 1927, relating to compensation of county officers.

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

1 SECTION 1. That the law as it appears in section fifty-two hun-
 2 dred twenty-one (5221) of the code, 1927, be amended by striking
 3 out the word "forty" in line two of sub-section 3 and inserting in
 4 lieu thereof the words "thirty-six".

1 SEC. 2. That the law as it appears in section fifty-two hundred
 2 twenty-three (5223) of the code, 1927, be amended by striking out
 3 the word "forty" in line two of sub-section 4 and inserting in lieu
 4 thereof the words "thirty-six".

1 SEC. 3. That the law as it appears in section fifty-two hundred
 2 thirty-one (5231) of the code, 1927, be amended by striking out the
 3 word "forty" in line two of sub-section 3 and inserting in lieu thereof
 4 the words "thirty-six".

Senate File No. 84. Approved March 28, A. D. 1929.

CHAPTER 145

COUNTY RECORDER'S SALARY

AN ACT to amend section fifty-two hundred twenty-four (5224) of the code of Iowa, 1927, relating to salary of county recorder.

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

1 SECTION 1. That item ten (10) of section fifty-two hundred twenty-
 2 four (5224) be and the same is hereby amended by striking out the
 3 words "twenty-five" in line two (2) thereof, and substituting the
 4 words "twenty-eight".

Senate File No. 221. Approved April 18, A. D. 1929.

CHAPTER 146

COUNTY BUDGET

AN ACT to amend chapter two hundred sixty-four (264) of the code, 1927, providing that each county officer in charge of any county office or department shall, on or before December thirty-first of each year, prepare and submit to the board of supervisors estimates of proposed expenditures for the following year; and providing that the board of supervisors shall, not later than January thirty-first of each year, appropriate sums for the maintenance of the various offices and departments for the current year, and providing the content of such resolution of appropriation; and providing for the transfer of excess funds appropriated to different accounts of a single office or department; and providing for the transfer of excess funds appropriated to any single office or department.

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

1 SECTION 1. Chapter two hundred sixty-four (264) of the code,
2 1927, is amended by adding thereto, after section fifty-two hundred
3 fifty-nine (5259), the following:

4 "5259-b1. On or before the thirty-first day of December of each
5 year hereafter, each elective or appointive officer of any county with
6 a population of over one hundred twenty-five thousand (125,000)
7 having charge of any county office or department shall prepare and
8 submit to the board of supervisors a detailed estimate itemized in the
9 same manner that the various expenditures of such office or depart-
10 ment are itemized on the records of the county auditor, showing the
11 proposed expenditures of his office or department for the following
12 calendar year. If the estimated expenditures show an increase over
13 those for the current year, a statement in writing of the reason for
14 such estimated increase must also be submitted.

15 "5259-b2. On or before the thirty-first of January of every year,
16 the board of supervisors shall appropriate, by resolution, such
17 amounts as are deemed necessary for each of the different county
18 officers and departments during the ensuing year, and shall specify
19 from which of the different county funds created by law the appro-
20 priated sums shall be derived. The appropriations to each separate
21 county office or department shall be itemized in the same manner that
22 the accounts are itemized on the records of the county auditor.

23 "5259-b3. The board of supervisors may also appropriate to a
24 contingent account for one or each of the county funds, a sum which
25 may be spent for purposes which cannot be anticipated at the begin-
26 ning of the year, but said contingent appropriation together with
27 other appropriations shall not exceed the anticipated revenues.

28 "5259-b4. Such resolution of appropriation also shall list, in three
29 separate columns and opposite each separate appropriation item, the
30 itemized expenditures of each county office or department for each of
31 the two preceding years. The total amount appropriated from any
32 county fund shall not exceed the anticipated receipts of that fund.

33 "5259-b5. Such resolution of appropriation shall also contain an
34 itemized statement of the anticipated receipts to each separate county
35 fund for the current year, together with a statement of any balance
36 carried over in any of the county funds from the preceding year. Such
37 resolution of appropriation shall also contain in two columns and

38 opposite each item of anticipated receipts, the actual receipts col-
39 lected during each of the two preceding years.

40 "5259-b6. If it shall have been determined during the course of
41 any year that the actual receipts to any of the different county funds
42 will be larger than were anticipated in the original resolution of
43 appropriation, the board of supervisors may make a supplementary
44 appropriation by resolution at any regular meeting, appropriating
45 the sums in excess of the estimated receipts from any county fund
46 augmented by larger revenues than were anticipated, to any county
47 office or offices supported by said fund or funds. No such supple-
48 mentary appropriation shall be made to any such county office or
49 offices unless it shall be shown that a specific need therefor exists.
50 Such supplementary appropriation shall clearly state the amount col-
51 lected into such augmented county fund in excess of the amount
52 estimated in the general resolution of appropriation.

53 "5259-b7. On the fifteenth of April, July, and October of each year,
54 the county auditor shall furnish to each county office or department,
55 a statement showing the various original appropriations to each
56 office or department, expenditures of the office or department from
57 its different appropriation accounts during the expired portion of the
58 year, together with a statement of the balance of the appropriations
59 for said office remaining unexpended.

60 "5259-b8. In the event that any office has exceeded, or may find
61 it necessary to exceed, the amount of its appropriation in any par-
62 ticular account, the board of supervisors, by resolution, may authorize
63 a transfer from one or more of the other appropriation accounts of
64 said office, any portion of such unexpended appropriation balance, to
65 any other appropriation account of said office.

66 "5259-b9. In the event it shall be found necessary for any office
67 or department to spend an amount in excess of the total of its original
68 appropriations, the board of supervisors at a regular or special meet-
69 ing may by resolution authorize a transfer of a portion of the appro-
70 priation balance of one office or department or contingent account
71 to the account of another office or department, provided that the funds
72 transferred are derived from the same tax fund and that the transfer
73 does not violate existing statutes.

74 "5259-b10. In the event that the expenditures of any office or de-
75 partment during the year shall exceed its appropriation, such excess
76 expenditure shall be reported in writing by the county auditor at or
77 before the second regular meeting of the board of supervisors in the
78 ensuing year.

79 "5259-b11. Nothing in this act shall be construed as affecting
80 the provisions of sections 5258 and 5259 of the code.

Senate File No. 142. Approved March 28, A. D. 1929.

CHAPTER 147

EXPENDITURES FOR COUNTY BUILDINGS

AN ACT to amend the law as it appears in section fifty-two hundred sixty-two (5262) of the code, 1927, relating to expenditures by counties for erection of court house, jail, or county home.

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

1 SECTION 1. That the law as it appears in section fifty-two hundred
2 sixty-two (5262) of the code, 1927, be and the same is hereby
3 amended by adding thereto the following:
4 "The board of supervisors in any county having a population of
5 sixty-five thousand (65,000) or over, may also make necessary addi-
6 tions to such court house, jail, or county home where the funds are
7 available in the general fund, unappropriated for other purposes,
8 without additional tax levy and without submitting the proposition
9 to the voters of such county, provided the cost thereof does not exceed
10 twenty-five thousand dollars (\$25,000.00)."

House File No. 337. Approved April 3, A. D. 1929.

CHAPTER 148

HOMESTEAD

AN ACT to render the homestead liable in certain instances for relief furnished the owner by public authorities.

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

1 SECTION 1. The following section is hereby enacted and the code
2 editor is directed to insert the same in the code immediately following
3 section fifty-three hundred nine (5309), code, 1927, to wit:
4 5309-c1. **Homestead—when liable.** When expenditures have been
5 made for and on behalf of a poor person and his family, as contem-
6 plated by the preceding section, the homestead of such poor person is
7 liable for such expenditures when such poor person dies without leav-
8 ing a surviving husband or wife, or minor children.

House File No. 52. Approved March 19, A. D. 1929.

CHAPTER 149

SUPPORT OF POOR

AN ACT to amend section fifty-three hundred thirty-four (5334), code, 1927, relating to contracts for the support of the poor, and to authorize the board of supervisors to contract for medical and dental services for poor persons.

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

1 SECTION 1. Section fifty-three hundred thirty-four (5334), code,
2 1927, is amended by striking from lines four (4) and five (5) thereof
3 the following:

4 “, medical or dental attendance or services”.

1 SEC. 2. There is hereby enacted and ordered inserted in the code
2 immediately following section fifty-three hundred thirty-four (5334),
3 code, 1927, the following section, to wit:

4 “5334-c1. Medical and dental service. The board of supervisors
5 may make contracts with any reputable and responsible person li-
6 censed to practice medicine or dentistry in this state to furnish medi-
7 cal or dental attendance or services required for the poor, for any
8 term not exceeding one (1) year, and shall require all such contrac-
9 tors to give bonds in a company authorized to do business in this state
10 in such sum as it believes sufficient to secure the faithful performance
11 of such contracts.”

House File No. 199. Approved April 11, A. D. 1929.

CHAPTER 150

INDIGENT TUBERCULAR PATIENTS

AN ACT to amend section fifty-three hundred seventy-two (5372) of the code, 1927, relating to allowance for the support of indigent tubercular patients.

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

1 SECTION 1. That the law as it appears in section fifty-three hun-
2 dred seventy-two (5372) of the code, 1927, is hereby amended by
3 striking the word “fifteen” (15) in line five (5) and inserting in lieu
4 thereof the word “twenty” (20).

5 Said section is further amended by striking from line 2 the word
6 “shall” and inserting in lieu thereof the word “may”.

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the “Cascade
3 Pioneer”, a newspaper published at Cascade, Iowa, and the “Daily
4 American Tribune”, a newspaper published at Dubuque, Iowa.

Senate File No. 83. Approved March 30, A. D. 1929.

I hereby certify that the foregoing act was published in the Cascade Pioneer April 11, 1929, and the Daily American Tribune April 4, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 151

COMPENSATION OF ASSESSORS

AN ACT to amend the law as it appears in section five thousand six hundred sixty-nine (5669) of the code of 1927 relating to the compensation of assessors and deputies.

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

1 SECTION 1. That the law as it appears in section five thousand
2 six hundred sixty-nine (5669) of the code of 1927, be amended by
3 adding, after the words "per annum" in the twenty-eighth (28) line
4 thereof, the words:
5 "In cities under the commission form of government, having a
6 population of more than one hundred twenty-five thousand (125,000),
7 the city assessor may appoint six full time deputies, which appoint-
8 ment shall be approved by the city council and the city council and
9 board of supervisors shall fix the annual compensation of the city
10 assessor and such deputies, which compensation shall be paid by the
11 county from its general fund."

House File No. 209. Approved April 13, A. D. 1929.

CHAPTER 152

PLACES OF AMUSEMENT

AN ACT to amend the law as it appears in section fifty-five hundred eighty-two (5582) of the code of 1927, relating to township licenses for places of amusement.

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

1 SECTION 1. That the law as it appears in section fifty-five hundred
2 eighty-two (5582) of the code of 1927 be amended by adding after
3 the period after the word "trustees" in line nine (9) the following:
4 "A roadhouse, for the purposes of this section, shall be construed
5 to mean any building or establishment open to the public and located
6 on or accessible to a road or public highway outside the limits of an
7 incorporated town or city where entertainment, prepared food or
8 drink is furnished to the public generally for hire, sale or profit."

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in Des Moines
3 Daily Record, a newspaper published in Des Moines, Iowa, and Plain
4 Talk, a newspaper published in Des Moines, Iowa.

House File No. 354. Approved March 27, A. D. 1929.

I hereby certify that the foregoing act was published in the Des Moines Daily Record April 1, 1929, and the Plain Talk April 4, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 153

BOVINE TUBERCULOSIS. TAX LEGALIZED

AN ACT to legalize taxes levied, assessed, and collected for the purpose of eradicating bovine tuberculosis.

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

1 SECTION 1. All taxes heretofore levied, assessed or collected by any
2 county for the purpose of raising a fund to eradicate bovine tuber-
3 culosis are hereby declared legal and valid, and where the same have
4 not been paid, the county officers are hereby empowered and directed
5 to proceed at once to collect the same as other taxes are collected and
6 to use the same in the same manner as they could have been used
7 were they legally assessed, levied and collected, and all things done
8 in connection with any such assessment or levy is hereby validated
9 and legalized.

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in Madrid Regis-
3 ter-News, a newspaper published at Madrid, Iowa, and Atlantic News-
4 Telegraph, a newspaper published at Atlantic, Iowa.

Senate File No. 457. Approved April 15, A. D. 1929.

I hereby certify that the foregoing act was published in the Madrid Register-News April 25, 1929, and the Atlantic News-Telegraph April 18, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 154

MAINTENANCE OF JOINT FIRE DEPARTMENTS

AN ACT to authorize the township trustees to purchase, own, and maintain fire apparatus or equipment jointly with any city or town in the state of Iowa.

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

1 SECTION 1. The township trustees of any township may purchase,
2 own, or maintain fire apparatus or equipment, or furnish services in
3 the extinguishing of fires in the said township jointly with any city
4 or town which owns or maintains such apparatus, equipment or
5 service.

1 SEC. 2. The township trustees may levy a tax not to exceed one
2 (1) mill on the taxable property in the township for the purpose of
3 such purchase, maintenance or furnishing services in connection with
4 the extinguishment of fires in said township when so authorized by
5 a majority vote of the electors in such township. Such proposition
6 to levy such tax may be submitted by the board of township trustees
7 at any regular election held in such township; and such board shall
8 submit the proposition when petitioned by twenty-five per cent
9 (25%) of the qualified electors thereof. Notice of said election shall
10 be given by posting in three (3) public places in said township at
11 least ten days before the date of such election.

House File No. 339. Approved April 13, A. D. 1929.

CHAPTER 155

LEGAL PUBLICATIONS

AN ACT to amend section fifty-seven hundred twenty-three (5723) of the code, 1927, relating to the compensation allowed newspapers for the publication of legal notices.

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

1 SECTION 1. That the law as it appears in section fifty-seven hun-
2 dred twenty-three (5723) of the code, 1927, is hereby amended by
3 striking out the word "one-third" in line three (3) and inserting in
4 lieu thereof "one-half".

5 **Publication clause.** This act being deemed of immediate impor-
6 tance shall be in full force and effect from and after its publication
7 in the "Dyersville Commercial", a newspaper published at Dyersville,
8 Iowa and the "Daily American Tribune", a newspaper published at
9 Dubuque, Iowa.

Senate File No. 30. Approved February 19, A. D. 1929.

I hereby certify that the foregoing act was published in the Dyersville Commercial February 28, 1929, and the Dubuque Daily American Tribune February 23, 1929.
ED. M. SMITH, *Secretary of State.*

CHAPTER 156

LIBERTY MEMORIAL BONDS

AN ACT to amend sections four hundred eighty-eight (488) and four hundred eighty-nine (489), code, 1927, relating to liberty memorial bonds.

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

1 SECTION 1. Section four hundred eighty-eight (488), code, 1927,
2 is amended by striking from line twelve (12) the word "fifty" and
3 by inserting in lieu thereof the word "twenty".

1 SEC. 2. Section four hundred eighty-nine (489), code, 1927, is
2 amended by striking the word "fifty" from the last line thereof and
3 by inserting in lieu thereof the word "twenty".

Senate File No. 250. Approved April 16, A. D. 1929.

CHAPTER 157

EXAMINATION OF ACCOUNTS

AN ACT to amend section one hundred thirteen (113), code, 1927, relating to examination of accounts of cities and towns.

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

1 SECTION 1. That section one hundred thirteen (113), code, 1927,
2 is hereby amended by striking from line seven (7) thereof the word
3 "three" and substituting in lieu thereof the word "two".

1 SEC. 2. Publication clause. This act is deemed of immediate im-
 2 portance and shall take effect from and after its publication in two
 3 (2) newspapers of this state as provided by law.

House File No. 378. Approved April 4, A. D. 1929.

I hereby certify that the foregoing act was published in the Afton Star Enterprise
 April 11, 1929, and the Jewell Record April 11, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 158

NOMINATIONS FOR MUNICIPAL OFFICES

AN ACT to amend section six hundred thirty-nine (639) of the code, 1927, relating to
 nominations by political parties in cities and towns, and to provide the way in which
 political parties in cities and towns may make nominations of candidates for all
 municipal offices to be filled by direct vote of the people.

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

1 SECTION 1. Section six hundred thirty-nine (639) of the code, 1927,
 2 is amended by adding thereto the following: to-wit:
 3 "In other cities, and in towns, candidates of a political party which
 4 at the last preceding general state election cast, in such city or town,
 5 for its candidate for governor at least two percent (2%) of the total
 6 vote cast in such city or town, may, under the provisions of chapter
 7 thirty-seven A one (37A1), of the code, 1927, be nominated by a con-
 8 vention or caucus for city or town offices elective by the people."

Senate File No. 482. Approved April 16, A. D. 1929.

CHAPTER 159

HIGHWAYS. EXTENSIONS IN CITIES AND TOWNS

AN ACT to amend section forty-seven hundred fifty-five-b-twenty-six (4755-b26) of the
 code, 1927, relating to the construction of extensions of primary roads in cities and
 towns.

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

1 SECTION 1. Section forty-seven hundred fifty-five-b twenty-six
 2 (4755-b26) code, 1927, is hereby amended by adding the following at
 3 the end of the first paragraph thereof:
 4 "The phrase 'subject to the approval of the council' as it appears
 5 in this section, shall be construed as authorizing the council to con-
 6 sider said proposed improvement only in its relationship to municipal
 7 improvements such as sewers, water lines, establishing grades, change
 8 of established street grades, side walks and other public improve-
 9 ments. The location of such primary road extensions shall be deter-
 10 mined by the state highway commission."

Senate File No. 283. Approved April 12, A. D. 1929.

CHAPTER 160

PRIMARY ROAD EXTENSIONS IN CITIES AND TOWNS

AN ACT to provide for the designation and marking of lateral or detour routes passing through the business district of cities and towns on the primary road system.

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

1 SECTION 1. Any city or town located on the primary road system
2 and in which the primary road extension as officially designated does
3 not pass through the main part or business district of such city or
4 town, may designate and mark a lateral or detour route in order to
5 facilitate such primary road traffic as may desire to get into and out
6 of such business district.

1 SEC. 2. Such lateral or detour routes shall be marked with standard
2 markings adopted by the state highway commission therefor, which
3 markings shall clearly indicate that such lateral route is not the offi-
4 cial primary road extension but is in fact a lateral or detour extending
5 to the business district.

1 SEC. 3. The cost of such markings shall be without expense to the
2 state.

Senate File No. 119. Approved April 18, A. D. 1929.

CHAPTER 161

SPEED OF VEHICLES IN CITIES AND TOWNS

AN ACT to amend sections five thousand thirty (5030), five thousand thirty-b-two (5030-b2), five thousand seventy-nine-b-one (5079-b1), five thousand seventy-nine-b-two (5079-b2) and five thousand seventy-nine-b-three (5079-b3), and to repeal section five thousand thirty-b one (5030-b1), of the code, 1927, relating to the speed of vehicles within cities and towns, to prohibit the obstruction of extensions of primary roads within cities and towns, to prohibit the erection or maintenance of traffic signs or signals inconsistent with law, and to provide penalties therefor.

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

1 SECTION 1. That section five thousand thirty (5030) of the code,
2 1927, is hereby amended to read as follows:

3 "For the purpose of controlling traffic on their streets and high-
4 ways, cities and towns are hereby divided into business districts,
5 residence districts, school districts and suburban districts, as follows:

6 a. "Business district". The territory contiguous to a highway
7 when fifty per cent or more of the frontage thereon for a distance of
8 three hundred feet or more is occupied by buildings in use for busi-
9 ness;

10 b. "School district". The territory contiguous to a highway for
11 a distance of two hundred feet in either direction from a schoolhouse.

12 c. "Residence district". The territory contiguous to a highway,
13 not comprising a business district or a school district where forty
14 per cent or more of the frontage on such highway for a distance of

15 three hundred feet or more is occupied by dwellings or by dwellings
16 and buildings in use for business;

17 d. "Suburban district". All other parts of a city or town not in-
18 cluded in the business, school or residence districts.

19 The maximum speed of any vehicle in such districts shall be as
20 follows:

21 a. In a business or school district fifteen (15) miles per hour.

22 b. In a residence district twenty-five (25) miles per hour.

23 c. In a suburban district the same as that provided by law for
24 vehicles on highways outside of cities and towns."

1 SEC. 2. Section five thousand thirty-b one (5030-b1) of the code,
2 1927, is hereby repealed.

1 SEC. 3. Section five thousand thirty-b two (5030-b2) of the code,
2 1927, is hereby amended by striking from lines four (4) and five (5)
3 thereof the words "that has adopted such ordinance,".

1 SEC. 4. That section five thousand seventy-nine-b one (5079-b1)
2 of the code, 1927, is hereby amended by striking from line two (2)
3 thereof the words "outside of" and substituting in lieu thereof the
4 punctuation and words ", and extensions of primary roads within".

1 SEC. 5. That section five thousand seventy-nine-b two (5079-b2)
2 of the code, 1927, is hereby amended by inserting the punctuation and
3 words ", street or alley" following the word "highway" in line three
4 (3) thereof.

1 SEC. 6. That section five thousand seventy-nine-b three (5079-b3)
2 of the code, 1927, is hereby amended as follows:

3 a. By inserting the punctuation and words ", streets and alleys"
4 following the word "roads" in line one (1) and following the word
5 "roads" in line two (2) thereof.

6 b. By adding the following to said section:

7 "Provided that at intersections of such arterial highways with
8 boulevards or heavy traffic streets in cities and towns, the council
9 may, subject to the approval of the state highway commission, deter-
10 mine that the arterial highway traffic shall come to a stop, erect
11 "stop" and "go" signals, or adopt such other means of handling the
12 traffic as may be deemed practical and proper".

1 SEC. 7. That the following be enacted and inserted in the code as
2 section five thousand seventy-nine-b five (5079-b5):

3 "It shall be unlawful for any city or town to close or obstruct any
4 street or highway which is used as the extension of a primary road
5 within such city or town, except at times of fires or for the purpose
6 of doing construction or repair work on such street or highway, or
7 for other reasons with the consent of the highway commission, and
8 it shall also be unlawful for any city or town to erect or cause to be
9 erected or maintained any traffic sign or signal inconsistent with the
10 provisions of this chapter.

1 SEC. 8. The provisions of this act shall apply to cities acting under
2 special charter, regardless of population.

1 "SEC. 8-a. The provisions of sections six (6) and seven (7) as con-

2 cerns the erection and maintenance of stop and go signals shall not
 3 apply to cities with a population of four thousand (4,000) or over
 4 where said signals are situated within business districts of said city."

Senate File No. 417. Approved April 16, A. D. 1929.

CHAPTER 162

ELECTION OF CITY OFFICERS

AN ACT to amend section fifty-six hundred thirty-nine (5639) of the code, 1927, and to repeal sections fifty-six hundred thirty-two (5632) and fifty-six hundred thirty-three (5633) of the code, 1927, and to enact a substitute therefor, relating to the election of city solicitor, city engineer, and auditor, and the appointment of police judge excepting in cities and towns organized under the provisions of chapter three hundred twenty-eight (328), of the code, 1927, cities organized under chapter three hundred twenty-six (326) of the code, 1927, and cities with a population of less than forty thousand (40,000).

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

1 SECTION 1. That section fifty-six hundred thirty-two (5632), code,
 2 1927, be repealed and the following enacted in lieu thereof:

3 SEC. 5632. **Officers elected at large.** In all cities and towns the
 4 mayor, treasurer and assessor shall be elected by the entire electorate,
 5 provided, however, that the auditor, solicitor and engineer may be
 6 elected if it is so provided by ordinance.

1 SEC. 2. That section fifty-six hundred thirty-three (5633) of the
 2 code, 1927, be repealed and the following enacted in lieu thereof:

3 SEC. 5633. **Officers appointed by council.** In all cities and towns,
 4 the council at its first meeting after the biennial election, shall appoint
 5 a clerk and may appoint a city solicitor, a city engineer, an auditor,
 6 and in cities of the first class, where there is no municipal or superior
 7 court, a police judge.

1 SEC. 3. That section fifty-six hundred thirty-nine (5639), code,
 2 1927, subdivision 7, be amended as follows:

3 By inserting after the word "officer" in the third line thereof the
 4 words "or shall be appointed in cities entitled to appoint such officer".

1 SEC. 4. The provisions of this act shall not apply to cities and towns
 2 organized under the provisions of chapter three hundred twenty-eight
 3 (328) of the code, 1927.

1 SEC. 5. The provisions of this act shall not apply to cities organized
 2 under chapter 326 of the code.

1 SEC. 6. The provisions of this act shall not apply to any city or
 2 town with a population of less than forty thousand.

House File No. 9. Approved April 23, A. D. 1929.

CHAPTER 163

CITIES AND TOWNS

AN ACT to amend section five thousand six hundred and sixty-three (5663) code, 1927, relating to city and town councils, and to authorize the providing of uniforms and equipment for members of police and fire departments.

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

- 1 SECTION 1. That section five thousand six hundred and sixty-three
- 2 (5663), code 1927, be and the same is hereby amended by adding
- 3 thereto as subdivision 17 the following, viz:
- 4 Cities under the commission form of government, having a popu-
- 5 lation of twenty thousand (20,000) to thirty thousand (30,000) in-
- 6 habitants, may provide for the use of the members of the fire and
- 7 police departments, uniforms and suitable equipment.

House File No. 291. Approved March 27, A. D. 1929.

CHAPTER 164

CITIES AND TOWNS. REFUSE AND JUNK

AN ACT to amend the law as it appears in section fifty-seven hundred forty-four (5744) of the code, 1927, with reference to the power of cities and towns and to authorize cities and towns to restrain and prohibit the deposit and removal of refuse and junk.

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

- 1 SECTION 1. That section fifty-seven hundred forty-four (5744)
- 2 of the code, 1927, be amended by inserting after the word "of" in
- 3 line two (2) of subsection three (3) the following:
- 4 "refuse, junk,".

House File No. 392. Approved April 16, A. D. 1929.

CHAPTER 165

CITIES AND TOWNS. SWIMMING POOLS

AN ACT authorizing cities and towns to build or purchase, establish, maintain, and operate swimming pools.

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

- 1 SECTION 1. That section fifty-seven hundred forty-six (5746) of
- 2 the code, 1927, is hereby amended by inserting at the end thereof as
- 3 subsection four (4) the following:
- 4 "Swimming pools and to build or to purchase the same."

- 1 SEC. 2. This act being deemed of immediate importance shall take
- 2 effect and be in force from and after its publication in the Daily

3 Freeman Journal, a newspaper published at Webster City, Iowa; and
4 in the Jewell Record, a newspaper published at Jewell, Iowa.

House File No. 41. Approved February 23, A. D. 1929.

I hereby certify that the foregoing act was published in the Freeman Journal February 26, 1929, and the Jewell Record February 28, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 166

CITIES AND TOWNS. RIVER FRONT IMPROVEMENTS

AN ACT to amend section fifty eight hundred fourteen (5814), code, 1927, relating to river front improvement commissions and to enlarge the number of cities which may avail themselves of the powers embraced in chapter two hundred ninety-four (294), code, 1927.

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

1 SECTION 1. Section fifty-eight hundred fourteen (5814), code, 1927,
2 is amended by inserting in line four (4) and immediately after the
3 word "laws" the following words, to-wit:
4 " , to cities of the second class having a population in excess of seven
5 thousand (7,000),".

Senate File No. 448. Approved April 6, A. D. 1929.

CHAPTER 167

CITIES AND TOWNS. BRIDGE FUND

AN ACT to amend the law as it appears in section five thousand eight hundred seventy-five (5875) relating to cities controlling bridge fund.

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

1 SECTION 1. That the law as it appears in section five thousand
2 eight hundred seventy-five (5875) of the code, 1927, be amended by
3 striking the word "five" in line two thereof, and inserting in lieu
4 thereof the word "two" and by adding the words "border on or" after
5 the word "which" in line three thereof.

Senate File No. 400. Approved April 6, A. D. 1929.

CHAPTER 168

GASOLINE CURB PUMPS

AN ACT amending section five thousand seven hundred forty-five (5745) of the code 1927, relating to gasoline curb pumps.

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

- 1 SECTION 1. Section five thousand seven hundred forty-five (5745)
 2 of the code 1927, is hereby amended by adding thereto, paragraph 6,
 3 which shall read as follows:
 4 6. **Gasoline curb pumps.** Gasoline curb pumps in streets, high-
 5 ways, avenues, alleys and public places.

House File No. 205. Approved April 13, A. D. 1929.

CHAPTER 169

MAINTENANCE OF JOINT FIRE DEPARTMENT

AN ACT to amend the law as it appears in sections fifty-seven hundred sixty-six (5766), fifty-seven hundred sixty-seven (5767) of the code of Iowa, 1927, relating to the power of cities and towns to maintain a fire department and to levy a tax therefor.

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

- 1 SECTION 1. That the law as it appears in section fifty-seven hun-
 2 dred sixty-six (5766) of the code of Iowa, 1927, be and the same is
 3 hereby amended by adding thereto the following:
 4 "They shall have the power, when authorized by a majority vote
 5 of the electors thereof at a regular or special election called for that
 6 purpose, upon notice as now required by law, to own jointly with
 7 any other city, town or township, fire apparatus or equipment and to
 8 pay out of the tax as authorized by law for the purchase or main-
 9 tenance of such equipment and services."
- 1 SEC. 2. That the law as it appears in section fifty-seven hundred
 2 sixty-seven (5767) of the code of Iowa, 1927, be amended by inserting
 3 after the word "cities" in line two (2) thereof the following:
 4 "and towns".

House File No. 338. Approved April 13, A. D. 1929.

CHAPTER 170

IMPROVEMENTS NEAR DOCKS

AN ACT to amend subdivision four (4) of section fifty-nine hundred two (5902), code, 1927, relating to docks, and to authorize the levying of special assessments upon benefited property to pay the cost of street improvements and sewers.

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

- 1 SECTION 1. Subdivision four (4) of section fifty-nine hundred two
 2 (5902), code, 1927, is amended by adding to said subdivision the fol-
 3 lowing words, to wit:

4 “, but in case the city council deems it necessary or advisable to
 5 construct street improvements or sewers on such streets and alleys,
 6 and abutting and adjacent property will receive special benefits there-
 7 from, such improvements or sewers may be ordered constructed by
 8 said council and the cost thereof may be assessed by said council, to
 9 the extent of such benefits, and as provided in chapter three hundred
 10 eight (308), code, 1927, upon and against all lots or parcels of real
 11 estate, whether publicly or privately owned, as may be specially bene-
 12 fited thereby, provided that the plans and specifications of the city
 13 council for such improvements or sewers be first approved by the dock
 14 board.”

1 **SEC. 2. Publication clause.** This act is deemed of immediate im-
 2 portance and shall take effect and be in force from and after its pub-
 3 lication in the Telegraph Herald & Times Journal, a newspaper pub-
 4 lished in Dubuque, Iowa, and The Burlington Hawk-Eye, a newspaper
 5 published in Burlington, Iowa.

Senate File No. 228. Approved March 30, A. D. 1929.

I hereby certify that the foregoing act was published in the Telegraph Herald and
 Times Journal April 3, 1929, and the Burlington Hawk-Eye April 4, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 171

DOCKS

AN ACT to amend subdivision five (5) of section fifty-nine hundred two (5902), code,
 1927, relating to docks, and providing for the enforcement of rules and regulations
 by fine or imprisonment.

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

1 **SECTION 1.** That subdivision five (5) of section fifty-nine hundred
 2 two (5902), code, 1927, be amended by adding thereto the following:
 3 “Obedience to such rules and regulations may be enforced in the
 4 name of the city or town, by a fine not exceeding one hundred dollars
 5 (\$100), or by imprisonment not exceeding thirty (30) days, provided
 6 the council of such city or town shall first adopt the same, in ordinance
 7 form, as ordinances of the municipality.”

1 **SEC. 2. Publication clause.** This act is deemed of immediate impor-
 2 tance and shall take effect and be in force from and after its publica-
 3 tion in the Telegraph Herald & Times Journal, a newspaper published
 4 in Dubuque, Iowa, and The Burlington Hawk-Eye, a newspaper pub-
 5 lished in Burlington, Iowa.

Senate File No. 227. Approved March 30, A. D. 1929.

I hereby certify that the foregoing act was published in the Telegraph Herald and
 Times Journal April 3, 1929, and the Burlington Hawk-Eye April 4, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 172

PUBLIC DOCKS

AN ACT to amend the law as it appears in section fifty nine hundred two (5902) of the code, 1927, relating to the department of public docks in cities and towns having a population of less than thirty thousand.

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

1 SECTION 1. That the law as it appears in section fifty nine hundred
2 two (5902) of the code, 1927, be and the same is hereby amended
3 by striking from lines one (1) and two (2) of paragraph thirteen
4 (13) beginning after the word "cities" and ending with the word
5 "government", the following phrase: "under the commission form of
6 government".

Senate File No. 42. Approved March 30, A. D. 1929.

CHAPTER 173

CITIES AND TOWNS. MOTOR BUS LINES

AN ACT to amend chapter three hundred four (304) of the code, 1927, relating to electric utilities and the legalization of bus franchises.

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

1 SECTION 1. Chapter three hundred four (304) of the code, 1927, is
2 amended by inserting immediately after section fifty-nine hundred
3 four (5904) the following section, to wit:
4 "5904-c1. Motor bus lines. Cities and towns may grant franchises
5 to operate and maintain on and over their streets bus and motor trans-
6 portation lines to carry passengers for hire on a plan similar to street
7 railways. Such franchises may be granted to individuals or private
8 corporations and shall not be exclusive, nor shall they extend for a
9 longer period than ten (10) years. Provided, however, that in cities
10 or towns in which a street railway is established and operated, before
11 the question of granting such franchise is submitted to the electorate,
12 the proposed franchise must first be offered to the owner of the exist-
13 ing street railway, and if said owner shall agree in writing within
14 thirty (30) days from the time said proposed franchise is offered to
15 accept said franchise and operate a bus or motor transportation line
16 under the terms of said franchise, the question shall be submitted to
17 the electorate of the granting of said franchise to the owner of the
18 street railway. If the owner of said street railway fails to agree in
19 writing within said thirty-day period to accept said franchise and
20 operate the bus or motor transportation line therein provided for, the
21 city or town council may then offer said franchise to another person,
22 firm or corporation, and may submit to the electorate the question of
23 the granting of the franchise to said person, firm or corporation. The
24 granting of such franchise shall not preclude cities and towns from
25 licensing jitney busses and motor vehicles carrying passengers for
26 hire under the provisions of chapter three hundred six (306). The

27 provisions of sections fifty-nine hundred twenty-seven (5927), fifty-
 28 nine hundred twenty-eight (5928), fifty-nine hundred twenty-nine
 29 (5929), fifty-nine hundred thirty (5930), fifty-nine hundred thirty-
 30 one (5931), fifty-nine hundred thirty-two (5932), fifty-nine hundred
 31 thirty-three (5933), and fifty-nine hundred thirty-four (5934) of
 32 the code, 1927, shall apply to busses and motor transportation lines
 33 operating under franchises granted pursuant to the provisions of this
 34 section."

1 SEC. 2. Section fifty-nine hundred five (5905) of the code, 1927, is
 2 amended by striking all of line five (5) thereof and by inserting in
 3 lieu thereof the words "of the purposes named in the two (2) preced-
 4 ing sections".

1 SEC. 3. This act being of immediate importance shall become a
 2 law upon publication in the Fort Dodge Messenger and the Lehigh
 3 Valley Argus, two newspapers of general circulation in Webster
 4 county, Iowa.

House File No. 43. Approved February 16, A. D. 1929.

I hereby certify that the foregoing act was published in the Fort Dodge Messenger
 February 20, 1929, and the Lehigh Valley Argus February 21, 1929.

ED. M. SMITH, *Secretary of State.*

See Chapter 174.

CHAPTER 174

CITIES AND TOWNS. STREET RAILWAY FRANCHISES

AN ACT to amend house file number forty-three (43) of the forty-third general assembly
 relating to bus franchises and elections thereon.

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

1 SECTION 1. That house file number forty-three (43) of the forty-
 2 third general assembly, being a bill amending chapter three hundred
 3 four (304) of the code, 1927, be amended by inserting after the period
 4 following the word "corporation" in line twenty-one (21) of section
 5 one (1) thereof, the following:

6 "In cities in which street railways are in actual operation no fran-
 7 chise may be granted hereunder unless the proposition shall receive
 8 at the election an affirmative vote equal to at least forty per cent
 9 (40%) of the total number of the electors of the city voting at the
 10 last preceding general election."

1 SEC. 2. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its publication in Black Hawk
 3 County Daily Record, a newspaper published in Cedar Falls, Iowa,
 4 and Iowa Legionaire, a newspaper published in Des Moines, Iowa.

House File No. 263. Approved March 21, A. D. 1929.

I hereby certify that the foregoing act was published in the Black Hawk County
 Daily Record March 22, 1929, and the Iowa Legionaire May 3, 1929.

ED. M. SMITH, *Secretary of State.*

See Chapter 173.

CHAPTER 175

CITIES AND TOWNS. SIDEWALKS

AN ACT to amend, revise, and codify sections fifty-nine hundred sixty-four (5964) and fifty-nine hundred sixty-five (5965), code, 1927, relating to assessments for permanent sidewalks.

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

1 SECTION 1. Sections fifty-nine hundred sixty-four (5964) and
2 fifty-nine hundred sixty-five (5965), code, 1927, are amended, revised,
3 and codified to read as follows:

4 "5964. Payment under waiver. Unless the owner of any lot or
5 parcel of land against which an assessment for permanent sidewalk is
6 made shall within thirty (30) days from the date of assessment file
7 written objections to the legality or regularity of the assessment or
8 levy of such tax upon and against his property, such owner shall be
9 deemed to have waived objections on these grounds, and shall have
10 the right to pay said assessment with interest thereon not exceeding
11 six per cent (6%) per annum in seven (7) equal annual installments,
12 the first of which shall mature and be payable on the date of said
13 assessment and the others, with interest on the whole amount unpaid,
14 annually thereafter, at the same time and in the same manner as the
15 March semi-annual payment of ordinary taxes, provided that if the
16 aggregate of all assessments against the property of an owner is
17 twenty-five dollars (\$25) or less, such assessments shall be paid in
18 one installment and within thirty (30) days following the levy.

19 5965. Delinquent tax. Each installment of such taxes, with inter-
20 est, shall become delinquent on the first day of March next after its
21 maturity and shall bear the same rate of interest, with same penalties
22 as ordinary taxes."

1 SEC. 2. Sections fifty-nine hundred sixty-four (5964) and fifty-nine
2 hundred sixty-five (5965), code, 1927, as herein amended shall apply
3 to cities acting under special charter.

Senate File No. 331. Approved April 5, A. D. 1929.

CHAPTER 176

CITIES AND TOWNS. STREET IMPROVEMENTS

AN ACT to amend sections fifty-nine hundred seventy-five (5975) and fifty-nine hundred seventy-six (5976) of the code, 1927, relating to street improvements.

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

1 SECTION 1. That section fifty-nine hundred seventy-five (5975) of
2 the code, 1927, be amended by inserting after the word "macadamiz-
3 ing," in line 3 of paragraph one the words "use of shale or other
4 surfacing material".

5 Also that section fifty-nine hundred seventy-six (5976) of the code,
6 1927, be amended by inserting after the word "macadamizing," in line
7 3 thereof the words "use of shale or other surfacing material".

Senate File No. 447. Approved April 15, A. D. 1929.

CHAPTER 177

ASSESSMENTS FOR MAIN SEWERS

AN ACT to amend section fifty-nine hundred and eighty-six (5986), as it appears in the code of 1927, relating to assessments for the construction of main sewers.

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

1 SECTION 1. That section fifty-nine hundred eighty-six (5986) of
2 the code, 1927, be amended by inserting after the word "thousand"
3 in line three the following: "and cities having a population in excess
4 of one hundred twenty-five thousand".

1 SEC. 2. This act being deemed of immediate importance shall be
2 in effect from and after its publication in the Des Moines Daily Rec-
3 ord, a newspaper published in Des Moines, Iowa, and the Plain Talk,
4 a newspaper published in Des Moines, Iowa.

Senate File No. 390. Approved April 19, A. D. 1929.

I hereby certify that the foregoing act was published in the Des Moines Daily Record April 23, 1929, and the Des Moines Plain Talk April 25, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 178

CITIES AND TOWNS. CONDEMNATION PROCEEDINGS

AN ACT to amend section fifty-nine hundred and eighty-nine (5989), as it appears in the code of 1927, relating to the condemnation by cities of private property for right of way for sewers.

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

1 SECTION 1. That section fifty-nine hundred and eighty-nine (5989),
2 as it appears in the code of 1927, be amended by striking therefrom
3 all that part of said section between the word "property" in the fourth
4 line of said section and the word "sufficient" in the fifth line of said
5 section, the part of said section so to be stricken reading as follows:
6 "to and along ravines and natural watercourses".

1 SEC. 2. This act being deemed of immediate importance shall be in
2 effect from and after its publication in the Des Moines Daily Record,
3 a newspaper published in Des Moines, Iowa, and the Plain Talk, a
4 newspaper published in Des Moines, Iowa.

Senate File No. 392. Approved March 30, A. D. 1929.

I hereby certify that the foregoing act was published in the Des Moines Daily Record April 4, 1929, and the Des Moines Plain Talk April 4, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 179

CITIES AND TOWNS. STREET IMPROVEMENTS

AN ACT to amend sections of the code, 1927, numbered as follows: Five thousand nine hundred ninety-nine (5999), six thousand one (6001), six thousand four (6004), six thousand six (6006), six thousand thirty-six (6036), six thousand two hundred sixty-one (6261) and six thousand one hundred seventeen (6117), section five thousand nine hundred ninety-two (5992), and five thousand nine hundred ninety-six (5996) relating to street improvements, sewers, and special assessments and bonds issued therefor and to make the provisions of this act apply also to cities acting under special charter.

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

1 SECTION 1. Section five thousand nine hundred ninety-nine (5999)
2 of the code, 1927, is hereby amended by adding thereto after the word
3 "resolution" in the fifth line thereof and also by adding thereto after
4 the word "resolution" in the thirteenth line thereof the words "of
5 necessity".

1 SEC. 2. Section six thousand one (6001) of the code, 1927, is hereby
2 amended by striking all therein after the word "until" in the eighth
3 line and inserting in lieu thereof the following:—"a properly signed
4 contract and a duly executed and approved contractor's bond shall be
5 filed in the office of the clerk".

1 SEC. 3. Section six thousand four (6004) of the code, 1927, is
2 hereby amended by inserting therein immediately after the word
3 "fixed" in the twelfth line thereof the following:—"that each bidder
4 must deposit with his bid a certified check in an amount equal to ten
5 per cent of his bid drawn on, and certified to, by a bank in Iowa, pay-
6 able to and at the office of the treasurer of the municipality."

1 SEC. 4. Section six thousand six (6006) of the code, 1927, is hereby
2 amended by adding thereto after the comma in the fifth line following
3 the word "contract" the following:—"in a sum equal to the contract
4 price".

1 SEC. 5. Section six thousand thirty-six (6036) of the code, 1927,
2 is hereby amended by inserting therein after the word "lots" in line
3 three thereof the following:—"and if such plan of division is accepted
4 or approved by the council".

1 SEC. 6. Section six thousand two hundred sixty-one (6261) of the
2 code, 1927, is hereby amended by inserting after the word "sewers"
3 in line twelve thereof the words "and for the construction and main-
4 tenance of interception sewers and disposal works".

5 Section six thousand two hundred sixty-one (6261) is further
6 amended by adding thereto at the end thereof the following:—"If
7 bonds are issued said bonds shall be payable in not more than twenty
8 annual installments and at interest not exceeding five per centum per
9 annum, and shall be payable at such place and be in such form as the
10 council shall designate by resolution or ordinance."

1 SEC. 7. Section six thousand one hundred seventeen (6117) of the
2 code, 1927, is hereby amended by striking therefrom all contained

3 therein before the word "but" in line two thereof and by inserting
4 in lieu thereof the following:— "The bonds shall be sold at public
5 sale in the manner provided for by chapter sixty-three (63) of the
6 code or by any other law in force relative to the sale of such bonds."

1 SEC. 8. Section five thousand nine hundred ninety-two (5992) of
2 the code, 1927, is hereby amended by striking out the word "bonds"
3 in the fourth line thereof, and by inserting in lieu thereof the words
4 "certificates or bonds as the case may be".

1 SEC. 9. Section five thousand nine hundred ninety-six (5996) of the
2 code, 1927, is hereby amended by striking out of lines 8 and 9 the
3 words "seventy-five per cent of the property subject to assessment",
4 and inserting in lieu thereof the following: "Property subject to pay
5 seventy-five per cent of the assessable cost of the proposed improve-
6 ment."

1 SEC. 10. This act shall also apply to cities acting under special
2 charter.

Senate File No. 136. Approved April 5, A. D. 1929.

CHAPTER 180

DATE OF MATURITY OF SPECIAL ASSESSMENTS

AN ACT to amend section six thousand thirty-one (6031), of the code, 1927, relating to date of maturity of special assessments.

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

1 SECTION 1. Section six thousand thirty-one (6031), of the code,
2 1927, is hereby amended by striking out of the last line of said sec-
3 tion, the words "date of levy", and inserting in lieu thereof the words,
4 "acceptance of the work."

Senate File No. 292. Approved April 17, A. D. 1929.

CHAPTER 181

CITIES AND TOWNS. STREET IMPROVEMENTS

AN ACT to amend section six thousand thirty-three (6033) of the code, 1927, relating to the payment of street improvements, sewers and special assessments of the same.

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

1 SECTION 1. That section six thousand thirty-three (6033) of the
2 code, 1927, be amended by adding after the comma following the word
3 "installment" in the first line thereof the following:
4 "or total amount of assessment, if less than ten dollars (\$10.00)".

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in force on and after its publication in the Plain Talk,

- 3 a newspaper published in Des Moines, Iowa, and the Council Bluffs
4 Nonpareil, a newspaper published in Council Bluffs, Iowa.

House File No. 66. Approved March 11, A. D. 1929.

I hereby certify that the foregoing act was published in the Plain Talk March 14, 1929, and the Council Bluffs Nonpareil March 14, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 182

PAVING ALONG STREET RAILWAY TRACKS

AN ACT relating to the construction of the tracks of street railway companies and providing for the payment of said companies of certain portions of the cost of pavement within and along their tracks in cities and towns, including cities under special charter; providing for the letting of contracts for such work and the assessment of the cost thereof; amending sections six thousand fifty-two (6052) and six thousand fifty-four (6054) of the code, 1927; repealing sections six thousand fifty-seven (6057) and six thousand fifty-eight (6058) of the code of 1927; and making said act applicable to cities acting under special charter.

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

1 SECTION 1. Street railway companies operating upon the streets,
2 avenues and public places of cities and towns, including cities under
3 special charter, shall provide a suitable foundation for the track of a
4 width equal to their ties, but in no case less than the width comprised
5 between lines lying one foot outside of each rail of the track, and
6 shall be assessed for the construction or reconstruction of paving
7 between the rails of their track or tracks, and for one foot outside of
8 each rail thereof, in the amount that the cost of such pavement per
9 yard of area exceeds the cost per yard of the remainder of the paving
10 upon such street. In the making of assessments for paving upon
11 streets, avenues, or public places of cities and towns, including cities
12 acting under special charter, along or upon which a street railway
13 track or tracks are located, in the event that the track or tracks also
14 are to be paved or re-paved; the engineer shall make an estimate of
15 the cost of building such improvement, and he shall, also, make an
16 estimate of the cost of building such an improvement upon said street,
17 avenue or public place as it would be in the event that the street car
18 tracks did not there exist; and the street railway company shall be
19 charged with the difference in said estimates of cost and shall pay
20 the same as other special assessments are paid.

21 Separate bids shall be taken in case of single track upon that por-
22 tion of the street between the rails and one foot outside of each rail
23 and in case of double track upon the entire portion of the street in-
24 cluded between lines parallel to and one foot outside of the outer rail
25 of each track. The street railway company shall be permitted to bid
26 upon this portion of the pavement and, if the lowest bidder thereupon
27 shall be awarded the contract therefor. One-third of the remaining
28 cost of the improvement for the area between the rails of the tracks
29 of the street railway company and one foot outside thereof shall be
30 assessed against the street railway company, one-third thereof shall
31 be assessed against the abutting property and the owner thereof, and

32 one-third thereof shall be paid for by the city either out of the im-
33 provement fund or general fund of the city.

34 All repairs or maintenance between and one (1) foot outside the
35 rails made necessary by the operation of the street railway and any
36 other repairs or maintenance made necessary by the operation of the
37 street railway shall be made by the street railway company and if
38 not so made, the city shall have the power to make such repairs and
39 assess the cost thereof to such company. All construction assess-
40 ments herein provided for shall be made in the manner provided for
41 the assessment of such costs against abutting property and the owner
42 thereof.

1 SEC. 2. The word "paving" as used in the preceding section shall
2 include any kind of hard surfacing, gravel or macadamizing together
3 with the necessary paving base.

1 SEC. 3. Section six thousand fifty-two (6052), code, 1927, is
2 amended by striking from line two (2) the words "and street rail-
3 way"; and by striking from lines nine (9) and twelve (12) the words
4 "or street railway". Section six thousand fifty-four (6054), code,
5 1927, is amended by striking the words "or street railway" wherever
6 they appear.

1 SEC. 4. Sections six thousand fifty-seven (6057) and six thousand
2 fifty-eight (6058) of the code, 1927, are hereby repealed.

1 SEC. 5. The provisions of the act shall apply to cities acting under
2 special charter.

1 SEC. 6. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 the Howard County Times, a newspaper published at Cresco, Iowa,
4 and the Daily American Tribune, a newspaper published at Dubuque,
5 Iowa.

Senate File No. 311. Approved April 16, A. D. 1929.

I hereby certify that the foregoing act was published in the Howard County Times
April 24, 1929, and the Dubuque Daily American Tribune April 20, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 183

CITIES AND TOWNS. UTILITIES

AN ACT to amend sections sixty-one hundred fifty-one-b one (6151-b1) to sixty-one
hundred fifty-one-b three (6151-b3), inclusive, code, 1927, relating to the use of
surplus earnings of certain municipality owned public utilities.

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

1 SECTION 1. Sections sixty-one hundred fifty-one-b one (6151-b1)
2 and sixty-one hundred fifty-one-b two (6151-b2), code, 1927, are
3 amended by inserting immediately after section sixty-one hundred
4 fifty-one-b two (6151-b2) the following section, to wit:
5 "6151-c1. **Exceptions.** In all cities having a population of five

6 thousand (5000) or less and in all towns, the transfer of funds as
 7 provided in the two (2) preceding sections may be made without the
 8 approval of the budget director, on condition the amount transferred
 9 in any one fiscal year does not exceed fifty per centum (50%) of the
 10 surplus in that fund at the beginning of that fiscal year, if the trans-
 11 fer is made upon the three-fourths ($\frac{3}{4}$) vote of all the members of
 12 the council of such city or town."

1 SEC. 2. Section sixty-one hundred fifty-one-b three (6151-b3),
 2 code, 1927, is amended by striking from line one (1) the word "two"
 3 and by inserting in lieu thereof the word "three".

House File No. 37. Approved April 4, A. D. 1929.

CHAPTER 184

CITIES AND TOWNS. WATER WORKS

AN ACT to amend sections sixty-one hundred sixty-one (6161) and sixty-seven hundred eighty-seven (6787) of the code, 1927, concerning the purchase, acquisition and maintenance of water works by certain cities and making the same applicable to cities now or hereafter having a population of fifty thousand (50,000) inhabitants or over, including cities acting under special charter.

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

1 SECTION 1. That section sixty-one hundred sixty-one (6161) of
 2 the code, 1927, be and the same is hereby amended by striking from
 3 lines two and three (2 and 3) thereof the words "one hundred thou-
 4 sand (100,000)" and substituting in lieu thereof the words "fifty thou-
 5 sand (50,000)".

1 SEC. 2. That section sixty-seven hundred eighty-seven (6787) of
 2 the code, 1927, be amended by striking from line one (1) thereof the
 3 words and figures "chapter 313 is" and by inserting in lieu thereof
 4 the words and figures "chapters 313 and 314 are".

1 SEC. 3. This act being deemed of immediate importance, it shall
 2 be in full force and effect from and after its publication in the Daven-
 3 port Daily Times and in the Davenport Democrat, newspapers pub-
 4 lished in the city of Davenport, Scott county, Iowa, without expense
 5 to the state.

House File No. 77. Approved February 12, A. D. 1929.

I hereby certify that the foregoing act was published in the Davenport Daily Times February 14, 1929, and the Davenport Democrat February 14, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 185

WATERWORKS. EXAMINATION OF ACCOUNTS

AN ACT to amend section sixty-one seventy-seven (6177), code, 1927, relating to examinations of the accounts of waterworks operated by a board of waterworks trustees.

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

1 SECTION 1. ~~Rules—records—accounts—financial statement—exami-~~
 2 ~~nation.~~ Section sixty-one seventy-seven (6177), code, 1927, is
 3 amended by striking out the last sentence thereof and by inserting
 4 in lieu thereof the following:
 5 "The books and accounts of such waterworks shall be audited at
 6 least once a year by a public accountant selected by the city council,
 7 and a copy of said audit shall be filed with the auditor of state."

1 SEC. 2. This act is deemed of immediate importance and shall take
 2 effect from and after its publication in the Plain Talk, a newspaper
 3 published in Des Moines, Iowa, and the Daily Record, a newspaper
 4 published in Des Moines, Iowa, without expense to the state.

Senate File No. 360. Approved April 17, A. D. 1929.

I hereby certify that the foregoing act was published in the Des Moines Plain Talk April 25, 1929, and the Des Moines Daily Record April 23, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 186

CITIES AND TOWNS. EXTENSION OF WATER MAINS

AN ACT to amend section sixty-one hundred ninety-a thirteen (6190-a13) code 1927, relating to the extension of water mains, and extending the provisions of chapter three hundred fourteen-a one (314-a1), code 1927, to certain cities acting under city manager plan and to cities acting under special charter.

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

1 SECTION 1. That section sixty-one hundred ninety-a thirteen
 2 (6190-a13), code 1927, be and the same is hereby amended by strik-
 3 ing out therefrom the words "nor to cities having a population of
 4 thirty-five thousand (35,000) or more, acting under the city manager
 5 plan,".

1 SEC. 2. That the provisions of chapter three hundred fourteen-a
 2 one (314-a1), be and the same are hereby made applicable to cities
 3 acting under special charter, regardless of population.

Senate File No. 463. Approved April 11, A. D. 1929.

CHAPTER 187

EXTENSION OF WATER MAINS

AN ACT to repeal section six thousand one hundred ninety-a two (6190-a2), six thousand one hundred ninety-a four (6190-a4), and six thousand one hundred ninety-a eleven (6190-a11), code of 1927, and to enact a substitute therefor; relating to resolutions of necessity, installation and contracts, method of petitioning for extensions, notice of proposed extensions and providing a method of rebate to property owners; and to amend section six thousand one hundred ninety-a thirteen (6190-a13), code, 1927, relating to the applicability of chapter 314-a1, governing the extension of water mains; all in connection with water works extensions and water mains, and providing for publication hereof.

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

1 SECTION 1. That section six thousand one hundred ninety-a two
2 (6190-a2), of the code of Iowa, 1927, is hereby repealed and the fol-
3 lowing enacted in lieu thereof:

4 "Such extensions and assessments for the cost thereof, may be
5 ordered only when such extensions have been petitioned for by at
6 least seventy-five per cent (75%) of the owners of property subject
7 to such assessment who are residents of the city wherein such petition
8 for extensions is presented."

1 SEC. 2. That section six thousand one hundred ninety-a four
2 (6190-a4), of the code of Iowa, 1927, is hereby repealed and the fol-
3 lowing enacted in lieu thereof:

4 "If the proposed extension is approved by the board of water works
5 trustees, it shall certify said petition, together with its written ap-
6 proval, to the council, and the council shall then in a resolution declare
7 the necessity for such extension, designating the streets upon which
8 it is proposed to make the extension and the terminal points thereof,
9 and the fact that private abutting property will be assessed for the
10 cost thereof, and the council shall in such resolution of necessity fix
11 the time for the consideration of the resolution, at which time the
12 owners of property subject to assessment may appear and make
13 objection, if they so elect to do, to the passage of the resolution;
14 before final action upon the resolution, the council shall cause notice
15 of the time when said resolution will be considered by it for passage
16 to be given by two weekly publications in some newspaper published
17 in the city or in case no newspaper is published therein in one of gen-
18 eral circulation therein the last of which shall be not less than two
19 weeks, nor more than four weeks, prior to the day fixed for its con-
20 sideration; if objections are filed by any property owners to the pass-
21 age of the resolution, final action shall not be taken upon same by the
22 council until notice of such objection has been given to the board of
23 water works trustees when such board exists, giving it an opportunity
24 to appear before the council in support of its approval of the petition.
25 If such resolution is finally adopted by the council, the extension shall
26 be made as hereinafter provided in this chapter. The city or town
27 clerk shall certify to the board of water works trustees the expense
28 of publication and same shall be included as a part of the cost of the
29 extension."

1 SEC. 3. That section six thousand one hundred ninety-a eleven

2 (6190-a11), of the code, 1927, is hereby repealed and the following
3 enacted in lieu thereof:

4 "Each city or town may provide by ordinance that the owner of
5 property so assessed shall be rebated annually at the rate of ten per
6 cent (10%) each year of such assessment and interest, from water
7 dues payable by such property so assessed, until such time as the
8 amount of such rebates equals the amount of said assessment and
9 interest paid by such owner, provided that after fifteen (15) years
10 from date of assessment all rebate rights shall be automatically can-
11 celled and any assessments not then repaid by such rebates shall not
12 be subject to repayment; provided, however, that in any city where
13 the water works is operated under a board of water works trustees
14 such an ordinance shall not be adopted unless it shall be asked for
15 and approved by the board of water works trustees."

16 "The council of any city having a population in excess of seventy-
17 five thousand (75,000) shall adopt such ordinance before extending
18 mains and assessing costs thereof as provided in this chapter."

1 SEC. 4. Section six thousand one hundred ninety-a thirteen (6190-
2 a13), of the code, 1927, is amended by striking from lines five, six,
3 seven and eight, the words "nor to cities having a population of
4 seventy thousand or more, acting under the commission plan of gov-
5 ernment".

1 SEC. 5. This act is deemed of immediate importance and shall be
2 in full force and effect from and after its publication in the Council
3 Bluffs Daily Nonpareil, a newspaper published at Council Bluffs, Iowa,
4 and the Waterloo Morning Tribune, a newspaper published at Water-
5 loo, Iowa.

Senate File No. 291. Approved April 15, A. D. 1929.

I hereby certify that the foregoing act was published in the Council Bluffs Daily
Nonpareil April 18, 1929, and the Waterloo Morning Tribune April 19, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 188

CITIES AND TOWNS. FIRE DEPARTMENT

AN ACT to repeal subdivision nine (9) of section sixty-two hundred eleven (6211) of
the code, 1927, and to enact a substitute therefor, relating to the tax levy for
fire department maintenance fund in cities and towns.

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

1 SECTION 1. The law as it appears in subdivision nine (9) of section
2 sixty-two hundred eleven (6211) of the code, 1927, be and the same is
3 hereby repealed and the following enacted in lieu thereof:

4 "9. **Fire department maintenance fund.** Any city regardless of
5 the form of government thereof, with a population of more than eight
6 thousand, not exceeding ten mills; any such city with a population of
7 less than eight thousand, not exceeding five mills; and any town not
8 exceeding two mills. The foregoing levies shall be used only to main-

9 tain a fire department, except that any city with a population under
10 three thousand, and any town may also use such funds for the pur-
11 chase of fire equipment."

1 SEC. 2. This act shall also apply to cities acting under special char-
2 ter regardless of population.

House File No. 99. Approved March 19, A. D. 1929.

CHAPTER 189

CITIES AND TOWNS. CONSOLIDATED LEVY

AN ACT making section sixty-two hundred seventeen (6217), code 1927, relating to certain tax levies for general, grading, sewer and other funds in cities and towns and authorizing a consolidated levy for such purposes, applicable to cities acting under special charter.

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

1 SECTION 1. That section sixty-two hundred seventeen (6217), code
2 1927, be and is hereby made applicable to cities acting under special
3 charter.

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after passage and publication in the
3 Republican, a newspaper published at Wapello, Iowa, and in the West
4 Liberty Index, a newspaper published at West Liberty, Iowa.

House File No. 143. Approved March 11, A. D. 1929.

I hereby certify that the foregoing act was published in the Wapello Republican March 14, 1929, and the West Liberty Index March 14, 1929.

Ed. M. SMITH, *Secretary of State.*

CHAPTER 190

CITIES AND TOWNS. LEASING OF PROPERTY

AN ACT to amend section sixty-five hundred eighty (6580) code, 1927, relating to the leasing of property owned by cities acting under the commission form of government so as to empower certain of such cities to lease such property for industrial purposes; and all cities in excess of twenty thousand (20,000) population organized under chapter three hundred twenty-eight (328) code, 1927, to exercise such powers.

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

1 SECTION 1. Section sixty-five hundred eighty (6580) of the code,
2 1927, is hereby amended by striking out the period at the end of said
3 section and inserting in lieu thereof, a semi-colon, and by inserting
4 at the end of said section so amended, the following:

5 Provided, that in cities acting under the commission form of gov-
6 ernment and under thirty thousand (30,000) inhabitants where in
7 the judgment of two-thirds (2/3) of the city council, any city prop-
8 erty is not likely to be sooner needed for city purposes, such property
9 may be leased for a period of not exceeding twenty (20) years for

10 such industrial purposes as the city council shall deem for the public
 11 benefit and at such rental as may be fixed by a two-thirds (2/3) vote
 12 of a city council, but before any such lease for a longer period than
 13 one (1) year shall be executed by the city council, a notice of the in-
 14 tention to lease such property for the period contemplated shall be
 15 published in a newspaper published in such city, or if none there, in
 16 the nearest newspaper, for a period of two (2) weeks. If objections
 17 to such contemplated lease are made in writing within said two (2)
 18 weeks, and signed by not less than ten (10) per cent of the voters of
 19 such city voting at the last general or city election, then before execut-
 20 ing such lease, said council shall fix a time for hearing such objections
 21 and shall have a hearing thereon, and shall determine such objections
 22 and file such decision with the city clerk. If such objections are sus-
 23 tained, such lease shall not be executed, but if same are overruled,
 24 the said objectors or not less than twenty-five (25) per cent of them,
 25 may take an appeal to the district court by giving written notice of
 26 such appeal to the mayor of such city within ten (10) days of the
 27 filing of the decision of said council with the city clerk, and by filing
 28 a bond for two hundred dollars (\$200.00) with the city clerk for pay-
 29 ment of the costs of such appeal if unsuccessful. In event such appeal
 30 is taken, said appeal shall be docketed in said court within five days
 31 (5) from the taking of such appeal, and shall be tried as a suit in
 32 equity.

1 SEC. 2. Cities in excess of twenty thousand (20,000) population
 2 organized under chapter three hundred twenty-eight (328) code, 1927,
 3 as provided in section sixty-five hundred eighty (6580), code, 1927,
 4 may lease property owned by such cities in the manner provided by
 5 section sixty-five hundred eighty (6580) code, 1927, as herein
 6 amended.

House File No. 23. Approved March 19, A. D. 1929.

CHAPTER 191

CITIES AND TOWNS. PUBLICATION OF STATEMENTS

AN ACT to repeal section sixty-five eighty-one (6581), of the code 1927, and to enact a substitute therefor relating to statements to be published in certain cities under the commission form of government.

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

1 SECTION 1. That section six thousand five hundred eighty-one
 2 (6581) of the code, 1927, is hereby repealed, and the following enacted
 3 in lieu thereof:
 4 "In cities organized under the provisions of this chapter having
 5 less than fifty thousand population, the council shall publish itemized
 6 statements once each quarter of all receipts and disbursements of
 7 the city, and a summary of the council proceedings immediately after
 8 each regular or special meeting, said statements and summary to be
 9 published in one or more newspapers of general circulation in said
 10 city; provided, however, that in cities organized under the provisions

11 of this chapter having more than fifty thousand population the council
 12 shall each month print in pamphlet form a detailed itemized state-
 13 ment of all receipts and disbursements of the city, and a summary
 14 of its proceedings during the preceding month, and furnish copies
 15 thereof to the state library, the city library, the daily newspapers
 16 of the city and to persons who shall apply therefor at the office of the
 17 city clerk."

Senate File No. 111. Approved April 12, A. D. 1929.

CHAPTER 192

SPECIAL CHARTER CITIES

AN ACT providing for the appointment of board of trustees in special charter cities, having a population of less than twenty five thousand (25,000) and prescribing their powers and duties.

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

1 SECTION 1. In special charter cities having a population of less than
 2 twenty-five thousand (25,000) owning two or more public utility
 3 plants and works, as provided for under section sixty-seven hundred
 4 eighty-nine (6789), code 1927, such works and plants shall be man-
 5 aged, operated, extended and controlled by a coordinated board of
 6 trustees which shall be composed of five (5) resident electors ap-
 7 pointed for the term of five (5) years by the mayor of said city.

1 SEC. 2. Appointment—term. After the authorization of the purchase
 2 or erection of such works or plants by the electors of such city, in
 3 the manner provided by law, the mayor thereof shall thereafter ap-
 4 point such board of trustees, the first appointees thereof to hold office
 5 for the following designated terms, namely:—One for one year, one
 6 for two years, one for three years, one for four years and one for five
 7 years.

1 SEC. 3. Vacancies. All vacancies occurring on said board shall be
 2 filled by the mayor as provided by section sixty-eight hundred twelve
 3 (6812), code 1927.

1 SEC. 4. Compensation. The compensation of said trustees shall not
 2 be more than six hundred dollars (\$600) per annum to each member
 3 of said board.

1 SEC. 5. Bonds. Each of said trustees shall execute and furnish to
 2 the city an official bond in the penal sum of five thousand dollars
 3 (\$5000) to be approved by the mayor, and filed with the city clerk.
 4 The premium on such bonds, if any, shall be paid pro rata from the
 5 funds of said plants or works.

1 SEC. 6. Removals. Such trustees may be removed as provided in
 2 section sixty-eight hundred fifteen (6815), code 1927.

1 SEC. 7. Powers and duties. The said board of trustees shall have
 2 and exercise all of the powers, duties and obligations enumerated in
 3 and conferred upon such boards by chapters three hundred twelve

4 (312), three hundred thirteen (313), three hundred fourteen (314),
 5 three hundred fourteen-a (314-a) and three hundred twenty-nine
 6 (329), code 1927, appertaining to heating plants, water works, gas
 7 works, electric light or electric power plants, and said board of trus-
 8 tees may anticipate the revenues of such works and plants for a
 9 period not to exceed three (3) years for the operation, extension,
 10 betterment and improvement of such works and plants.

1 SEC. 8. To effectuate the purposes and provisions of this act, as
 2 provided in the preceding sections, the mayor of said city shall declare
 3 all of the existing offices of such trustees vacant.

1 SEC. 9. All acts or parts of acts in conflict herewith are hereby
 2 repealed.

1 SEC. 10. This act is applicable to cities acting under special charter
 2 having a population of less than twenty-five thousand (25,000).

1 SEC. 11. This act being deemed of immediate importance shall take
 2 effect from and after its passage and publication in the West Liberty
 3 Index, a newspaper published at West Liberty, Iowa, and the Colum-
 4 bus Gazette, a newspaper published at Columbus Junction, Iowa.

Senate File No. 288. Approved March 22, A. D. 1929.

I hereby certify that the foregoing act was published in the West Liberty Index
 March 28, 1929, and the Columbus Gazette March 28, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 193

ORDERING OF STREET IMPROVEMENTS OR SEWERS

AN ACT to amend section sixty-nine hundred fifteen (6915) of the code, 1927, relating
 to the ordering of street improvements or sewers in cities acting under special
 charter.

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

1 SECTION 1. That section sixty-nine hundred fifteen (6915) of the
 2 code, 1927, be amended by adding thereto the following:

3 "Whenever a remonstrance shall have been filed with the council
 4 within the time limited in its notice of intention signed by sixty per
 5 cent (60%) of the property owners and by the owners of seventy-
 6 five per cent (75%) of the property subject to assessment, said reso-
 7 lution ordering said improvement shall not be passed except by a
 8 three-fourths ($\frac{3}{4}$) vote of the entire council."

1 SEC. 2. This act being deemed of immediate importance, it shall
 2 be in full force and effect from and after its publication in the Daven-
 3 port Daily Times and in the Davenport Democrat, newspapers pub-
 4 lished in the city of Davenport, Scott county, Iowa, without expense
 5 to the state.

House File No. 74. Approved April 13, A. D. 1929.

I hereby certify that the foregoing act was published in the Davenport Daily Times
 April 16, 1929, and the Davenport Democrat April 16, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 194

VALUATION COMMITTEE

AN ACT relating to the creation of a valuation committee in certain cities; prescribing the powers and duties of said committee; providing the procedure for initiating, approving and ordering certain public improvements; procuring the advice of certain city officials; providing for a default and deficiency fund; providing for notices and hearings, and the procedure necessary to secure the approval by the city council of resolution of necessity and contents thereof, and confirmation by the district court of certain special assessments and real estate valuations in advance of the performance of the work, and providing for re-assessment in certain cases, and providing for rebates, forfeitures, the issuance of bonds, and providing for the lien of special assessments and the exemption of certain cities from certain claims.

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

1 SECTION 1. All cities operating under the commission plan of
2 municipal government and having a population of one hundred
3 twenty-five thousand or more, shall have the power to organize any
4 number of their employees into an advisory committee, for the pur-
5 pose of investigating and advising the council in the matter of the
6 construction of street improvements and sewers, and assessments
7 therefor, of which committee the city engineer shall be the presiding
8 and executive officer. The chief clerk in the department of streets
9 and public improvements shall be the secretary thereof and the city
10 treasurer shall be the vice president thereof. The corporation coun-
11 cil [counsel] or city solicitor may be a member of said committee.

12 The city engineer shall advise the council as to the general utility,
13 necessity or efficiency of any proposed public improvement; the city
14 treasurer shall advise the council upon the method and manner of
15 financing any such improvement; the corporation counsel or solicitor
16 shall advise the council as to proper legal procedure in ordering or
17 constructing any such improvement and in assessing and financing
18 the same. The chief clerk in the department of streets and public
19 improvements shall have general supervision of the preparation of
20 resolutions of necessity, schedules of assessments, valuations, liens
21 and schedules of property subject to tax sale.

22 The civil engineer shall have general supervision of the preparation
23 of plans and specifications for any public improvement, and shall have
24 such other duties as may be prescribed by law.

25 The council shall also employ an assessment clerk, who shall have
26 charge of the detail work of preparing schedules of assessments under
27 the direction of the chief clerk.

28 The city council shall appoint three persons who shall be known as
29 the valuation committee, who shall be appointed to serve on one or
30 more improvement projects or for any length of time not exceeding
31 one year, and who may be re-appointed for a similar term or terms
32 and receive such compensation as the council shall fix by ordinance,
33 which compensation may be a proper incidental expense chargeable
34 to any proposed improvement. Said valuation committee shall be
35 persons skilled in the knowledge of real estate values in any such city,
36 and possess qualifications which will justify the reception of their
37 testimony by the district court of the county where such real estate
38 is located, as experts upon real estate values.

39 The chief clerk in the department of streets and public improve-

40 ments shall be secretary of said valuation committee, shall attend all
41 meetings, shall have charge of all books, papers and records, and shall
42 keep a record of all valuations fixed by said committee. The meet-
43 ings of said committee shall be held in the office of the civil engineer
44 in the city hall.

45 The city council may accept the valuations fixed by the assessor
46 upon property proposed to be assessed in all cases where deficits and
47 defaults are improbable.

1 SEC. 2. All owners of property to be affected by any public im-
2 provement to be paid for in whole or in part by special assessment,
3 may initiate any plan for a public improvement, by written contract
4 to be approved by the city council and signed by all the said owners
5 of record and record lien holders of all the property affected by the
6 proposed assessment for said public improvement, and the contractor
7 performing the work or furnishing material, and by any such city,
8 but no liability shall attach to said city because of work done, material
9 furnished or assessment levied, other than to accommodate said prop-
10 erty owners and contractor with the procedure of said city for the
11 levying of the special assessment as in this act provided.

1 SEC. 3. All resolutions of necessity, contracts and proceedings for
2 local improvements to be paid for wholly or in part by special assess-
3 ment shall be governed by the provisions hereof and resolutions of
4 necessity, plans, specifications and contracts shall be approved by the
5 civil engineer, except as herein otherwise provided, and except as to
6 sidewalks and sewer connections and water connections. Petitions
7 for all such public improvements shall be addressed to the city council.
8 The civil engineer shall have the power to recommend a plan
9 for any local improvement, to be paid for wholly or in part by special
10 assessment, either with or without a petition. "Local improve-
11 ments", "public improvements", and "improvements", when herein
12 referred to, shall mean street improvements or sewers payable in
13 whole or in part by special assessments.

1 SEC. 4. Notice of the time and place of public consideration or
2 hearing by the council on any resolution of necessity and schedule of
3 valuations and assessments, shall be given by the chief clerk of the
4 department of streets and public improvements, by delivering written
5 notice thereof to the occupant of said real estate, or any person over
6 fourteen (14) years of age in possession of said real estate affected
7 by said special assessment, said real estate being within three hun-
8 dred (300) feet of said proposed street improvement or sewer, and
9 in the case of any railway company, by delivering written notice to
10 any local agent or officer thereof, at least fifteen (15) days before
11 said public consideration or hearing, and similar notice shall be posted
12 upon all vacant or unoccupied real estate subject to assessment and
13 within three hundred (300) feet of said proposed local improvement,
14 at least fifteen (15) days before said public consideration or hearing,
15 and similar written notice shall be given to all owners of property
16 outside of said three hundred (300) feet area and within the benefited
17 district, by posting written notices in conspicuous places at least
18 fifteen (15) days before said public consideration or hearing. Vacant
19 property shall include property, the owner and occupant of which,

20 and the members of his family over fourteen (14) years of age, are
21 absent therefrom at the time service or posting is made or attempted
22 to be made.

23 The foregoing notice shall be given of the time and place for said
24 public consideration or hearing upon said proposed resolution of
25 necessity and schedule of valuations and assessments, and said no-
26 tices above required shall also notify the owners and any persons in-
27 terested in said proposed local improvement that upon final passage of
28 said resolution of necessity by the city council, the said city will peti-
29 tion the district court of the county where said city is located for
30 confirmation of said schedule of valuations and assessments within
31 ten (10) days from the date of said final passage of said resolution
32 of necessity by the city council. Said notice shall also describe the
33 character of the improvement; the extent and location thereof; the
34 total estimated cost, and that the said district court will set a date
35 for hearing on said petition within thirty (30) days from the date of
36 final passage of the resolution of necessity. A sworn statement by
37 the person delivering or posting any of the above mentioned notices,
38 giving the date when said notices are actually delivered or posted,
39 shall be filed with the said chief clerk, and shall be presumptive evi-
40 dence of valid service of notice hereunder.

41 After the final passage of the resolution of necessity, the chief clerk
42 of the department of streets and public improvements shall publish
43 a notice in some newspaper of general circulation in the city where
44 said real estate is located, notifying the owner or persons interested
45 in the real estate proposed to be assessed and referred to in said
46 resolution of necessity, that the said city has filed a petition in the
47 district court of the county where said real estate is located praying
48 said court to confirm the valuations and assessments, and giving the
49 date which the said district court has set for the trial upon said peti-
50 tion. Said notice shall be published and said petition shall be on file
51 within ten (10) days from the date of the final passage of said reso-
52 lution of necessity by the city council, and thereupon said district
53 court shall have jurisdiction of the real estate, the real estate valua-
54 tions and assessments as finally fixed by the city council as herein
55 provided.

56 The time within which publication of notice hereunder shall be
57 given, or petition filed in district court shall not be grounds for ob-
58 jection unless found to be material by the district court, in which
59 event the said court may prescribe a new notice.

1 SEC. 5. At the time and place fixed in said notice for the public
2 hearing, the city council shall meet and hear the complaints of any
3 interested property owner desiring to be heard on the subject of the
4 necessity for the proposed improvement, the nature and type thereof,
5 the valuation or the cost as estimated, and the assessment. After
6 consideration of said proposed improvement and objections thereto, if
7 any, or to any of the elements thereof, the city council shall adopt a
8 resolution abandoning the said proposed plan, or adhering thereto, or
9 approving, changing or modifying the extent, nature, kind, character,
10 type or estimated cost, provided such change shall not increase the
11 estimated cost of the improvement to exceed ten per centum of the
12 same or change the district without a further public hearing thereon

13 with notice as required for the original hearing. The contents of
14 such resolution of necessity shall be the same as required by section
15 5991 of the code, and shall provide whether the same shall be paid
16 for wholly or in part by special assessment, and if in part only, shall
17 so state. The council may equalize valuations and assessments.

18 Incidental expenses shall include all engineering costs, the expense
19 of estimates, valuations and inspections, court expenses, clerk hire,
20 costs incidental to notice and printing bonds, and such other costs of
21 service and material as shall enter into the total expense of initiating
22 and carrying to completion the particular improvement and assess-
23 ment therefor.

24 The assessment as prepared and as approved by the city council,
25 and as confirmed by the court, shall include an item to be known as
26 the default and deficiency fund not to exceed ten per cent of the total
27 estimated cost of the improvement, including all incidentals, which
28 shall be added thereto, and which said fund shall be used to pay
29 deficits and defaulted installments, and other unforeseen costs and
30 expenses incidental to said improvement and assessment, including
31 payments made by city for tax sales or redemption from tax sales.

32 Each lot, part of lot or parcel of property shall bear its just pro-
33 portion of said assessment upon the area basis, except as herein other-
34 wise provided.

35 If, after the completion and acceptance of any improvement by
36 the city council, it appears that the total assessment exceeds the total
37 cost of said improvement, including incidentals, by more than ten per
38 cent, then the city solicitor shall petition the district court to reduce
39 and adjust said assessment to an amount not to exceed ten per cent in
40 excess of said total cost, including said incidentals, taking into ac-
41 count installments of assessment previously paid.

42 The proportion of any assessment beneficial to the public shall be
43 paid out of the improvement fund, or sewer funds as the case may be,
44 except that portion which should be otherwise borne by park prop-
45 erty affected by said improvement, in which event said portion shall
46 be paid out of park funds.

47 Any objection or remonstrance filed with the city council shall con-
48 tain the signatures of the owners, legal representatives, or their at-
49 torney, a general description of the property owned or represented,
50 the area so owned or represented upon said local improvement or
51 affected by a proposed special assessment therefor, but when signa-
52 tures of objectors are procured and filed by a person or persons other
53 than the owner, legal representative or attorney, said objections shall
54 be verified by said person or persons so procuring said signatures
55 and filing the same, and said affidavit shall set forth that said ob-
56 jectors are the owners, legal representatives or the attorney of the
57 owner or legal representatives of the property described therein.

1 SEC. 6. With any such resolution of necessity presented by said
2 civil engineer to said city council, shall be presented also the approval
3 by the civil engineer of the plans and specifications for such improve-
4 ment. The civil engineer shall select and recommend to the council
5 the particular type of improvement approved by him. If a variance
6 be shown in the proceedings in the court, it shall not affect the validity

7 of the proceedings, unless the court shall deem the same willful or
8 substantial.

1 SEC. 7. At the time of any hearing on any proposed local improve-
2 ment, the city council shall have before it the plans, specifications
3 and schedule of assessments, which shall accompany the resolution
4 of necessity, and shall remain on file with the city clerk for fifteen
5 (15) days before final consideration by said city council.

6 Hearings on objections made to the budget director shall be held
7 and determined before the city solicitor shall file the petition for the
8 confirmation by the court of the schedule of assessments. The city
9 council shall retain the power to deny the passage of any resolution
10 of necessity, and shall have the power to stop the work on any local
11 improvement in accordance with the provisions of the contract for
12 the performance of said work.

1 SEC. 8. Upon the passage of any resolution of necessity for a local
2 improvement, and pursuant thereto, it shall be the duty of the city
3 solicitor to file a petition in district court of the county where said
4 real estate is located, in the name of such municipality, praying that
5 steps be taken to levy a special assessment for said improvement,
6 in accordance with the provisions of said resolution of necessity. The
7 district court of the county where said local improvement is proposed
8 to be made shall have jurisdiction of the proceedings under this act.
9 Said cause shall be triable as in equity. A decree of the district court
10 upon any such proceeding shall be final unless there shall be an appeal
11 therefrom. Trials upon appeal from condemnation proceedings shall
12 be the same as now or hereafter provided by general law.

13 An appeal from the decree of the district court shall be perfected
14 within thirty days from the date of said decree and the abstract shall
15 be served and filed in the office of the clerk of the supreme court
16 within ninety days from the date of said district court decree. If the
17 aggregate of all appeals exceeds ten per cent (10%) of the total as-
18 sessment as confirmed by the district court, the contract may or may
19 not be let, in the discretion of the council, until said appeals are
20 finally determined, but said appeals shall not delay the execution of
21 a contract for the work, if the city council concludes said appeals
22 were not taken in good faith.

23 Any person aggrieved shall file a bond on appeal to the supreme
24 court as provided by law.

25 An appeal shall not, in the discretion of the city council, delay the
26 certification of an assessment or progress of an improvement, but
27 upon decision of the appeal the assessment appealed from shall be
28 corrected and collected as herein provided.

29 There shall be attached to or filed with such petition a copy of said
30 resolution of necessity, certified by the city clerk, and the schedule
31 of assessments, and plans and specifications, as approved by the civil
32 engineer and city council. The failure to file any or either of said
33 copies shall not affect the jurisdiction of said court to proceed in
34 said cause and to act upon said petition. But, upon objection made
35 by any interested property owner calling the attention of the court
36 to the failure to attach copies, the court shall permit the city solicitor
37 to supply any missing copy or copies.

1 SEC. 9. Upon the filing of such petition, the city solicitor shall ver-
2 ify the fact that due notice has been given of the time and place of
3 the hearing upon said petition. Any such petition shall have pre-
4 cedence over any other business of the court, except in criminal cases,
5 and said court shall set the said petition for hearing within thirty
6 (30) days from the date that it is filed with the clerk of said court.
7 Upon the hearing upon said petition, the said court shall have power
8 to correct any irregularities or inequalities in valuations or in the
9 schedule of assessments, and shall consider any objections because of
10 alleged illegal procedure or fraud in the proceedings.

11 The court shall inquire whether the city solicitor has omitted any
12 property benefited, and as to whether the schedule of assessments is
13 just and equitable as between the public and the property assessed,
14 and between the lots or parcels of property assessed.

15 The court shall have the power to revise, correct or modify the
16 description or the cost between the properties affected, or the city
17 solicitor shall make any corrections upon the order of the court.

18 Corrections of assessments or valuations made by or upon the order
19 of the court shall be conclusive and not subject to review on appeal,
20 or otherwise, except as herein provided. The court shall render a
21 decision upon said hearing within seven (7) days thereafter. The
22 clerk of said court shall certify to the city clerk the final action of
23 the court within three (3) days from the date of the final order, or
24 judgment of said court, upon said petition, showing assessments as
25 changed and confirmed in the schedule of assessments. Assessments
26 shall draw interest from date of confirmation by the court. In the
27 event no contract is entered into within sixty (60) days from date of
28 confirmation by the court, the court shall cancel said assessment and
29 order return of any assessment so paid, upon application by the city
30 solicitor, if no appeal is pending.

31 If no objections are filed by the time set for the hearing on said
32 petition, the court shall immediately confirm said assessment and
33 order the clerk to certify the same to the city clerk. The cost of all
34 court proceedings shall be a legitimate item of expense in connection
35 with any local improvement, and shall be included within the final
36 assessment against the property proposed to be improved.

37 The clerk of the district court shall certify to the county auditor
38 and the city clerk the assessment as confirmed, made or approved by
39 the district court, thereupon, the county auditor shall recertify said
40 assessment to the county treasurer, within three days, and the treas-
41 urer shall spread the same upon the records in his office and the same
42 shall be a lien from the date of the recertification by the auditor
43 against any property therein described, and the treasurer shall pro-
44 ceed to collect installments of said assessment as by law provided.
45 The county treasurer shall pay to the city treasurer all funds payable
46 to the city treasurer hereunder, within fifteen (15) days after the
47 first of the month following their receipt. Receipts in March and
48 September in each year shall be so payable not later than May 15th
49 and November 15th, respectively.

1 SEC. 10. Upon receipt by the city clerk of the certified copy of the
2 order entered by the court upon the petition for any local improve-
3 ment and assessment therefor, the city council shall pass a resolution

4 ordering the work, which shall remain on file with the clerk for one
5 (1) week, and be finally passed by the city council, and thereupon
6 the city clerk shall advertise for bids for doing said work. Said bids
7 shall be opened by the city clerk in the presence of the city council,
8 and referred to the civil engineer, and thereupon the civil engineer
9 shall examine the bids and recommend to the council the award of
10 contract to the lowest responsible bidder for the particular type of
11 improvement which the civil engineer shall recommend, or the council
12 may order that all bids be rejected, and the council may order the
13 rejection and cancellation of the proposed improvement and all pro-
14 ceedings.

1 SEC. 11. The council may award the contract, or may refuse to
2 enter into any contract therefor. However, the city council may order
3 re-advertisement for bids upon the same types of improvements for
4 which bids were originally requested.

1 SEC. 12. Nothing herein contained shall be construed to relieve
2 railways or street railways of any obligation now or hereafter im-
3 posed by the general law of the state.

1 SEC. 13. All public work shall proceed under the direction of the
2 civil engineer and contractors shall be required to proceed to timely
3 completion of the work.

4 Within twenty days after the completion of the work, the civil
5 engineer shall recommend the acceptance or rejection of the work.

6 Within ten days after the completion of the work the city clerk
7 shall publish a notice in some newspaper published in such city, ad-
8 dressed to the owners or persons interested in any real estate included
9 in any assessment or street improvement or sewer project or improve-
10 ment district, notifying them that unless further, legal, unadjudicated
11 matters or objections are made within twenty days from the date of
12 publication of said notice, the council will take action on the recom-
13 mendation of the civil engineer, and in the event no such objection is
14 filed the property owners shall be conclusively presumed to have
15 waived all such objections. The civil engineer shall file with the city
16 clerk a report of the completion of any public improvement.

1 SEC. 14. No increased assessment against any property shall be
2 in excess of twenty-five per cent (25%) of the valuation confirmed by
3 the court, nor in excess of the benefits conferred.

1 SEC. 15. Wherever on a hearing by the court or on appeal, the
2 amount of any assessment shall be reduced or cancelled so that there
3 shall be a deficiency in the total amount remaining assessed in the
4 proceeding, the court shall have the power to distribute such deficiency
5 upon the other property abutting upon or adjacent to said improve-
6 ment or in the district assessed, in such manner as the court shall
7 find to be just and equitable, not exceeding, however, the amount
8 said property would be benefited by said improvement, and not ex-
9 ceeding twenty-five per cent (25%) of the value finally fixed thereon
10 in said assessment schedule. As construed by this act, value of prop-
11 erty shall include the assessment for the type of proposed improve-
12 ment approved by the said city council.

1 SEC. 16. If any special assessment shall hereafter be annulled or
2 held invalid or void for any reason whatsoever, a new assessment
3 shall be made and returned and like notice shall be given and pro-
4 ceedings had as herein required in relation to an original proposed
5 assessment; and, if any local improvement has been constructed
6 under the direction of the city council and has been accepted by it,
7 and a special assessment levied in payment thereof has been or shall
8 be annulled or declared invalid, then a new special assessment shall
9 be made and returned to pay for the costs of the improvement so
10 constructed, or to pay for the cost of such part thereof as the city
11 council might lawfully have authorized to be constructed and paid
12 for by special assessment.

1 SEC. 17. No special assessment shall be held invalid or void be-
2 cause levied for work already done, if it shall appear that such work
3 was done under a contract which has been duly let and entered into
4 pursuant to a resolution of necessity providing that such improve-
5 ment should be constructed and paid for by special assessment, and
6 that the work was done under the direction of the civil engineer and
7 has been accepted by the council; nor shall it be a valid objection to
8 the confirmation of such new assessment that the original assessment
9 has been declared void or that the improvement as actually con-
10 structed does not conform to the description thereof as set forth in
11 the original resolution of necessity, if the improvement so constructed
12 is accepted by the city council.

1 SEC. 18. City employees or any property owner or his attorney
2 shall have access to all public records for determining assessed values,
3 descriptions and other information desirable for the proper perform-
4 ance of their work. The city council and city officials shall be entitled
5 to the full cooperation of all public employees without additional com-
6 pensation therefor.

7 The chief clerk of the department of streets and public improve-
8 ments shall prepare and have on file with the city clerk at the time
9 the resolution of necessity is originally considered, a schedule show-
10 ing the total amount of unpaid special assessments against each lot,
11 part of lot or parcel of real estate proposed to be further assessed,
12 and showing all assessed properties sold at or subject to tax sale, and
13 the same shall be exhibited to the court.

1 SEC. 19. After ten years and 7 months from the date of recertifica-
2 tion of any schedule by the county auditor to the county treasurer
3 for the collection of any assessment, if all bonds, interest, penalties,
4 deficits, defaulted installments and proper charges against the pro-
5 ceeds of the collection of any assessment for any public improvement
6 are fully paid, then the balance remaining in said fund shall be re-
7 bated to the property owners named in the original schedule of
8 assessments, who have paid their assessments in full, in the propor-
9 tion that any assessment bears to the whole assessment. If, at the
10 end of the eleventh year from the first day of April following the
11 recertification of the levy of an assessment to the county treasurer,
12 there is still a balance remaining in said fund so collected from said
13 assessment, after allowing for the retirement of all bonds, interest,
14 and proper charges, then said property owners so failing to collect

15 the same shall forfeit all right and title to the same, and said fund
16 shall be transferred to the consolidated improvement fund.

1 SEC. 20. A definite plan for the payment of the proportion of the
2 cost of any public improvement properly chargeable to the city, shall
3 be outlined by the city treasurer and set forth in the resolution of
4 necessity. The city's proportion shall be included in the proposed
5 assessment schedule, and may be payable out of the proper fund in
6 annual installments, or otherwise as the city treasurer may indicate.

1 SEC. 21. Any public improvement heretofore begun under any
2 existing law shall be prosecuted to completion as now provided by
3 law, irrespective of the provisions hereof.

1 SEC. 22. The city council shall authorize the issuance of bonds,
2 payable only out of the proceeds received from the collection of the
3 special assessments upon any improvement. The city treasurer shall
4 determine whether the contractor shall be paid in cash or bonds. It
5 shall be optional with the city council to fix the rate of interest on
6 such bonds at any rate not exceeding six (6) per cent. Bonds shall
7 mature June 1st in the year in which installments thereof become
8 due.

9 Bonds may be sold by the city treasurer at not less than par, and
10 proceeds equal to the contract price delivered to the contractor in
11 full payment and satisfaction of his contract. The proceeds of bonds
12 equal to incidentals shall be distributed as hereinafter provided. Bonds
13 may be delivered at not less than par to the contractor in the aggregate
14 sum of the contract price, plus incidentals, in full payment and
15 satisfaction of said contract price, and the said contractor shall pay
16 to the city treasurer in cash the amount represented by incidentals.
17 The city treasurer shall promptly reimburse the funds from which
18 the items constituting said incidentals were originally paid. Deficits
19 and defaulted payments in installments of any special assessment
20 shall be payable out of the funds in the hands of the city treasurer,
21 received from any special assessment in excess of moneys paid in
22 fulfillment of the contract and incidentals. Deficits and defaulted
23 payments upon installments of special assessments with interest,
24 shall not be payable from the funds in the hands of the city treasurer
25 until ninety days after said deficits and defaulted payments become
26 delinquent. Said bonds shall be entitled to such tax exemption privileges
27 as may be provided by general law of the state with respect to
28 similar obligations of any municipality.

1 SEC. 23. No person, firm or corporation accepting the bonds as provided
2 herein, shall have any claim or lien upon the city in any event
3 for the payment of such bonds or the interest or penalties thereon,
4 except from the collections of the assessment against which said bonds
5 are issued, or from any balance remaining in the consolidated improvement
6 fund, and a municipality shall not be liable to the holders
7 of said bonds in case of failure to collect the same, but shall with all
8 reasonable diligence so far as it can legally do so cause a valid special
9 assessment to be levied and collected to pay said bonds until all bonds
10 shall be fully paid from said assessments or the proceeds thereof.

1 SEC. 24. All necessary proceedings, forms and requirements not

2 included in or contemplated or regulated by the provisions hereof,
 3 shall be in accordance with the provisions of the general law of the
 4 state relating to the same subject matter, including definitions and
 5 regulations relating to valuations, benefited property, estimates, as-
 6 sessments, plans, specifications, schedules, resolutions, protests, ob-
 7 jections, remonstrances, maintenance, bids, deposits, contracts, bonds
 8 or the form of improvement bonds issued in payment for any such
 9 public improvement.

1 SEC. 25. In the event of conflict between any provision hereof, and
 2 any provision of any general law of the state pertaining to the same
 3 subject matter, this act shall prevail, and in the event of any conflict
 4 between the provisions hereof and the provisions of chapter 326 of
 5 the 1927 code, the provisions of this act shall prevail.

1 SEC. 26. In the event that any section or sections of this act shall
 2 be declared unconstitutional by the supreme court of this state, such
 3 declaration or decision shall have no effect upon the remaining sec-
 4 tions hereof.

1 SEC. 27. This act shall not affect any right, remedy or cause of
 2 action accrued or now pending, or growing out of any improvement
 3 or assessment made under any prior law.

4 The words "city" or "city council" when used herein shall be con-
 5 strued to refer to a city or council thereof referred to or designated
 6 in section 1 of this act.

1 SEC. 28. This act, being deemed of immediate importance, shall be
 2 in full force and effect from and after its passage and publication in
 3 the Plain Talk, a newspaper published at Des Moines, Iowa, and the
 4 Ottumwa Daily Courier, a newspaper published at Ottumwa, Iowa.

Senate File No. 276. Approved April 4, A. D. 1929.

I hereby certify that the foregoing act was published in the Des Moines Plain Talk
 April 11, 1929, and the Ottumwa Daily Courier April 8, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 195

BRIDGES

AN ACT to authorize and empower cities, including cities under the commission plan, to acquire by purchase, condemnation, bargain and sale, lease, sub-lease, gift or otherwise, and to construct and contract for the construction of bridges within the city limits and five (5) miles outside thereof, within the state of Iowa and any adjoining state, and across any navigable or non-navigable stream forming the boundary between such states, and thereafter to repair, maintain, extend, renew, reconstruct, replace, extend, enlarge, mortgage, lease, use and operate such bridges as toll or free bridges for public use and travel of all kinds, and to fix the rates of toll and charges for use thereof, and grant franchises thereon or thereover, and to exercise such powers through the governing body of the city or any committee thereof or through a bridge commission as provided for in this act; and to exercise such powers independently or in co-operation with or aid of similar action by any other city or county in Iowa or an adjoining state or by such states or the government of the United States; and granting the power to convey such bridges or assign such rights, subject to conditions set forth herein; and providing the method of acquiring existing bridges by purchase or condemnation; and authorizing the issu-

ance of different kinds of bonds for the purposes authorized by this act in the manner and subject to the conditions set forth in this act; and providing for the protection of bond purchases by restricting the power to amend, alter or repeal this act and by restricting the right to build competing bridges; and providing the method and extent of collecting tolls; and providing for the creation of bridge commissions for independent or joint exercise of powers herein conferred, and setting forth the powers, duties and method of proceeding and dissolution of such commissions; and providing the power and method of acquiring property by purchase or condemnation, the removal of obstructions, the payment of damages, the restoration of public works; and providing that the powers herein granted and procedure herein provided for are not exclusive but are supplementary; and declaring an emergency.

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

1 **SECTION 1. Principal grant of power.** Any city in this state, in-
2 cluding cities under the commission plan, is hereby authorized and
3 empowered to acquire by purchase, condemnation, bargain and sale,
4 lease, sub-lease, gift or otherwise, any existing bridge, including
5 approaches and avenues, rights of way or easements of access to
6 approaches, necessary real and personal property incident thereto
7 and franchises, special privileges, leases and contracts in connection
8 with such bridges, and to so acquire any bridge and aforesaid facil-
9 ities; and is also authorized and empowered to construct and con-
10 tract for the construction of, and to acquire by purchase, lease, sub-
11 lease, gift or otherwise, bridges, including all of aforesaid appur-
12 tenances, facilities and property; and is also authorized and em-
13 powered thereafter to repair, maintain, extend, renew, reconstruct,
14 replace or enlarge and to mortgage or lease and to use and operate
15 any such bridges as toll or free bridges, either or both from time
16 to time, for public use and travel of all kinds by railroads, street
17 railways, bus lines, vehicles and pedestrians and other uses, any or
18 all as may be determined by the governing body of the city, and to
19 use same for public utility purposes, and to fix the rates of toll or
20 the charges for the use of same, and to grant non-exclusive fran-
21 chises for use of same for public utility purposes upon such terms
22 and conditions as may be prescribed by ordinance, and to exercise all
23 such powers within the city limits and five (5) miles outside there-
24 of within the state of Iowa, and any adjoining state, but only across
25 any navigable or non-navigable stream forming the boundary be-
26 tween such states, after having obtained any authority which may
27 be necessary from such states and the United States, and to exercise
28 such powers either directly through the governing body of the city
29 or any committee thereof or through a bridge commission created
30 as in this act provided, or part any one and part any other.

1 **SEC. 2. Joint power.** Any power in this act granted to the city
2 may be exercised by the city independently or in cooperation with
3 or aid of similar action by any other city or any county in Iowa, or
4 any city or county in an adjoining state, or the state of Iowa or any
5 adjoining state or states, or the government of the United States
6 where such other political unit has been authorized by law to ex-
7 ercise the necessary powers. Such joint action may be directly by
8 the governing body of the city or through the medium of a joint
9 bridge commission subject to the same conditions provided in this
10 act for independent action.

1 **SEC. 3. Utility franchises for use of bridge.** The cities specified
2 in this act through the governing bodies thereof are authorized and
3 empowered to grant franchises for the non-exclusive use of the
4 bridges acquired under this act to public utilities upon such terms,
5 conditions and for such consideration as such cities may impose
6 whether incident to or part of the purchase of an existing bridge
7 and rights of utilities in connection therewith, or otherwise, and
8 thereafter to extend the duration or to amend the terms and con-
9 ditions thereof. Any such grant shall be made by the city council
10 by ordinance and no vote of the electors of the city shall be re-
11 quired. In no case shall such a grant be made by any bridge com-
12 mission.

1 **SEC. 4. Conveyance of bridge.** In the event that the state of
2 Iowa, an adjoining state, the government of the United States,
3 either, any or all of them should agree to take over any bridge ac-
4 quired by the city under this act and thereafter maintain and operate
5 same as a free public bridge at its or their expense, then such city
6 is authorized to convey such bridge on such conditions to such party
7 or parties.

1 **SEC. 5. Power to assign rights.** Any such city may grant the ex-
2 clusive right to purchase an existing bridge or to construct a new
3 bridge and to maintain any such bridge within a distance not exceed-
4 ing one (1) mile on each side of the bridge to be so purchased or
5 constructed, for the period necessary to reimburse cost plus not ex-
6 ceeding eight per centum (8%) thereof for financing charges, to-
7 gether with interest upon said cost and charges, but in no event to
8 exceed ten (10) years, subject to the conditions that at the termina-
9 tion of which period, such bridge shall become the sole property of
10 the public and thereafter be maintained and operated by the city
11 as a toll or free bridge as such city may determine from time to
12 time in harmony with the other provisions of this act and the laws
13 of the United States. Such grant shall be made in the manner and
14 subject to the same conditions as may be provided by law for the
15 granting of franchises. Any such grant or assignment shall by
16 operation of law be subject to the following conditions; the number
17 of officers and employees and the salaries, wages or compensation
18 thereof shall be reasonable; no person shall be permitted free use
19 of the bridge or use at discriminatory tolls; tolls shall be both ade-
20 quate to hasten payment for the bridge and reasonable to the pub-
21 lic; financing costs shall be reasonable and the city may impose re-
22 quirements and safeguards as to the conservation of funds and in-
23 surance of property; complete statements of operations and finances
24 shall be filed with the city clerk on bond interest dates upon com-
25 pletion of the bridge and upon delivery of same to the city; and
26 the city shall have power to require or itself perform audits and
27 examine the books and call for any reports at any time. The city
28 may enforce these obligations in any court of competent jurisdiction.
29 In any such assignment, same shall by operation of law be subject
30 to the conditions that the plans and specifications, the location, size,
31 type and method of construction, the boundaries and approaches
32 and the estimates of cost of construction and acquisition shall be
33 first submitted to the governing body of the city and receive its ap-

34 proval before any construction shall be commenced or any contract
35 for construction or for financing construction shall be entered into.

1 **SEC. 6. Existing bridge—purchase, lease or sub-lease.** If any
2 such city shall desire to purchase, lease, or sub-lease any existing
3 bridge, and shall have received any such authority as may be neces-
4 sary from the government of the United States, the governing body
5 thereof may determine the fair value thereof, including all interests
6 of every nature therein, and may by written resolution tentatively
7 offer the owners thereof jointly the price so determined, and if all
8 such owners, within ninety (90) days thereafter, shall file with the
9 city clerk of such city a duly authorized and properly executed writ-
10 ten tentative acceptance of such offer, binding themselves to accept
11 same and assign such lease or sub-lease or convey good and complete
12 title by warranty deed when and if the electors of said city shall
13 authorize such purchase and the necessary funds shall be provided
14 therefor, then upon the filing of such acceptance, the governing body
15 of the city may submit to the electors thereof, at a special election
16 called for that purpose or at any general or city election, within one
17 hundred twenty (120) days after the filing of such acceptance, the
18 question whether such purchase shall be made at the price stated
19 on the ballot and the governing body of the city be authorized to
20 issue bonds of the kind or kinds stated in the proposition and in
21 any such amount as may be required to provide the necessary funds,
22 and the proposition so submitted shall be carried if the majority of
23 the electors voting on such proposition shall vote in favor thereof,
24 and the tentative acceptance of the owners of such bridge shall then
25 become final and binding upon them and may be enforced in any
26 court of competent jurisdiction. Title to and possession of the bridge
27 shall pass upon payment of the consideration therefor. Such pur-
28 chase may also be made subject to existing mortgages and the as-
29 sumption of outstanding bonds. If repairing, reconditioning and re-
30 construction shall be necessary to place any bridge so purchased or
31 to be purchased in safe, efficient or convenient condition, the gov-
32 erning body of the city may cause the estimated cost thereof to be
33 included as a part of the cost of such bridge in submitting the
34 proposition of purchase to the electors, or without submitting such
35 additional cost shall, when the purchase has been authorized by the
36 electors, be empowered to issue additional bonds to provide funds
37 for that purpose in an amount not to exceed fifteen per centum
38 (15%) of the purchase price of the bridge. If within ninety (90)
39 days after this act shall have become effective, the governing body
40 of any such city shall not have made any offer to purchase an exist-
41 ing bridge, or shall have made an offer which shall have been re-
42 jected by the owners of such bridge, then the owners thereof shall
43 be authorized to submit to the city an offer for the sale, lease or
44 sub-lease thereof, and such offer shall within ninety (90) days after
45 its filing with the city clerk and approval by the corporation counsel
46 or city attorney, be submitted by the governing body of the city to
47 the electors of the city at a general or city election, held within
48 that period, or at a special election called for that purpose, provided
49 that the owners of the bridge shall agree to pay all of the costs of
50 such submission to the electors and shall adequately secure such

51 payment at the time of the filing the offer with the city clerk. The
52 form of such offer and execution thereof shall be subject to the ap-
53 proval of the corporation counsel or city attorney of the city who
54 shall also prepare the proposition to be submitted to the electors in
55 proper legal form. The proposition submitted to the electors shall
56 include all necessary provisions for financing such purchase, lease
57 or sub-lease, and the governing body of the city may itself determine
58 the method of such financing and the kind of bonds to be issued in
59 connection therewith and provide for same in the proposition to be
60 submitted, or the governing body of the city may submit to the
61 electors the question as to which kind of bonds shall be issued for
62 that purpose. Such offer of the owners of such bridge shall be
63 binding upon them, their successors and assigns and all parties in in-
64 terest unless and until same has been rejected by the electors at the
65 election herein provided for. Any question submitted at such elec-
66 tion shall be carried if the majority of the electors voting on such
67 question shall vote in favor thereof. Title to the bridge and the
68 right to the possession thereof shall vest in the city upon proper
69 legal tender of payment in accordance with the offer so submitted
70 and authority granted by the electors. The acceptance of such offer
71 by the electors shall carry with it the authority hereinbefore pro-
72 vided in this section for the provision of funds for repairs, recon-
73 ditioning or reconstruction. At any time during the period of thirty
74 (30) days after the form of any such offer shall have been approved
75 by the corporation counsel or city attorney of the city, the govern-
76 ing body of such city shall have the right to make a counter offer to
77 the owners of such bridge, and if within that period such offer shall
78 be accepted as hereinafter provided in this section then the offer
79 made by the owners of the bridge and proceedings pursuant thereto
80 herein provided for, shall be abandoned; but if such counter offer
81 shall not be accepted, then the governing body of the city shall pro-
82 ceed with the submission of the offer of the owners of the bridge.
83 During the period of ninety (90) days after the filing of an offer by
84 the owners of the bridge and the approval of the form thereof, the
85 governing body of the city is authorized to hold such public hearings
86 as it may deem advisable, and is empowered to require the disclosure
87 of complete information by the owners of the bridge, and to require
88 the attendance of witnesses and take testimony under oath, and to
89 employ experts and to investigate all matters which may assist the
90 governing body or the electors in determining the questions pre-
91 sented by or growing out of the offer so made. Upon approval by
92 the corporation counsel or city attorney of the form of offer made
93 by the owners of the bridge, such offer shall be published by the
94 city in an official newspaper published in said city, upon three con-
95 secutive days. After the corporation counsel or city attorney and
96 the governing body of the city shall have approved the final form in
97 which the offer and proposition is to be submitted to the electors,
98 the city shall cause such proposition to be published on three con-
99 secutive days in an official newspaper published in said city to be
100 completed not less than ten (10) days before the date of the election.
101 At the same election at which an offer to sell an existing bridge
102 made by the owners thereof shall be submitted, the governing body
103 of the city is also authorized to submit at the expense of the owners

104 of the bridge an alternative proposition to authorize the construction
105 of a new bridge at an estimated cost to be stated in the proposition
106 and the financing thereof as elsewhere provided for in this act for
107 new bridges. The governing body of the city may also submit inde-
108 pendent propositions for the construction of one or more new
109 bridges as well as the purchase of an existing bridge at the same
110 election and at the expense of the owners of the existing bridge.
111 The governing body of the city may also, at the same election and
112 at the cost of the owners of the bridge offered for sale, submit the
113 proposition so that the construction of a new bridge shall be au-
114 thorized only in the event the purchase of the existing bridge shall
115 not be authorized by the electors or the delivery of title and posses-
116 sion shall be unreasonably delayed for any cause. The offer by the
117 owners of the bridge as herein provided for may also be made in
118 any city authorized by the act independently or jointly to such city
119 and any other legally empowered political sub-division in this or an
120 adjoining state, but in such event the time periods provided for in
121 this section to govern the procedure for submission to the electors
122 shall not so run, nor shall the obligation to submit the offer to the
123 electors accrue unless and until the political sub-divisions shall have
124 entered into joint contract governing the conditions of purchase and
125 subsequent control and operation in the event the offer shall be
126 legally accepted in the manner provided by the law applicable in
127 each such political sub-divisions. The acceptance by the electors of
128 any offer of the owners of the bridge shall by operation of law au-
129 thorize the governing body of the city in its discretion to subse-
130 quently enter into contract with another properly authorized
131 political subdivision in this or an adjoining state to share the cost
132 and the title and control of the bridge so acquired. The owners of
133 a bridge for which an offer is made or by whom an offer is made
134 shall be required to disclose full information as to title and all in-
135 terest therein, and in the event of the purchase of any such bridge
136 shall be required to deliver good title by warranty deed.

1 **SEC. 7. Existing bridge—condemnation.** If any such city shall
2 desire to acquire any existing bridge or lease thereof or all interest
3 therein by the exercise of the power of eminent domain, and shall
4 have received any such authority as may be necessary from the gov-
5 ernment of the United States, it may exercise such power in the
6 following manner, or in such manner as congress may require. The
7 governing body of the city shall in a proposed resolution declare such
8 desire and purpose and request the appointment of commissioners
9 of condemnation as herein provided and shall fix the time for con-
10 sideration of the proposed resolution, at which time any person
11 interested may appear and be heard or may file written objections
12 to the passage of the resolution. The governing body of the city
13 shall cause notice of the time when said resolution will be considered
14 by it for passage to be given by two (2) publications in some news-
15 paper published in the city, the last of which shall be not less than
16 two (2) weeks nor more than four (4) weeks prior to the day fixed
17 for its consideration. Upon the passage of such resolution, a cer-
18 tified copy thereof shall be filed with the chief justice of the supreme
19 court of the state and said chief justice shall, within ten (10) days

20 thereafter, fix a time for action upon said resolution and give notice
21 to the city and the parties in possession of said bridge, by registered
22 mail, specifying the time and place of hearing fixed by the said chief
23 justice. When the time for hearing shall have arrived the chief
24 justice shall proceed and appoint three (3) competent and disin-
25 terested appraisers, at least two (2) of whom must be residents of
26 the state, said appraisers to act as a commission of condemnation,
27 and shall enter an order requiring said commissioners to attend as
28 such commission of condemnation, at the county seat of the county
29 in which said city is located, within ten (10) days after their ap-
30 pointment. Said commissioners of condemnation shall qualify by
31 filing with the clerk of the district court in and for the county in
32 which they are to act, a written oath that they will to the best of
33 their ability, perform faithfully and impartially all the duties re-
34 quired of them by this act. Said commission, when it meets to
35 organize pursuant to the order of the said chief justice or at any time
36 during the proceedings, which may be adjourned from time to time
37 for any purpose, may fix the time for the appearance of any person
38 or persons that any party to the proceedings desires to have joined
39 in the proceedings and whom the commission deems necessary. The
40 time for appearance shall be sufficiently remote to serve notice upon
41 such parties, but if the time for appearance occurs after the pro-
42 ceedings are begun such proceedings may be reviewed by the com-
43 mission to give all parties a full opportunity to be heard. Persons
44 not voluntarily appearing, but having any right, title or interest in
45 or to the property which is the subject of condemnation, or any part
46 thereof, who are to be made parties to the proceedings shall be
47 served with notice thereof and of the time and place of meeting of
48 said commission in the manner and for the same length of time as
49 for the service of original notice, either by personal service or by
50 service by publication, the time so set, being the time at which the
51 parties so served are required to appear, and actual personal service
52 of the notice within or without the state shall supersede the neces-
53 sity for publication. The commission of condemnation appointed
54 hereunder shall have power to summon and swear witnesses, take
55 evidence, order the taking of depositions, require the production of
56 books and papers and may appoint a shorthand reporter. The com-
57 mission of condemnation shall select some suitable person to act as
58 clerk and the records kept by such clerk shall constitute the of-
59 ficial records of the commission. In the event of a vacancy on the
60 commission of condemnation such vacancy shall be filled in the man-
61 ner in which the original appointments were made and when neces-
62 sary, by reason of such vacancy, the commission may review any
63 evidence in its record. All acts, including final report shall be by
64 a majority of such commission. Such commission of condemnation
65 authorized hereby shall determine the value of such bridge, the
66 rights thereunder sought to be appropriated, and make its report in
67 writing, presenting its findings, within one hundred twenty (120)
68 days after its organization, and which report shall be filed with the
69 clerk of the district court of the county in which such city is located.
70 Within ninety (90) days after the filing of the report by said com-
71 mission if the said city elects to proceed further, the governing body
72 of the city shall introduce an ordinance providing for the submission

73 to the electors of the city the question whether such award shall
74 be confirmed and the property be taken and bonds of the kind or
75 kinds determined by the governing body of the city and stated upon
76 the ballot shall be issued in the amount of said award, such propo-
77 sition to be submitted within ninety (90) days after said ordinance
78 becomes effective at a special election called for that purpose or at
79 any general or city election, and shall be carried if a majority of
80 the electors voting thereon shall vote in favor thereof. If such
81 proposition is carried, title to the property to be appropriated shall
82 at once vest in said city, and the right to possession shall vest in
83 said city as soon as money in the amount of said award is on deposit
84 with the city treasurer and warrants for the disbursement thereof
85 are available and the interested parties have been notified to that
86 effect provided there exists no actual or legal obstacle to immediate
87 payment. In the event of an appeal, the sum representing the award
88 or awards involved in such appeal or appeals, shall not be paid but
89 shall be invested by the city treasurer in bonds of the United States
90 government or in securities designated by the owner of the property
91 taken, at their own risk, and which shall be held in trust until the
92 final disposition of the appeal, the interest on such bonds to be in
93 lieu of interest upon the award. The governing body of the city is
94 authorized, without a further vote of the electors to issue additional
95 bonds in the amount necessary to pay interest on the award and all
96 costs of the proceedings and any increased interest and costs upon
97 appeal. If the proposition so submitted at the election has been car-
98 ried, any or all of the persons whose property or interest has been
99 taken may appeal from the finding of value and award within twenty
100 (20) days after the canvass of the election to the district court of the
101 county in which such city is located, by the filing of a petition for
102 appeal with the clerk of said court and by the filing of a bond with
103 said clerk to be approved by him, conditioned for the payment of all
104 costs which may be incurred on any such appeal. The clerk of the
105 district court shall immediately docket said cause and the parties
106 shall proceed in all respects in the trial of said cause in the manner
107 as though said action had been originally instituted in said district
108 court. The party appealing, shall, within such time as the district
109 court shall order, file with the clerk of said court a complete trans-
110 script of all of the proceedings had before the commission of con-
111 demnation and either party may use, in the trial of said cause, any
112 portion or all of said transcript. The costs of the proceedings before
113 the commission of condemnation, including compensation or fees of
114 the commissioners shall be paid by the city. In the event of an ap-
115 peal from the award on condemnation the costs shall be taxed and
116 paid as the court may order. The district court of the county in
117 which the proceedings are had shall have jurisdiction upon appli-
118 cation by the commissioners to fix the amount of their compensation.
119 Upon such appeal the court may increase or decrease the amount of
120 the award. No such appeal shall delay the passage of the title or
121 right of the city to possession of the property condemned. In the
122 event the amount of such award is increased upon appeal, the
123 amount of such increase shall be paid with interest thereon at the
124 rate of six per centum (6%) per annum from the date the city took
125 possession of the property until paid. The governing body of the

126 city is authorized without a further vote of the electors to issue such
127 additional bonds as may be necessary to pay interest on the awards,
128 costs on appeal, and any amount by which the award may be in-
129 creased upon appeal.

1 **SEC. 8. Preliminary expense—tax—bonds.** Cities may levy a tax
2 of not to exceed one mill on the dollar on the taxable valuation of
3 such city, to be levied, collected and appropriated solely to finance
4 preliminary work, including investigation, soundings, employment
5 of engineers and architects, securing of estimates and any other
6 useful work, or appropriate expense in connection with the proposed
7 acquisition, or construction or purchase of any bridge or bridges
8 and the preliminary financing thereof, and notwithstanding any
9 limitation now or hereafter imposed by law upon the limit of in-
10 debtedness, except constitutional limitation, may anticipate such
11 tax and issue bonds with interest coupons maturing in not less than
12 five (5) years, and the provisions of chapter three hundred twenty
13 (320) of the code, 1927, shall be operative as to such bonds and
14 coupons, insofar as they may be applicable and except as set forth
15 in this section. The amount of such bonds may be included as a
16 part of the cost of the bridge and may be repaid out of the proceeds
17 of any bonds issued for permanent financing.

1 **SEC. 9. Power to issue bonds.** To finance any of the purposes
2 or powers provided for in this act, the city council or governing
3 body of any such city shall in the first instance determine whether
4 any purchase, condemnation or construction authorized by this act
5 shall be financed by bonds which are general obligations of the city
6 and which may also be supported by a lien or mortgage on the bridge
7 itself or upon the tolls to be derived therefrom, or both, or by reve-
8 nue bonds as provided for in this act and which are charges solely
9 against the revenue to be derived from such bridge through the col-
10 lection of tolls, or part one kind of bonds and part the other, but
11 shall not have authority to purchase, condemn nor construct any
12 bridge, nor to issue any bonds, except preliminary bonds specially
13 authorized by this act, until first authorized by the majority vote
14 of the electors voting on such proposition, which proposition shall
15 indicate the method of acquiring the bridge and the kind or kinds
16 of bonds, at a special election called for that purpose or at any
17 general or city election. This grant of power to issue bonds is in
18 addition to any other which may now have been or hereafter may be
19 conferred upon such city, and shall be free from the restrictions
20 now imposed on cities upon the issuance of bonds and incurring of
21 indebtedness, and subject only to the provisions of the constitution
22 of Iowa. At such election the proposition shall be separate as to
23 each bridge to be acquired or constructed and the amount of bonds
24 may be either a specific amount equal to the estimated total cost of
25 every nature plus not to exceed twenty-five per cent (25%), or may
26 be general and authorize the issuance of bonds in such amount as
27 may be found necessary from time to time to complete the acquisi-
28 tion, construction and equipment of the bridge and all costs incident
29 thereto, or may be part one and part the other. For all purposes of
30 financing, the total cost of any improvement authorized by this act
31 may include every item of expense in connection with the project,

32 and among other items shall also include the cost of acquiring every
33 interest of every nature and of every person in any existing bridge,
34 the cost of constructing the superstructure, roadway and sub-
35 structure of any bridge, the approaches, and avenues or rights of
36 way of access thereto and necessary real estate in connection there-
37 with, toll houses and equipment thereof and of the bridge, fran-
38 chises, easements, rights or damages incident to or consequent upon
39 the complete project, expenses preliminary to construction, including
40 investigation and expenses incident thereto, and prior to and during
41 construction the proper traffic estimates, interest upon bonds and
42 all such other expenses as after the beginning of operation would
43 be properly chargeable as cost of operation, maintenance and repairs.

1 **SEC. 10. Revenue bonds.** Cities, including cities under the com-
2 mission plan are hereby authorized to provide funds for the pur-
3 poses of this act by the issuance of revenue bonds of such cities, the
4 principal and interest of which bonds shall be payable solely from the
5 special funds herein provided for such payment and as to which, as
6 shall be recited therein, the city shall incur no indebtedness of any
7 kind or nature and to support which the city shall not pledge its
8 credit nor its taxing power nor any part thereof. Such revenue
9 bonds shall bear interest at not more than six per centum (6%)
10 per annum, payable semi-annually, and shall mature in not more
11 than twenty (20) years from their date or dates and may be made
12 redeemable at the option of the city issuing the same at not more
13 than the par value thereof plus a premium of five per centum (5%)
14 under such terms and conditions as the governing body of the city
15 may fix prior to the issuance of such bonds. The governing body
16 of the city shall provide the form of such bonds, including coupons
17 to be attached thereto to evidence interest payments, which bonds
18 shall be signed by the mayor and countersigned and registered by
19 the city treasurer, under the city's seal, and which coupons shall
20 bear the facsimile signatures of said mayor and the city clerk, and
21 shall fix the denomination or denominations of such bonds and the
22 place or places of payment of principal and interest thereof, which
23 may be at the office of the city treasurer and/or any bank or trust
24 company in the state of Iowa, or in the city of New York, state of
25 New York. The governing body of the city may provide for the
26 registration of such bonds in the name of the owner as to the prin-
27 cipal alone or as to both principal and interest. Such bonds may be
28 sold in such manner as the governing body of the city may determine
29 to be for the best interests of the city, taking into consideration the
30 financial responsibility of the purchaser and the terms and conditions
31 of the purchase and the availability of the proceeds of the bonds
32 when required for the payment of the cost, such sale to be at not
33 less than ninety-two cents (92c) on the dollar and accrued interest.
34 The proceeds of such bonds shall be deposited in the first instance,
35 with the city treasurer and thereafter with such depositories as the
36 bridge commission shall direct and the governing body of the city
37 shall approve, and shall be secured in such manner and to such ex-
38 tent as the governing body of the city and the bridge commission
39 shall require, and shall be used solely for the payment of the cost
40 of the bridge or bridges and costs incident thereto as provided for

41 in this act, and be drawn upon over the signatures of the chairman
42 or vice chairman of the bridge commission and the secretary and
43 treasurer thereof, and under such further restrictions, if any, as the
44 governing body of the city may provide. If the face amount of such
45 bonds, less any discount on the sale thereof, shall exceed such cost,
46 the surplus shall be paid into the fund hereinafter provided for pay-
47 ment of the principal and interest of such bonds. The governing
48 body of the city shall have the right to purchase for investment of
49 other funds, and the bridge commission and the governing body of
50 the city shall have the right to purchase for retirement and cancel-
51 lation any of such bonds that may be outstanding at the market
52 price, but at not exceeding one hundred and five and accrued interest
53 nor exceeding the price, if any, at which the same shall in the same
54 year be redeemable, but all bonds redeemed or purchased out of
55 funds provided by the sale of bridge bonds provided for in this act
56 shall forthwith be cancelled and shall not again be issued. Prior
57 to the preparation of definitive bonds the governing body of the
58 city may, under like restrictions, issue temporary bonds with or
59 without coupons, exchangeable for definitive bonds upon the issu-
60 ance of the latter. The governing body of the city may enter into
61 an agreement with any competent trust company as trustee for the
62 holders of such bonds, setting forth the duties of the city and the
63 bridge commission in respect to the construction, maintenance,
64 operation and insurance of any such bridge, the conservation and
65 application of all funds, the insurance of moneys on hand or on de-
66 posit and the rights and remedies of said trustee and the holders of
67 such bonds, and restricting the individual right of action of bond-
68 holders as is customary in trust agreements respecting bonds of
69 corporations. Said trust agreement may contain such provisions
70 for protecting and enforcing the rights and remedies of the trustee
71 and the bondholders as may be reasonable and proper, and also a
72 provision for approval by the original bond purchasers of the ap-
73 pointment of consulting engineers and of the security given by the
74 bridge contractors and by any bank or trust company in which the
75 proceeds of bonds or bridge tolls or other monies of the bridge
76 commission shall be deposited, and may provide that no contract for
77 construction shall be made without the approval of the consulting
78 engineers. No such bonds shall be issued unless and until the is-
79 suance of same shall have been submitted by the governing body
80 of the city to the electors thereof and authorized by the vote of the
81 majority voting on such proposition at a special election called for
82 that purpose or at any general or city election. At such election the
83 proposition shall be separate as to the bonds for each bridge to be
84 acquired or constructed and the amount of bonds may be either a
85 specific amount equal to the estimated total cost of every nature
86 plus not to exceed twenty-five per cent, (25%), or may be general
87 and authorize the issuance of bonds in such amount as may
88 be found necessary from time to time to complete the acquisition,
89 construction and equipment of the bridge and all costs incident
90 thereto, or may be part one and part the other. The bonds authorized
91 by this section may, at the option of the governing body of the
92 city, be supported by mortgage and deed of trust.

1 **SEC. 11. Protection of bondholders.** Neither the state of Iowa,
2 nor any political subdivision thereof shall limit or restrict the rights
3 and powers granted in this act to the detriment of owners of out-
4 standing bonds authorized hereby, nor shall such state or political
5 subdivision authorize the construction or itself construct any com-
6 peting bridge within a distance of less than one mile on either side of
7 any bridge acquired under this act unless and until all of such bonds,
8 together with the interest thereon have been fully paid and cancelled,
9 unless other adequate provision shall have been made for the pro-
10 tection and guaranty thereof.

1 **SEC. 12. Tolls.** The rates of tolls to be charged for the use of any
2 bridge acquired or constructed under the provisions of this act shall
3 be fixed and adjusted as may be required by any law of the United
4 States now in force or hereafter to be enacted, and shall be so fixed
5 and adjusted as to provide a fund sufficient to pay the interest and
6 principal of any bonds issued under this act, and to provide an addi-
7 tional fund to pay the cost of maintaining, repairing and operating
8 such bridge, and may also provide a reserve fund reasonably suffi-
9 cient to provide for the cost of the continued operation, supervision,
10 maintenance and repair of said bridge or bridges for a period not to
11 exceed twenty-five (25) years after the removal of toll charges.
12 After the provisions of said funds have been completed, such bridge
13 or bridges shall thereafter be maintained and operated free of toll
14 unless or until the charging of reasonable tolls may be continued or
15 resumed by the governing body of the city or its commission in order
16 to finance reconstruction, extension, enlargement, replacement or
17 renewal of that particular bridge or in aid of the acquisition, con-
18 struction, reconstruction, extension, enlargement, replacement or re-
19 newal of any other bridge owned in whole or in part by said city.
20 The owners of outstanding bonds issued to finance the bridge, or the
21 authorized trustee therefor, shall have the right to compel the fixing
22 of adequate tolls by application to any court of competent jurisdic-
23 tion. In case the city is at the same time providing for the payment
24 of more than one bridge through the collection of tolls, the tolls upon
25 such bridges may be maintained and adjusted so that each bridge
26 shall assist the financing of the other.

1 **SEC. 13. Bridge commission.** When it has been determined by
2 the city council or the governing body of any such city, by resolution
3 or ordinance in the exercise of its discretion, that in the exercise of
4 the powers conferred by this act, it is expedient to create a bridge
5 commission, the mayor of such city, with the approval of the govern-
6 ing body of the city, shall appoint four persons, who with the mayor,
7 ex-officio, shall constitute a bridge commission which shall be a
8 police body corporate and politic under the name of (insert name
9 of city) bridge commission and shall have power to contract, to sue
10 and be sued and to adopt a seal and alter same at pleasure, but
11 shall not have power to pledge the credit or taxing power of the city.
12 No officer or employee of said city, except the mayor thereof
13 whether holding a paid or unpaid office shall be eligible to hold an
14 appointment on said commission. Such appointees shall be originally
15 appointed for terms of four (4) years. Upon the expiration of such
16 terms, appointments shall be made in like manner for terms of four

17 (4) years. Not more than two of such appointees shall be members
18 of the same political party. Vacancies shall be filled for any un-
19 expired term in the same manner as the original appointment. Said
20 commission shall elect a chairman and a vice chairman from its
21 members and a secretary and treasurer who need not be a member
22 of such commission. The members of the commission shall receive
23 no compensation, and shall give such bond as may be required from
24 time to time by the governing body of the city. The commission shall
25 fix the compensation of the secretary and treasurer in its discretion.
26 The commission shall have power to establish by-laws, rules and
27 regulations for its own government and to make and enter into all
28 contracts or agreements necessary or incidental to the performance
29 of its duties and the execution of its powers under this act. The
30 commission may employ engineering, architectural and construction
31 experts and inspectors and attorneys, and such other employees as
32 may be necessary in its opinion, and fix their compensation, all of
33 whom shall do such work as the commission shall direct. All salaries
34 and compensation shall be obligations against and be paid from
35 funds provided under the authority of this act. The office, records,
36 books and accounts of the bridge commission shall always be main-
37 tained in the city which the commission represents. Such com-
38 mission may be charged by the governing body of the city with the
39 construction of new bridges or the operation, maintenance, repair,
40 renewal, reconstruction, replacement, extension or enlargement of
41 existing bridges, or bridges hereafter constructed.

1 **SEC. 14. Additional powers of commission.** The commission if
2 and when created is hereby authorized to prepare the necessary and
3 proper plans and specifications for the construction of such bridges
4 as may be designated by the governing body of the city, to select the
5 location for same, determine the size, type and method of construc-
6 tion thereof, to plan and fix their boundaries and approaches, to make
7 the necessary estimates of the probable cost of construction and the
8 acquisition of the land and rights for the sites of the abutments and
9 the approaches and avenues or easements of access to the bridges
10 in a manner hereinafter provided, to enter into the necessary con-
11 tracts, to build and equip the entire bridges and the approaches and
12 accesses or easements of access thereto, to build the super-structure
13 and sub-structures and all parts thereof, to obtain and exercise such
14 consent or authority as may be necessary from the government of
15 the United States and the approval of the secretary of war and chief
16 of engineers, and to cause a survey and map to be made of all lands,
17 structures, rights of way, franchises, easements or other interests in
18 lands, including lands under water and riparian rights owned by any
19 person, corporation or municipality, the acquisition of which may be
20 deemed necessary for the construction of such bridges and to cause
21 such map and survey to be filed in its office. The members of the
22 commission, or its agents and employees, may enter upon such lands
23 and structures and upon lands under water notwithstanding any
24 interests in such lands or structures, for the purpose of making
25 such surveys and maps; provided, however, that the commission
26 shall not proceed to exercise or carry out any authority or power
27 herein given it to bind said commission beyond the extent to which

28 money has been provided under the authority of this act. No con-
29 tract or agreement for the acquisition, construction, reconstruction,
30 repair, enlargement, extension, renewal, replacement or equipment
31 of such bridges exceeding in amount the sum of twenty-five hundred
32 dollars (\$2,500), shall be made without advertisement for bids, which
33 bids shall be opened publicly and an award made to the best bidder,
34 with power in the commission to reject any or all bids. The plans
35 and specifications, the location, size, type and method of construc-
36 tion, the boundaries and approaches, and the estimates of cost of
37 construction and acquisition, hereinbefore provided for in this sec-
38 tion, shall be first submitted to the governing body of the city and
39 receive its approval before final adoption by the commission, which
40 shall have no power to proceed further unless and until such ap-
41 proval has been had. No contract for acquisition, construction, or
42 incidents thereto, and no liabilities in connection therewith, shall
43 be entered into or incurred unless and until bonds to finance the
44 project have been authorized by the electors of the city in the method
45 provided in this act. The commission shall operate, manage and
46 control the bridges under its charge in their entirety, fix the rate of
47 tolls, establish by-laws and rules and regulations for the use and
48 operation of said bridges, provide for the lighting and policing
49 thereof, and select such employees as it deems necessary and fix
50 their compensation, and if and when authorized by the governing
51 body of the city shall have power to renew, replace, reconstruct,
52 extend and enlarge bridges, but shall not have power to create liens
53 upon or to mortgage any property unless first authorized by the
54 governing body of the city.

1 **SEC. 15. Record, reports, auditing, removal of members of com-**
2 **mission, etc.** The bridge commission shall keep an accurate record
3 of all its acts, the property entrusted to it, the cost of the bridge or
4 bridges and incidents thereto, the expenditures for maintaining, re-
5 pairing and operating same and the daily tolls collected, which rec-
6 ords shall be public records and property of the city. A semi-annual
7 statement shall be published on each bond interest date in the of-
8 ficial newspaper of the city. The governing body of the city shall
9 have power to examine the accounts at any time, to call for any
10 reports at any time in its discretion, and to require the commission
11 and its employees to appear before it to report or testify at any time.
12 The governing body of the city after reasonable notice and hearing
13 may at any time remove any member of the commission or discharge
14 any employee for good cause shown, but not arbitrarily nor for po-
15 litical reasons. The accounts and statements of the commission shall
16 be audited by or under the direction of the city auditor semi-annually
17 and finally upon the completion of the work of the commission and
18 at such other times as may be directed by the governing body of the
19 city, the cost thereof to be charged against the funds provided for
20 in this act. The governing body of the city, and in the absence of
21 action by it, the bridge commission, shall have power to require
22 bonds of officers and employees, to require guarantees of deposited
23 moneys, and to insure the bridges and all property connected there-
24 with against every manner of loss or injury. Funds under control
25 of the commission may be invested in certificates of deposit in na-

26 tional banks or in bonds or other evidences of indebtedness which
27 are general obligations of the United States, state of Iowa, or other
28 states, or the city or the cities co-operating as in this act provided,
29 but only in such manner as to be immediately available or re-captured
30 when needed for use for the purposes authorized in this act.

1 **SEC. 16. Acquisition of property by purchase by commission.** The
2 commission is hereby authorized to purchase in the state of Iowa and
3 in any adjoining state when authorized by such state, if such au-
4 thority be necessary, or the government of the United States, solely
5 from funds provided under the authority of this act, such lands,
6 structures, rights of way, franchises, easements or other interests
7 in lands, including lands under water and riparian rights of any
8 person, railroad, or other or public or private corporation, necessary
9 or convenient for the acquisition, construction, extension or enlarge-
10 ment of said bridges and approaches thereto upon such terms prices
11 or consideration as may be considered by it to be reasonable, and
12 can be agreed upon between it and the owner or owners, title thereto
13 to be taken in the name of and to vest in the city.

1 **SEC. 17. Condemnation of property by commission.** Whenever
2 it shall be necessary to condemn property in the state of Iowa for the
3 purpose of constructing, extending or enlarging any portion of said
4 bridges or the approaches thereto, or securing avenues of access or
5 rights of way leading to said approaches, the commission may con-
6 demn any interests, franchises, easements, rights or privileges, land
7 or improvements which may, in its opinion, be necessary for the
8 purpose of constructing said bridges or the approaches thereto, or
9 necessary for rights of way or avenues of access leading to said ap-
10 proaches. Condemnations shall be certified to the governing body
11 of the city for its action, and the method thereof shall be the same as
12 that provided by statute for the condemnation for similar or appro-
13 priate municipal purposes by cities. The commission is and shall
14 be further empowered to exercise in any adjoining state such powers
15 of eminent domain as may be conferred upon the commission by
16 any act of the congress of the United States now in force or which
17 may hereafter be enacted, or as may be authorized by the law of that
18 state. No payments of award in any condemnation proceedings or
19 for the cost of such proceedings or the expense thereof, shall be
20 made except from funds provided under authority of this act. Title
21 to property condemned shall be taken in the name of and vest in
22 the city.

1 **SEC. 18. Removal of obstructions.** All individuals or corpora-
2 tions having buildings, structures, works, conduits, mains, sewers,
3 wires, tracks, or other physical obstructions in, over, upon or ad-
4 jacent to the public streets, lanes, alleys, highways or in, under,
5 over or adjacent to the river over which the bridges are to be con-
6 structed, and which shall interfere with or impede the progress of
7 said bridges and approaches when in progress of construction and
8 establishment, shall upon reasonable notice from the commission
9 temporarily so shift, adjust, accommodate or remove the same as
10 fully to meet the exigencies occasioning such action. Upon com-
11 pletion of such construction, the actual cost thereof, if reasonable,

12 otherwise the reasonable cost thereof and other incidental damage,
13 shall be promptly paid to such person by the commission. In case of
14 disagreement as to reasonable cost, either party may appeal to the
15 governing body of the city which after reasonable notice shall hear
16 all parties and determine the proper amount and order same paid
17 at once by the commission out of funds provided for in this act,
18 persons aggrieved by such determination may appeal within twenty
19 (20) days thereafter by filing a petition in the district court of Iowa
20 in and for the county in which such city is located. Similar powers
21 may be exercised in an adjoining state if and in the manner au-
22 thorized by an act of congress or the law of that state.

1 **SEC. 19. Damage to property.** The governing body of the city
2 shall have power to appraise damages to property by reason of the
3 construction and operation of the complete bridge property and
4 appurtenances and to pay same out of funds provided for in this
5 act. Any person whose property is damaged may file claim with the
6 governing body of the city, which after reasonable notice shall hear
7 all interested parties, determine the amount of damage and order
8 the same paid by the commission out of funds provided for in this
9 act. Persons aggrieved by such determination may appeal within
10 twenty (20) days thereafter by filing a petition in the district court
11 of Iowa in and for the county in which such city is located. Similar
12 powers may be exercised in an adjoining state if and in the manner
13 authorized by an act of congress or the law of that state.

1 **SEC. 20. Restoration of public ways and works.** Any local public
2 ways or public works, including those of quasi public utilities, dam-
3 aged or destroyed by reason of the building of such bridges or ap-
4 proaches shall be restored or repaired by or at the expense of the
5 commission and placed in their original condition as near as prac-
6 ticable, or at the option of the owners of such property, the same
7 may be repaired or restored by the owner and the commission shall
8 reimburse the owner for the reasonable cost thereof out of funds
9 provided for in this act.

1 **SEC. 21. Dissolution of commission.** Any local bridge commission
2 provided for in this act may be dissolved by the governing body of
3 the city at any time after the acquisition, construction and equip-
4 ment of the complete bridge or bridges within its care have been
5 completed and all the costs thereof have been paid from the funds
6 provided by the bond issues provided for in this act, and thereupon
7 the governing body of the city shall assume the further duties in
8 connection with such bridge, including the operation, maintenance
9 and repair thereof, the administration of funds, the collection of tolls
10 and all other necessary or proper acts, or at any time thereafter may
11 create a new bridge commission to effect any of the purposes or
12 objects authorized by this act.

1 **SEC. 22. Joint bridge commission.** In case the governing body
2 of any city designated in this act, having been authorized by the
3 electors as required by this act, shall at any stage of the proceedings
4 determine to co-operate with any properly authorized political sub-
5 division in this or an adjoining state in the joint acquisition and
6 operation of a bridge or bridges, a joint commission shall be created.

7 Such joint commission shall be created and the members selected
8 by the action of each political unit co-operating, in the same manner
9 provided for the creation of a local commission, by the law applicable
10 to each political unit, and, upon which representation may be pro-
11 portioned to the respective contribution of funds by the political
12 units co-operating for the purposes of such acquisition, provided
13 that the total membership shall not exceed ten (10). The commis-
14 sion shall select a chairman and vice-chairman to represent each
15 political subdivision co-operating in the enterprise, and shall main-
16 tain a single office at the place selected by the commission, but for
17 legal purposes shall be domiciled within the jurisdiction of each
18 political unit co-operating, and shall have power to sue and be sued.
19 This commission shall constitute a public body corporate and politic,
20 shall select and adopt its own name, and shall be vested with such
21 powers and subject to such conditions as may be conferred and im-
22 posed by the government of the United States and/or such powers
23 and conditions in the state of Iowa, as are conferred and imposed
24 in this act upon a local bridge commission, and such powers and
25 subject to such conditions in an adjoining state as may be conferred
26 and imposed by the laws of such state. The plans and specifications,
27 the location, size, type and the method of construction, the bound-
28 aries and approaches, and the estimates of costs of construction,
29 acquisition of property, and financing, shall be first submitted to the
30 governing bodies of the political units co-operating and receive their
31 approval by resolution before final adoption by the commission, which
32 shall not enter into contracts and shall have no power to proceed
33 further unless and until such approval has been had. If such joint
34 commission is created after any work has been done, any funds pro-
35 vided or any liabilities incurred by the governing body of the city, or
36 by a local commission, such joint commission shall take over, suc-
37 ceed to, assume and be liable therefor. The cities specified in this
38 act are authorized and empowered to authorize or require said joint
39 commission to conduct and to complete the sale of bonds provided
40 for in this act at the same time and to the same purchaser, under
41 the best conditions obtainable, together with the bonds of the po-
42 litical subdivision with which it is co-operating, so that the benefits
43 of a joint offering and sale may be obtained. The funds derived
44 from the sale of the bonds of all political subdivisions co-operating
45 may be mingled and shall be administered and expended by the joint
46 commission as one common fund. As near as may be, and subject
47 to any rules and regulations which may be adopted by the com-
48 mission for that purpose, the fund shall be deposited and maintained
49 in equitable proportions within the territory of each political sub-
50 division, and applied to the purchase or redemption of the separate
51 bond issues in an equitable manner. All contracts, evidences of
52 indebtedness and payment vouchers shall be signed by the treasurer
53 and countersigned by each vice-chairman. Title to all real and per-
54 sonal property and to the completed bridge and all its appurtenances
55 and incidents shall vest in the political subdivisions co-operating
56 as tenants in common in the same proportions as the contributions
57 made to the joint fund. In the event of the inability of the govern-
58 ing bodies of the political subdivisions co-operating or their joint

59 commission to agree, the specific controversy may be submitted to
60 arbitration in such manner as may be agreed upon.

1 **SEC. 23. Joint purchase.** Any city specified in this act desiring
2 to exercise the power as granted in section two (2) of this act to
3 jointly purchase by bargain and sale any existing bridge, may do so
4 either when the electors have authorized such joint purchase or have
5 authorized an independent purchase of such bridge. The governing
6 body of the city is authorized to enter into joint contract with the
7 other political unit as to all the conditions of the purchase and the
8 conditions of subsequent reconditioning, operation, toll charges au-
9 thorized by this act, repair, maintenance, renewal, replacement, en-
10 largement and extension of such bridge. Title to the bridge shall
11 vest in the political units co-operating as tenants in common and
12 operation shall be by the joint commission provided for in this act
13 and subject to the conditions provided with reference to such com-
14 mission.

1 **SEC. 24. Joint condemnation.** Any city specified in this act may
2 acquire an existing bridge by entering into joint condemnation pro-
3 ceedings with other political units as authorized in section two (2)
4 of this act. Where the property to be condemned is situated within
5 the jurisdiction of more than one political unit or partly in the
6 state of Iowa and partly in an adjoining state, the political units
7 co-operating shall first enter into contract electing in what jurisdic-
8 tion and in which state a single joint proceeding to condemn the
9 property as an entirety shall be instituted and the proceeding shall
10 be conducted subject to the law of and in the manner provided for
11 that jurisdiction, or such proceedings may be conducted subject to
12 the law and in the manner provided by any act of congress governing
13 the power of condemnation where the property to be acquired is situ-
14 ated in more than one state. For this purpose, cities in this state and
15 specified in this act are authorized to become parties to a single pro-
16 ceeding in an adjoining state and to subject themselves to the laws
17 of that state governing such proceedings. In the event of such
18 joint proceedings in this state the method of proceedings provided in
19 section seven (7) of this act shall govern but shall be modified to the
20 extent of requiring the board of appraisers to be created by the
21 designation of three (3) appraisers for each political unit co-oper-
22 ating and by releasing the restriction as to residents within the
23 state. The contract heretofore in this section provided for shall be
24 similar to the contract provided for in section twenty-three (23)
25 and also fix the proportionate contribution to be made by each po-
26 litical unit co-operating, and shall also provide for the creation of a
27 joint commission to take over the operation of the property if and in
28 the event of its acquisition subject to the conditions provided in
29 this act with reference to such joint commission. Title to the prop-
30 erty condemned shall vest in the political units co-operating as ten-
31 ants in common when, if and as the approval of the electors has
32 been had as provided in section seven (7) of this act.

1 **SEC. 25. Joint construction.** Whenever the electors of any city
2 specified in this act shall have authorized the construction of a bridge
3 as provided in this act, the governing body of the city shall have

4 power to construct such bridge independently or jointly with any
5 state or political unit as authorized in section two (2) of this act.
6 Such cities are authorized to enter into any contract which may be
7 necessary to effectuate this purpose. The title to all property ac-
8 quired shall vest in the political units co-operating as tenants in
9 common. The actual control of all construction and subsequent
10 operation, including all property necessary to the completed bridge,
11 and of maintenance and repair thereof, and of funds and the collec-
12 tion and custody of tolls shall vest in a joint bridge commission as
13 provided in section twenty-two (22) of this act, which commission
14 and its control shall not be terminated until such tenancy in common
15 shall be terminated.

1 SEC. 26. Any city in an adjoining state which has been properly
2 authorized by the law of that state, and/or the United States may
3 exercise in the state of Iowa any and all the powers granted in this
4 act to cities in Iowa, subject to the conditions and requirements of
5 this act.

1 SEC. 27. **Submission to the electors.** Any proposition or proposi-
2 tions arising in connection with the exercise of any of the powers
3 granted by this act, may be submitted by the governing body of the
4 city to the electors thereof at any general or city election or at any
5 special election called for that purpose, and any proposition shall be
6 carried if the majority of the electors voting thereon vote in favor
7 thereof. No bridge shall be finally or irrevocably acquired, whether
8 by purchase or by condemnation or by construction, unless and until
9 such action and the necessary financing shall have been approved by
10 the majority of the electors voting on the proposition at a general or
11 city election or at a special election called for that purpose. Two
12 or more propositions or questions may be submitted at the same
13 election and on the same ballot provided each is so presented that
14 the electors may vote separately upon each proposition. A vote of
15 the electors authorizing independent action shall by operation of
16 law be held to also authorize joint action for the purpose so au-
17 thorized, but a vote on a proposition of joint action shall not be held
18 to authorize independent action. The governing body of the city is
19 hereby authorized to determine what shall be included in the propo-
20 sition to be stated in notices of election and upon the ballots in its
21 full discretion except that any proposition must indicate whether the
22 bridge shall be acquired by the purchase or by the condemnation of
23 an existing bridge or by the construction of a new bridge and the
24 kind of bonds to be issued to finance the same, and the amount of
25 such bonds may be set forth in any manner authorized in this act.

1 SEC. 28. **Powers granted are supplementary—savings clause.** The
2 powers hereby conferred are to be exercised without any restriction
3 or limitation under the laws of the state except the provisions of
4 the constitution of the state, and are supplementary and additional
5 to powers which have been or may hereafter be conferred upon the
6 city by law of the state. All powers granted to or provided to be
7 conferred upon the bridge commission authorized by this act, are
8 likewise granted to and conferred upon and may be exercised by the
9 governing body of the city and the governing body of the city may

10 delegate any or all of the powers conferred upon it by this act to
 11 such commissions. The sections and provisions, and parts thereof,
 12 of this act are separable and are not matters of mutual essential in-
 13 ducement, and it is the intention to confer the whole or any part of
 14 the powers herein provided for, and if any of the sections or provi-
 15 sions, or parts thereof, are for any reason illegal, it is the intention
 16 that the remaining sections and provisions or parts thereof shall
 17 remain in full force and effect.

1 SEC. 29. **Additional power.** The powers conferred by this bill
 2 are in addition to the powers elsewhere granted by law or any other
 3 bill in respect to interstate bridges.

1 SEC. 30. **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 Treynor Record, a newspaper published in Treynor,
 4 Iowa, and the Gazette Reporter, a newspaper published in Neola,
 5 Iowa.

House File No. 283. Approved April 16, A. D. 1929.

I hereby certify that the foregoing act was published in the Treynor Record May 2, 1929, and the Neola Gazette Reporter May 2, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 196

PAYMENT OF BONDS

AN ACT to amend section one thousand one hundred seventy-nine b-one (1179-b1), one thousand one hundred seventy-nine b-two (1179-b2) and one thousand one hundred seventy-nine b-four (1179-b4) of chapter sixty-three B-one (63-B1) of the code relating to the maturity and payment of bonds.

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

1 SECTION 1. Section one thousand one hundred seventy nine b-one
 2 (1179-b1) of the code is amended by striking out the last sentence
 3 therein and substituting the following in lieu thereof; "Each issue
 4 of bonds shall be scheduled to mature serially in the same order as
 5 numbered."

1 SEC. 2. Section one thousand one hundred seventy-nine b-two
 2 (1179-b2) of the code is amended by adding thereto the following:
 3 "Tax limitations in any law for the issuance of bonds shall be based
 4 on the latest equalized valuation then existing and shall only restrict
 5 the amount of bonds which may be issued."

1 SEC. 3. Section one thousand one hundred seventy-nine b-four
 2 (1179-b4) of the code is amended by striking therefrom the period at
 3 the end of the section and adding thereto the following: "or out of
 4 special assessments against benefited property."

1 SEC. 4. This act, being deemed of immediate importance, shall take
 2 effect and be in force from and after its publication in Rockford

- 3 Register, a newspaper published in Rockford, Iowa, and the Center
4 Point Independent, a newspaper published in Center Point, Iowa.

Senate File No. 113. Approved February 19, A. D. 1929.

I hereby certify that the foregoing act was published in the Rockford Register
February 20, 1929, and the Center Point Independent February 21, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 197

LOCAL BUDGET

AN ACT to amend the law as it appears in chapter twenty-four (24) of the code, 1927, so as to authorize the levy by municipalities as defined in the local budget law, of a tax for an emergency fund, and providing the uses which may be made of said funds and the means by which funds may be transferred out of said fund, and to repeal section three hundred seventy-three (373) of the code, 1927.

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

1 SECTION 1. That the law as it appears in chapter twenty-four (24)
2 of the code, 1927, be and the same is hereby amended by inserting
3 immediately following section three hundred seventy-two (372) there-
4 of, the following:

5 "373. Each municipality as defined herein, may include in the
6 estimate herein required, an estimate for an emergency fund. Each
7 such municipality shall have power to assess and levy a tax for such
8 emergency fund at a rate not to exceed four (4) mills upon the tax-
9 able property of the municipality, provided that no such emergency
10 tax levy shall be made until such municipality shall have first peti-
11 tioned the director of the budget to make such levy and received his
12 approval thereof. Transfers of monies may be made from the emer-
13 gency fund to any other fund of the municipality for the purpose of
14 meeting deficiencies in any such fund arising from any cause, pro-
15 vided, however, that no such transfer shall be made except upon the
16 written approval of the director of the budget, and then only when
17 such approval is unanimously requested by the governing body of
18 said municipality."

1 SEC. 2. The provisions of section three hundred seventy-three
2 (373) of the code, 1927, having been declared unconstitutional by the
3 supreme court of Iowa, are hereby repealed.

Senate File No. 408. Approved April 12, A. D. 1929.

CHAPTER 198

TAXATION. EXEMPTION

AN ACT to amend the law as it appears in section sixty-nine hundred forty-six (6946), code of 1927, relating to the exemption from taxation of soldiers, sailors, marines and nurses who participated in the war with Spain.

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

- 1 SECTION 1. That the law as it appears in paragraph two (2) of
- 2 section sixty-nine hundred forty-six (6946), code of 1927, be and is
- 3 hereby amended by striking from line three (3) the word "or" and by
- 4 adding after the word "marine" in line four (4), the words "or nurse".

House File No. 212. Approved March 27, A. D. 1929.

CHAPTER 199

TAXATION. ASSESSOR'S PLAT BOOK

AN ACT to amend section seventy-one hundred twenty (7120), code, 1927, relating to the plat book for the assessor.

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

- 1 SECTION 1. Section seventy-one hundred twenty (7120), code, 1927,
- 2 is amended by adding to said section the following, to wit: "and for
- 3 rights of way for public levees and open public drainage improve-
- 4 ments."

House File No. 136. Approved March 12, A. D. 1929.

CHAPTER 200

LIEN OF PERSONAL AND POLL TAXES

AN ACT to amend the law as it appears in sections seventy-one hundred ninety (7190) and seventy-two hundred three (7203) of the code, 1927, and to repeal section seventy-one hundred ninety-two (7192) of the code, 1927, relating to the delinquent poll tax list, and the lien of poll taxes and personal taxes on real estate.

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

- 1 SECTION 1. That the law as it appears in section seventy-one hun-
- 2 dred ninety (7190) of the code, 1927, be and the same is hereby
- 3 amended as follows:
- 4 (1) By inserting after the word "taxes" in line six (6) thereof
- 5 the words "and delinquent poll taxes".
- 6 (2) By striking the period at the end of said section and adding
- 7 the following words "which do not appear thereon."
- 1 SEC. 2. That the law as it appears in section seventy-one hundred
- 2 ninety-two (7192) of the code, 1927, be and the same is hereby re-
- 3 pealed.

1 SEC. 3. That the law as it appears in section seventy-two hundred
2 three (7203) of the code, 1927, be amended as follows:

3 (1) By inserting at the beginning of said section the following
4 words "All poll taxes and".

5 (2) By changing the period after the word "title" in line six (6)
6 of said section to a comma and adding the words "and situated in the
7 county in which the tax is levied."

8 (3) And by inserting after the word "all" in line eight (8) of said
9 section the words "poll taxes and all".

Senate File No. 356. Approved April 16, A. D. 1929.

CHAPTER 201

COLLECTION OF DELINQUENT TAXES

AN ACT to amend the law as it appears in section seven thousand two hundred twenty-six (7226) of the code, 1927, relating to the collection of delinquent taxes.

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

1 SECTION 1. That section seventy two hundred twenty-six (7226)
2 of the code, 1927, be amended by adding to said section the following:
3 "The provisions of this section shall not apply to counties having
4 a population of eighty thousand or more".

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Des Moines
3 Daily Record and the Plain Talk, newspapers published in the city of
4 Des Moines, Iowa.

Senate File No. 94. Approved April 16, A. D. 1929.

I hereby certify that the foregoing act was published in the Des Moines Daily Record April 20, 1929, and the Des Moines Plain Talk April 25, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 202

TAX SALE REDEMPTIONS

AN ACT to amend section seventy-two hundred seventy-six (7276) of the code, 1927, governing the correction of errors made by county auditor and county treasurer in connection with redemption from tax sale.

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

1 SECTION 1. That section seventy-two hundred seventy-six (7276)
2 of the code, 1927, is hereby amended by adding at the end thereof
3 the following:

4 "Said entries by the auditor and treasurer shall be made in ink,
5 and in case errors are subsequently discovered such entries shall not
6 be erased but shall be corrected by drawing a line through the
7 erroneous entries with ink accompanied by the initials of the person
8 who made the alteration and the date when made."

House File No. 252. Approved April 16, A. D. 1929.

CHAPTER 203

RECIPROCAL EXEMPTION FROM INHERITANCE TAXATION

AN ACT to amend section seventy-three hundred eight (7308) of the code, 1927, by adding thereto an additional paragraph relating to the reciprocal exemption of intangible personal property from inheritance taxation.

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

1 SECTION 1. That section seventy-three hundred eight (7308) of
2 the code, 1927, be amended by adding thereto an additional paragraph
3 to be numbered paragraph 6, as follows:

4 6. The tax imposed by this chapter in respect to personal property
5 of nonresidents (other than tangible personal property having an
6 actual situs in this state) shall not be payable (1) if the decedent at
7 the time of his death was a resident of a state or territory of the
8 United States which at the time of his death did not impose a transfer
9 tax or death tax of any character in respect to personal property of
10 residents of this state (other than tangible personal property having
11 an actual situs in such state or territory), or (2) if the laws of the
12 state or territory of residence of the decedent at the time of his
13 death contained a reciprocal provision under which nonresidents were
14 exempted from transfer taxes or death taxes of every character in
15 respect of personal property (other than tangible personal property
16 having an actual situs therein) provided the state or territory of
17 residence of such nonresidents allowed a similar exemption to resi-
18 dents of the state or territory of residence of such decedent. (3) In
19 no case shall the provisions of this paragraph apply to the intangible
20 personal property of nonresident decedents unless such intangible
21 personal property shall have been subjected to a tax or submitted
22 for purposes of taxation in the state of the decedent's residence.
23 (4) This paragraph shall apply only to estates of decedents dying
24 subsequent to the effective date of this act.

25 For the purpose of this section the District of Columbia and pos-
26 sessions of the United States shall be considered territories of the
27 United States.

House File No. 149. Approved April 13, A. D. 1929.

CHAPTER 204

COLLECTION OF ESTATE TAX

AN ACT to amend the law as it appears in chapter three hundred fifty-one (351) of the code, 1927, by adding at the end thereof additional sections providing for the imposition and collection of an estate tax for general state purposes upon the transfer of estates of decedents dying after the twenty-sixth day of February, 1926, and being residents of, or owning property in, the state of Iowa.

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

That the law as it appears in chapter three hundred fifty-one (351) of the code, 1927, be amended by adding at the end thereof additional sections as follows:

1 SECTION 1. When used in this act—

2 1. The term "executor" means the executor of the will or ad-
3 ministrator of the estate of the decedent, or if there is no such
4 executor or administrator appointed, qualified and acting, then any
5 person in actual or constructive possession of any property included
6 in the gross estate of the decedent.

7 2. The term "gross estate" means the gross estate as determined
8 under the provisions of section three (3) of this act.

9 3. The term "net estate" means the net estate as determined
10 under the provisions of section three (3) of this act.

11 4. The term "month" means a calendar month.

12 5. The term "federal estate tax act" means title three (3) of
13 chapter twenty-seven (27) of the acts of the sixty-ninth (69)
14 congress of the United States, first session, (appearing in forty-four
15 (44) statutes at large, chapter twenty-seven (27), or any amend-
16 ments thereof.

17 6. The term "federal estate tax" means the tax imposed by the
18 provisions of said federal estate tax act referred to in paragraph
19 five (5) of this section.

20 7. The term "Iowa estate tax" means the tax imposed by this
21 act.

1 SEC. 2. (a) In addition to the tax imposed by chapter three hun-
2 dred fifty-one (351) of the code, 1927, a tax for general state pur-
3 poses to be known as the Iowa estate tax, equal to the sum of the
4 following percentages of the value of the net estate, determined as
5 provided in section three (3) hereof, is hereby imposed upon the
6 transfer of the net estate of every decedent dying after the twenty-
7 sixth day of February, 1926, and being residents of, or owning
8 property in, this state, except as herein otherwise provided.

9 1. Four-fifths of one per centum of the amount of the net estate
10 not in excess of fifty thousand dollars;

11 2. One and three-fifths per centum of the amount by which the
12 net estate exceeds fifty thousand dollars and does not exceed one
13 hundred thousand dollars;

14 3. Two and two-fifths per centum of the amount by which the
15 net estate exceeds one hundred thousand dollars and does not exceed
16 two hundred thousand dollars;

17 4. Three and one-fifth per centum of the amount by which the
18 net estate exceeds two hundred thousand dollars and does not exceed
19 four hundred thousand dollars;

20 5. Four per centum of the amount by which the net estate exceeds
21 four hundred thousand dollars and does not exceed six hundred
22 thousand dollars;

23 6. Four and four-fifths per centum of the amount by which the
24 net estate exceeds six hundred thousand dollars and does not exceed
25 eight hundred thousand dollars;

26 7. Five and three-fifths per centum of the amount by which the
27 net estate exceeds eight hundred thousand dollars and does not exceed
28 one million dollars;

29 8. Six and two-fifths per centum of the amount by which the net
30 estate exceeds one million dollars and does not exceed one million
31 five hundred thousand dollars;

32 9. Seven and one-fifth per centum of the amount by which the
33 net estate exceeds one million five hundred thousand dollars and does
34 not exceed two million dollars;

35 10. Eight per centum of the amount by which the net estate ex-
36 ceeds two million dollars and does not exceed two million five hundred
37 thousand dollars;

38 11. Eight and four-fifths per centum of the amount by which the
39 net estate exceeds two million five hundred thousand dollars and does
40 not exceed three million dollars;

41 12. Nine and three-fifths per centum of the amount by which the
42 net estate exceeds three million dollars and does not exceed three
43 million five hundred thousand dollars;

44 13. Ten and two-fifths per centum of the amount by which the
45 net estate exceeds three million five hundred thousand dollars and
46 does not exceed four million dollars;

47 14. Eleven and one-fifth per centum of the amount by which the
48 net estate exceeds four million dollars and does not exceed five million
49 dollars;

50 15. Twelve per centum of the amount by which the net estate
51 exceeds five million dollars and does not exceed six million dollars;

52 16. Twelve and four-fifths per centum of the amount by which the
53 net estate exceeds six million dollars and does not exceed seven million
54 dollars;

55 17. Thirteen and three-fifths per centum of the amount by which
56 the net estate exceeds seven million dollars and does not exceed eight
57 million dollars;

58 18. Fourteen and two-fifths per centum of the amount by which
59 the net estate exceeds eight million dollars and does not exceed nine
60 million dollars;

61 19. Fifteen and one-fifth per centum of the amount by which the
62 net estate exceeds nine million dollars and does not exceed ten million
63 dollars;

64 20. Sixteen per centum of the amount by which the net estate
65 exceeds ten million dollars.

66 (b) The tax imposed by this section shall be credited with the
67 amount of any estate, inheritance, legacy or succession taxes actually
68 paid to any state or territory of the United States or to the District
69 of Columbia, in respect of any property included in the gross estate,
70 including the amount paid to the state of Iowa as inheritance taxes
71 under the law as it appears in chapter three hundred fifty-one (351)
72 of the code, 1927, provided that in no case shall a tax be collected
73 hereunder, which, together with the credits allowed by this paragraph,
74 shall exceed the maximum credits allowed by said federal estate tax
75 act for any estate, inheritance, legacy or succession taxes actually
76 paid to any state or territory of the United States, or to the District
77 of Columbia.

1 SEC. 3. (a) 1. In the case of a resident of this state, there shall
2 be included in the value of the gross estate the value of all property,
3 wherever situated, (except real estate situated outside this state and
4 tangible personal property having an actual situs outside this state),
5 which is included in the gross estate of such decedent under the
6 provisions of the federal estate tax act.

7 (a) 2. In the case of a non-resident of this state, there shall be
8 included in the value of the gross estate the value of so much of
9 the property of such decedent, which is included in this gross estate
10 under the provisions of the federal estate tax act, as is, at the time
11 of his death, situated in this state, or is subject to the jurisdiction of
12 the courts of this state, or is thereafter brought within this state and
13 becomes subject to the jurisdiction of the courts of this state.

14 (b) In computing the value of the net estate of a decedent,
15 whether a resident of this state or not, there shall be deducted from
16 the value of the gross estate, as determined under the provisions of
17 this act, all the items of expense, indebtedness, exemptions or other
18 deductions provided for in said federal estate tax act in the pro-
19 portion that the value of the gross estate, as determined under the
20 provisions of this act, bears to the value of the gross estate as de-
21 termined under the provisions of the federal estate tax act; pro-
22 vided, however that, for the purposes of this paragraph, the value
23 of real estate situated outside this state shall be excluded from the
24 value of the gross estate as determined under the provisions of the
25 federal estate tax act; and no indebtedness incurred for, or in
26 respect of, or secured by, real estate situated outside this state, shall
27 be allowed as a deduction from the value of the gross estate, as
28 determined under the provisions of this act.

1 SEC. 4. The tax hereby imposed shall be upon the transfer of—

2 1. The total net estate of every decedent dying after the effective
3 date of this act;

4 2. The net personal estate of every decedent dying after the
5 twenty-sixth day of February, 1926, whose estate shall be open and
6 pending in the courts of this state, or subject to the jurisdiction of
7 such courts, at the effective date of this act, or whose estate shall
8 or may become subject to administration in, or to the jurisdiction
9 of, the courts of this state after the effective date of this act.

1 SEC. 5. It shall be the duty of the executor of every decedent
2 whose estate may be subject to the tax imposed by this act, to file in
3 the office of the state treasurer, within twelve (12) months after the
4 death of such decedent, duplicate copies of the estate tax return
5 provided for in the federal estate tax act, and in like manner,
6 duplicate copies of all supplemental or amended returns; and the
7 value of all items included in the gross estate, as shown by such
8 returns, or supplemental or amended returns, shall be taken and con-
9 sidered as the values of such items for the purposes of this act; and
10 in case of any revaluation or correction of valuation of any such
11 items, either by such supplemental or amended returns, or by the
12 commissioner of internal revenue, or by any appellate tribunal by
13 which the same may be finally determined, such corrected values
14 shall be taken and considered as the values of such items for the
15 purposes of this act.

1 SEC. 6. The tax imposed by this act shall be paid by the executor
2 to the state treasurer within eighteen (18) months from the date of
3 the death of such decedent, or in case such decedent died more than
4 eighteen months (18) prior to the effective date of this act, then

5 within six (6) months after the effective date hereof. The proceeds
6 of this tax shall be paid into the general fund of the state.

1 SEC. 7. If the executor of a resident decedent shall have paid to
2 the treasurer of the United States or to a collector of internal revenue
3 an estate tax under the provisions of said federal estate tax act
4 in respect of property included in the gross estate, determined as
5 herein provided, and shall have claimed as credits against said federal
6 estate tax a sum less than the maximum credits allowed by the
7 provisions of said federal estate tax act for any estate, inheritance,
8 legacy or succession taxes actually paid to any state or territory of
9 the United States, or to the District of Columbia, it shall be his duty,
10 with due diligence, to file in the bureau of internal revenue a claim
11 for credit or refund for such amount, if any, as such estate shall be
12 properly entitled to receive under the provisions of said federal estate
13 tax act and of this act.

1 SEC. 8. If any claim for refund or credit, or any part thereof, shall
2 be denied or disallowed by the commissioner of internal revenue, the
3 executor, the state treasurer, or any person having an interest in
4 said estate which may be adversely affected by such denial or dis-
5 allowance, may apply to the judge of the court having jurisdiction
6 of such estate, for an order directing such executor to take, perfect,
7 and prosecute an appeal from the decision of the commissioner of
8 internal revenue to such court or tribunal as may have jurisdiction
9 of such matter, and, upon the granting of such order, the state
10 treasurer may, at his option, assist in the prosecution of such appeal.
11 The judge of the court granting such order may make a reasonable
12 allowance for attorneys fees for the prosecution of such appeal, and
13 direct the manner in which the same, together with any other costs
14 or expenses which may be allowed by said court in connection there-
15 with, shall be paid.

1 SEC. 9. If any claim for credit or refund, or any part thereof,
2 shall be finally determined in favor of such executor, any amount
3 refunded or credited thereon shall inure to the benefit of such estate.
4 If any claim for credit or refund or any part thereof, shall be finally
5 determined adversely to such executor, for any reason other than
6 lack of diligence or other failure of duty on his part, the amount so
7 denied or disallowed, or so much thereof as shall have been paid to
8 the state treasurer under the provisions of this act, shall, upon a
9 claim duly filed with, and proper showing made to, the state treasurer,
10 be refunded by the state treasurer to such executor, and shall inure
11 to the benefit of such estate.

1 SEC. 10. All the provisions of the law as it appears in chapter
2 three hundred fifty-one (351) of the code, 1927, with respect to the
3 determination, imposition, payment and collection of the tax thereby
4 imposed, including interest upon delinquent taxes, are hereby made
5 applicable to the provisions of this act, except as the same may be
6 in conflict with the provisions hereof. The state treasurer shall adopt
7 and promulgate all rules and regulations necessary for the enforce-
8 ment of this act.

1 SEC. 11. This act shall become void and of no effect in respect to

2 the estates of persons who die after the effective date of the repeal
 3 of the federal estate tax act, or of the provisions thereof providing
 4 for a credit of the taxes paid to the several states of the United
 5 States not exceeding eighty (80) per cent of the tax imposed by said
 6 federal estate tax act, or after such federal estate tax act, or the
 7 eighty (80) per cent credit provisions thereof, may be declared, by
 8 the supreme court of the United States, to be void by reason of any
 9 contravention of the constitution of the United States.

1 SEC. 12. The provisions of this act shall be deemed to be severable,
 2 and in case any section, paragraph, sentence or clause hereof shall be
 3 declared by a court of competent jurisdiction to be unconstitutional,
 4 the remaining provisions hereof shall continue to be in full force and
 5 effect.

1 SEC. 13. This act, being deemed of immediate importance, shall
 2 be in effect from and after its publication in two newspapers pub-
 3 lished in this state, as provided by law.

House File No. 165. Approved April 6, A. D., 1929.

I hereby certify that the foregoing act was published in the Winterset Madisonian
 April 11, 1929, and the Charles City Press April 11, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 205

STATE BOARD OF ASSESSMENT AND REVIEW

AN ACT relating to the assessment of property for taxation, to create a state board of assessment and review, to define the powers, rights, and duties of said board and of the officers thereof, and of other public officers with reference to said subject matter, to amend chapters three hundred thirty-six (336) to three hundred forty-one (341), both inclusive, and also chapter three hundred forty-one-a one (341-a1), code of 1927, inserting the term "state board of assessment and review" or "state board" in lieu of the terms "executive council" or "council", to amend section three hundred two (302) of the code, 1927, relating to supplies for public officers, to amend section eleven thousand two hundred sixty-eight (11268) of the code, 1927, relating to criminating questions in the examination of witnesses, to amend section seventy-one hundred thirty-two (7132) of the code, 1927, relating to board of review by providing for appeal from local boards of review and to amend chapter three hundred forty-three (343) of the code, 1927, by adding thereto sections 7132-c1, 7132-c2, 7132-c3, and 7132-c4, and by amending section seven thousand one hundred thirty-three (7133), of the code of 1927, relating to county boards of review and prescribing methods of appeal thereto and of appeal from said county boards of review to the district court, to transfer to the board herein created the duties of the executive council insofar as the duties of said council relate to the assessment of property for taxation, including the assessment of public utilities, to transfer to the board the powers and duties of the auditor of state insofar as the same relate to assessment and taxation of property, to coordinate existing statutes with this act, and to make an appropriation for the purpose of carrying out the provisions of this act.

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

1 SECTION 1. **Creation of board.** There is hereby created a board
 2 composed of three members, to be designated as the state board of
 3 assessment and review.

1 SEC. 2. **Appointment.** The members of said board shall be ap-

2 pointed by the governor with the consent of two-thirds of the senate
3 in executive session.

1 **SEC. 3. Qualifications.** The persons appointed as members of said
2 board shall be such as possess knowledge of the subject of taxation
3 and skill in matters pertaining thereto. Not more than two mem-
4 bers of said board shall belong to the same political party.

1 **SEC. 4. Prohibitions.** No person appointed as a member of said
2 board shall, while holding such office, hold any other office under
3 the laws of the United States or of this state or of any other state.
4 Each member of said board shall devote his entire time to the duties
5 of his office and shall not hold any position of profit, engage in any
6 occupation or business interfering with or inconsistent with his
7 duties, or serve on or under any committee of any political party or
8 contribute to the campaign fund of any person or political party.

1 **SEC. 5. Tenure of office.** Each full-time member shall serve for
2 six (6) years from the last Monday in February of the year of ap-
3 pointment.

1 **SEC. 6. Full-time appointments.** On or before January 31, 1931,
2 and on or during a corresponding time each two (2) years there-
3 after, the governor shall appoint a member of said board to succeed
4 the member who will retire on the last Monday of February follow-
5 ing.

1 **SEC. 7. Vacancies.** In case of a vacancy, it shall be filled by ap-
2 pointment by the governor for the unexpired portion of the term
3 in which such vacancy shall occur, with the consent of two-thirds
4 of the members of the senate in executive session. If such appoint-
5 ment be made when the general assembly is not in regular session,
6 the appointee shall hold his office until the first Monday in February
7 during the next biennial session of the general assembly, when, if
8 such appointment is not confirmed by the senate, the office shall
9 become vacant, and on or before the last Monday of the same month
10 the governor, with the consent of two-thirds of the members of the
11 senate in executive session, shall appoint a suitable person to fill
12 such vacancy for the unexpired term. A person appointed to fill a
13 vacancy shall take his office immediately upon qualifying.

1 **SEC. 8. Salary.** Each member of said board shall receive a salary
2 of forty-two hundred fifty dollars (\$4,250.00) a year, payable in
3 the same manner as the salaries of other state officers.

1 **SEC. 9. Organization.** The board shall elect one of its members
2 to serve as chairman of the board for a period of one year, who shall
3 sign on behalf of the board all orders, subpoenas, warrants, and
4 other documents of like character issued by the board. The board
5 may elect a vice chairman who shall act in the absence or inability
6 of the chairman to act.

1 **SEC. 10. Office—quorum—sessions.** Said board shall have its
2 office at the seat of government of this state. A majority of said
3 board shall constitute a quorum for the transaction of business. The
4 board shall be deemed to be in continuous session and open for the

5 transaction of business every day except Sundays and legal holidays,
6 and the session of said board shall stand and be deemed to be ad-
7 journed from day to day without formal entry thereof on its record.

1 **SEC. 11. Meetings.** The board may hold sessions in conducting
2 investigations at any place within the state when deemed necessary
3 to facilitate and render more thorough the performance of its duties,
4 and for that purpose one member may conduct the same but shall
5 submit a written report of proceedings in writing to the board for
6 its findings.

1 **SEC. 12. Secretary.** The board may appoint a secretary at a sal-
2 ary not to exceed three thousand dollars (\$3,000.00) per annum, and
3 may employ such other assistants as may be authorized by the
4 executive council, and fix their compensation, which shall be paid as
5 the compensation of other state employees.

1 **SEC. 13. Duties of secretary.** The secretary shall cause to be kept
2 full and correct minutes of all hearings, transactions and proceedings
3 of said board and shall perform such other duties as may be required.

1 **SEC. 14. Rules and regulations.** The board shall have power to
2 establish all needful rules not inconsistent with law for the orderly
3 and methodical performance of its duties, and to require the ob-
4 servance of such rules by those having business with or appearing
5 before said board.

1 **SEC. 15. Seal.** The board shall have an official seal, and orders
2 or other papers executed by it may, under its direction, be attested,
3 with its seal affixed, by the secretary.

1 **SEC. 16. Expenses.** The members of the board, secretary and
2 assistants shall be entitled to receive from the state their actual
3 necessary expenses while traveling on the business of the board;
4 such expenditures to be sworn to by the party who incurred the ex-
5 pense, and approved by a majority of the members of the board, and
6 allowed by the board of audit. Provided, however, that no such
7 expense shall be allowed the members, the secretary or employees
8 of the board while in the city of Des Moines or traveling between
9 their homes and the city of Des Moines.

1 **SEC. 17. Powers.** In addition to the powers and duties trans-
2 ferred to the state board of assessment and review, said board shall
3 have and assume the following powers and duties:

4 (1) To have and exercise general supervision over the adminis-
5 tration of the assessment and tax laws of the state, over boards of
6 supervisors and all other officers or boards of assessment and levy
7 in the performance of their official duties, in all matters relating to
8 assessments and taxation, to the end that all assessments of prop-
9 erty and taxes levied thereon be made relatively just and uniform
10 in substantial compliance with law.

11 (2) To prescribe and promulgate all forms of books and forms
12 to be used in the listing and assessment of property, and on or before
13 November first of each year shall furnish to the county auditor of
14 each county such prescribed forms of assessment rolls and other
15 forms to properly list and assess all property subject to taxation

16 in each county. It shall also from time to time prepare and furnish
17 in like manner forms for any and all other blanks, memoranda or
18 instructions which it deems necessary or expedient for the use or
19 guidance of any of the officers over which it is authorized by law
20 to exercise supervision.

21 (3) To confer with, advise and direct boards of supervisors,
22 boards of review and others obligated by law to make levies and
23 assessments, as to their duties under the laws.

24 (4) To direct proceedings, actions and prosecutions to be insti-
25 tuted for the enforcement of the laws relating to the penalties, lia-
26 bilities and punishment of public officers, and officers or agents of
27 corporations, and other persons or corporations, for failure or neglect
28 to comply with the provisions of the statutes governing the return,
29 assessment and taxation of property; to make or cause to be made
30 complaints against members of boards of review, boards of super-
31 visors or other assessing, reviewing or taxing officers for official
32 misconduct or neglect of duty.

33 (5) To require city, town, township, school districts, county,
34 state or other public officers to report information as to the assess-
35 ment of property and collection of taxes and such other information
36 as may be needful or desirable in the work of the board in such
37 form and upon such blanks as the board may prescribe.

38 (6) To hold public hearings either at the seat of government or
39 elsewhere in the state, and tax the costs thereof; to summon and
40 compel witnesses to appear and give testimony, to administer oaths
41 to said witnesses, and to compel said witnesses to produce for exami-
42 nation records, books, papers and documents relating to any matter
43 which the board shall have the authority to investigate or determine.
44 Provided, however, that no bank or loan and trust company or its
45 officers or employees shall be required to divulge knowledge concern-
46 ing the property of any person when such knowledge was obtained
47 through information imparted as a part of a business transac-
48 tion with or for such person and in the usual and ordinary course
49 of business of said bank or loan and trust company, and was neces-
50 sary and proper to the discharge of the duty of said bank or loan
51 and trust company in relation to such business transaction. This
52 proviso shall be additional to other provisions of the law relating to
53 confidential and privileged communications.

54 (7) To cause the depositions of witnesses residing within or
55 without the state, or absent therefrom, to be taken either on written
56 or oral interrogatories, and the clerk of the district court of any
57 county shall upon the order of the board issue a commission for the
58 taking of such depositions. The proceedings therefor shall be the
59 same as the proceeding for the taking of depositions in the district
60 court so far as applicable.

61 (8) To investigate the work and methods of boards of review,
62 boards of supervisors or other public officers, in the assessment,
63 equalization and taxation of all kinds of property, and for that pur-
64 pose the board, and members or employees thereof may visit the
65 counties or localities when deemed necessary so to do.

66 (9) To require any county board of equalization at any time
67 after its adjournment to reconvene and to make such orders as the
68 state board of assessment and review shall determine are just and

69 necessary; to direct and order the county board of equalization to
 70 raise or lower the valuation of the property, real or personal, in any
 71 township, town, city or taxing district, to order and direct any
 72 county board of equalization to raise or lower the valuation of any
 73 class or classes of property in any township, town, city or taxing
 74 district, and generally to make any order or direction to any county
 75 board of equalization as to the valuation of any property, or any
 76 class of property, in any township, town, city, county or taxing dis-
 77 trict, which in the judgment of the board may seem just and neces-
 78 sary, to the end that all property shall be valued and assessed in
 79 the manner and according to the real intent of the law.

80 (10) To carefully examine into all cases where evasion or viola-
 81 tion of the law for assessment and taxation of property is alleged,
 82 complained of, or discovered, and to ascertain wherein existing laws
 83 are defective or are improperly or negligently administered, and
 84 cause to be instituted such proceedings as will remedy improper or
 85 negligent administration of the laws relating to the assessment or
 86 taxation of property.

87 (11) To make a summary of the tax situation in the state, set-
 88 ting out the amount of moneys raised by both direct and indirect
 89 taxation; and also to formulate and recommend legislation for the
 90 better administration of the fiscal laws so as to secure just and equal
 91 taxation. To recommend such additions to and changes in the pres-
 92 ent system of taxation that in its judgment is for the best interest of
 93 the state and will eliminate the necessity of any millage levy for
 94 state purposes.

95 (12) To transmit biennially to the governor and to each member
 96 and member-elect of the legislature, thirty days before the meeting
 97 of the legislature, the report of the board, covering the subject of
 98 assessment and taxation, the result of the investigation of the board,
 99 its recommendations for improvement in the system of taxation in
 100 the state, together with such measures as may be formulated for the
 101 consideration of the legislature.

102 (13) To publish in pamphlet form the revenue laws of the state
 103 and distribute them to the county auditors, assessors, and boards
 104 of review.

105 (14) To procure in such manner as the board may determine
 106 any information pertaining to the discovery of property which is
 107 subject to taxation in this state, and which may be obtained from
 108 the records of another state, and may furnish to the board or proper
 109 officers of another state, any information pertaining to the discovery
 110 of property which is subject to taxation in such state as disclosed by
 111 the records in this state.

112 (15) To call upon any state department or institution for tech-
 113 nical advice and data which may be of value in connection with the
 114 work of assessment and taxation.

1 SEC. 18. **Duties of public officers.** It shall be the duty of all pub-
 2 lic officers of the state and of all municipalities to give to the board
 3 information in their possession relating to taxation when required
 4 by the board, and to cooperate with and aid the board in its efforts
 5 to secure a fair, equitable and just enforcement of the taxation and
 6 revenue laws.

1 **SEC. 19. Counsel.** It shall be the duty of the attorney general and
2 of the county attorneys in their respective counties to commence
3 and prosecute actions, prosecutions and complaints, when so directed
4 by the board and to represent the board in any litigation in which
5 it may become involved in the discharge of its duties.

1 **SEC. 20. Actions.** The board may bring actions of mandamus or
2 injunction or any other proper actions in the district court or before
3 any judge thereof, to compel the performance of any order made
4 by said board or to require any board of equalization or any other
5 officer or person to perform any duty required by this act. Said
6 board shall select the district court in the county which is most
7 accessible to the subject matter, and the defendant or defendants
8 in any such action; but no removal of the question to any other
9 county shall be had by any defendant in consequence of his not
10 being a resident of the county where the action is brought or because
11 the subject matter shall not be located in the county in which said
12 action may be brought.

1 **SEC. 21. Administration of oaths.** Each member of the board and
2 each employee thereof when duly authorized by the board shall have
3 the power to administer all oaths authorized and required under the
4 provisions of this act.

1 **SEC. 22. Service of orders.** Any sheriff, constable, or other person
2 may serve any subpoena or order issued under the provisions of
3 this act.

1 **SEC. 23. Fees and mileage.** The fees and mileage of witnesses
2 attending any hearing of the board, pursuant to any subpoena, shall
3 be the same as those of witnesses in civil cases in district court.

1 **SEC. 24. Terms.** The term "executive council", and the term
2 "council" when such terms are used in lieu of the term "executive
3 council", is hereby stricken from chapters three hundred thirty-six
4 (336) to three hundred forty-one (341), inclusive, and from chapter
5 three hundred forty-one-a one (341-a1), code, 1927, and the term
6 "state board of assessment and review" or "state board" as the con-
7 text may require is inserted in lieu thereof, and all pronouns in said
8 chapters which now refer to said words "executive council" or to
9 said word "council" are hereby coordinated with the change herein
10 made.

1 **SEC. 25. Supplies, etc.** Section three hundred two (302) code,
2 1927, is amended by inserting therein as a numbered paragraph, the
3 following words, to-wit:

4 39. "State board of assessment and review".

1 **SEC. 26. Criminating questions.** Section eleven thousand two
2 hundred sixty-eight (11268), code, 1927, is amended by adding
3 thereto the following, to-wit:

4 "16. In any action, proceeding, investigation or hearing instituted
5 or held by the state board of assessment and review."

1 **SEC. 27. Repeal and interpretative clause.** All laws or parts of
2 laws in conflict herewith are hereby repealed. If any clause, sen-
3 tence, paragraph or part of this chapter, shall, for any reason, be

4 adjudged by any court of competent jurisdiction to be invalid, such
5 judgment shall not affect, impair or invalidate the remainder of this
6 chapter, but shall be confined in its operation to the clause, sentence,
7 paragraph or part thereof directly involved in the controversy in
8 which such judgment shall have been rendered.

1 SEC. 28. Chapter three hundred forty-three (343) of the code,
2 1927, is amended by inserting as section 7132-c1, 7132-c2, 7132-c3,
3 and 7132-c4, the following:

4 7132-c1. **Appeal to county board of review.** Appeals may be taken
5 from the action of local board of review with reference to such com-
6 plaint to the county board of review by filing with the local board a
7 notice of appeal, and a duplicate thereof with the county board,
8 within ten days after final adjournment of the local board, which
9 notice shall specify the actual complaint of and the reasons assigned
10 for such complaint.

11 7132-c2. The board of supervisors shall constitute a county board
12 of review, and shall sit and act as such board at their regular meet-
13 ing in May and shall adjourn as such board from time to time until
14 all such appeals have been heard.

15 7132-c3. The county board may require the local board to certify
16 the minutes of the proceedings resulting in such action and may
17 affirm, reverse or modify the findings and decision of the local board.

18 7132-c4. The clerk of the county board shall transmit to the local
19 board a statement of the findings and decision of the county board,
20 and a statement of the changes made by the county board in the
21 assessment complained of.

1 SEC. 29. Section seventy-one hundred thirty-two (7132) code,
2 of 1927, is further amended by striking from line fifteen (15) the
3 word "final".

1 SEC. 30. Section seventy-one hundred thirty-three (7133), code
2 of 1927, is hereby amended by striking out of line 2 thereof the word
3 "board" and inserting in lieu thereof the words "county board of
4 review."

TEMPORARY PROVISIONS

1 SEC. 31. **First board.** The governor shall appoint the first three
2 (3) members of said board, which appointments shall be subject to
3 the approval of a majority of the executive council and shall, in the
4 separate appointments, so designate the term of office of each ap-
5 pointee that, one will serve until the last Monday in February, 1931,
6 one will serve until the last Monday in February, 1933, and one will
7 serve until the last Monday in February, 1935. Said appointees shall
8 qualify at once and organize as a board as soon as possible.

1 SEC. 32. The said first board shall possess and exercise all the
2 rights, powers and duties of a regular full time board.

1 SEC. 33. **Transfer of certain powers and duties of state executive**
2 **council.** All the powers heretofore vested in, and all the duties im-
3 posed upon the executive council of the state of Iowa as a state board
4 of review or in relation to the valuation of property or property

5 rights for taxation, the levy or assessment of taxes on property or
6 property rights, the determination of tax rates for state purposes,
7 and any and all powers pertaining to the taxation of property and
8 property rights of whatsoever kind, are hereby transferred to the
9 state board of assessment and review.

1 SEC. 34. At the time of the organization of said board, the ex-
2 ecutive council shall transfer to the said board all records, books,
3 papers, documents and memoranda pertaining to the assessment or
4 equalization of property and taxation thereof; and all proceedings,
5 hearings or other matters then pending before said executive coun-
6 cil and pertaining to the assessment, equalization or taxation of
7 property shall be continued, carried on and completed by and before
8 said board. In like manner and upon the completion of its organiza-
9 tion, the auditor of state shall forthwith deliver to the board all
10 records, books, papers, documents and memoranda in his possession
11 relating to the assessment and collection of taxes, and all of the
12 powers and duties of the auditor of state with relation to the assess-
13 ment and collection of taxes under the provisions of law existing at
14 the time of the passage of this act shall at once vest in and be exer-
15 cised by the said board.

1 SEC. 35. **Appropriation.** There is hereby appropriated from any
2 money in the state treasury not otherwise appropriated such sum
3 as may be necessary to pay the salaries and expenses resulting from
4 the carrying out of this act until June 30, 1931.

1 SEC. 36. **Publication.** This act being deemed of immediate im-
2 portance shall take effect and be in force from and after its publica-
3 tion in the Cedar Rapids Tribune, a newspaper published at Cedar
4 Rapids, Iowa, and the Ottumwa Courier, a newspaper published at
5 Ottumwa, Iowa.

Senate File No. 76. Approved April 18, A. D. 1929.

I hereby certify that the foregoing act was published in the Cedar Rapids Tribune
April 26, 1929, and the Ottumwa Courier April 25, 1929.

ED. M. SMITH, *Secretary of State.*

See Chapter 206.

CHAPTER 206

STATE BOARD OF ASSESSMENT AND REVIEW

AN ACT to amend senate file number seventy-six (76) as passed by the forty-third
general assembly relating to the method of appointment of members of the state
board of assessment and review, and providing for their salary and making an
appropriation therefor.

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

1 SECTION 1. Senate file number seventy-six (76) as passed by the
2 forty-third general assembly is hereby amended as follows:

3 (a) Amend by striking all of section eight (8) and inserting in
4 lieu thereof the following:

5 "Sec. 8. Each member of said board shall receive a salary of four

6 thousand five hundred dollars (\$4,500.00) a year, payable in the same
7 manner as the salaries of other state officers."

8 (b) Amend by striking all of section thirty-one (31) and insert-
9 ing in lieu thereof the following:

10 "Sec. 31. The governor shall appoint the first three (3) members
11 of said board, and shall, in the separate appointments, so designate
12 the term of office of each appointee that, one will serve until the last
13 Monday in February, 1931, one will serve until the last Monday in
14 February, 1933, and one will serve until the last Monday in February,
15 1935. Said appointees shall qualify at once and organize as a board
16 as soon as possible."

1 SEC. 2. There is hereby appropriated out of any funds in the state
2 treasury not otherwise appropriated a sum sufficient to meet the
3 provisions of this act.

1 SEC. 3. This act, being deemed of immediate importance, shall be
2 in full force and effect from and after its publication in the Grundy
3 Register, a newspaper published at Grundy Center, Iowa, and the
4 Cedar Rapids Evening Gazette and Republican, a newspaper pub-
5 lished at Cedar Rapids, Iowa.

Senate File No. 509. Approved April 18, A. D. 1929.

I hereby certify that the foregoing act was published in the Grundy Register May
9, 1929, and the Cedar Rapids Evening-Gazette and Republican May 7, 1929.

ED. M. SMITH, *Secretary of State.*

See Chapter 205.

CHAPTER 207

NATIONAL DRAINAGE ASSOCIATION

AN ACT to authorize drainage districts to become members of the National Drainage
Association and to authorize and provide for the payment of membership fees and
dues in such association by said districts.

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

1 SECTION 1. Any drainage district may join and become a member
2 of the National Drainage Association. A drainage district may pay a
3 membership fee and annual dues upon the approval of the drainage
4 board of such district, but not in excess of the following:

5 One hundred dollars (\$100.00) for drainage districts having in-
6 debtedness in excess of one million dollars (\$1,000,000.00).

7 Fifty dollars (\$50.00) for drainage districts having an indebtedness
8 of five hundred thousand dollars (\$500,000.00) and less than one
9 million dollars (\$1,000,000.00).

10 Twenty-five dollars (\$25.00) for drainage districts having an in-
11 debtedness of two hundred fifty thousand dollars (\$250,000.00) and
12 less than five hundred thousand dollars (\$500,000.00).

13 Ten dollars (\$10.00) for drainage districts having an indebtedness
14 less than two hundred fifty thousand dollars (\$250,000.00).

15 The annual dues for any district shall not exceed one-twentieth of
16 one (1) per cent of the outstanding indebtedness of the district.

1 SEC. 2. The cost of membership fees and dues shall be assessed
2 against the land in the drainage district and collected in the same
3 manner and in the same ratio as assessments for the cost and main-
4 tenance of the drainage district.

1 SEC. 3. This act being deemed of immediate importance shall be in
2 full force and effect from and after its publication in The Oakville
3 Sentinel, a newspaper published in Oakville, Iowa, and the Pocahontas
4 Democrat, a newspaper published in Pocahontas, Iowa, without ex-
5 pense to the state.

House File No. 543. Approved April 23, A. D. 1929.

I hereby certify that the foregoing act was published in the Oakville Sentinel May 2,
1929, and the Pocahontas Democrat May 9, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 208

REFUND OF EXCESS DRAINAGE ASSESSMENTS

AN ACT to repeal section seventy-four hundred eighty-nine (7489) of the code, 1927,
and to enact a substitute therefor relating to the apportionment of the return of
excess levy in proportion to the amount of assessment paid by the respective owners.

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

1 SECTION 1. The law as it appears in section seventy-four hundred
2 eighty-nine (7489) of the code, 1927, be and the same is hereby re-
3 pealed and the following enacted in lieu thereof:

4 In all cases where a drainage district has been constructed con-
5 sisting of main ditches which are beneficial to the entire district, and
6 also of laterals, and where the assessments have been made based
7 upon the estimated cost of such main ditches and laterals, and it can
8 be ascertained that the actual cost of constructing such main ditches
9 and laterals was less than such estimated cost thereof and that there
10 remains a surplus in the fund of such drainage district when all
11 assessments have been paid in, then the board of supervisors or joint
12 board of supervisors, or other officers having control of such drainage
13 district shall be, and hereby are, authorized and directed to refund
14 to such parties the respective proportional parts of such excess assess-
15 ments or surplus made for such main ditches and laterals by the
16 issue of warrants drawn upon the district fund.

17 When the assessments on a tract of land have been paid by the
18 different equitable or legal owners thereof, the refund herein provided
19 for shall be made to the several parties in proportion to the amounts
20 paid by each, unless otherwise provided.

1 SEC. 2. Nothing contained herein shall affect pending litigation.

House File No. 371. Approved April 9, A. D. 1929.

CHAPTER 209

DRAINAGE

AN ACT to amend section seven thousand five hundred fifty-nine (7559) of the code, 1927, relating to repairs of drainage improvements.

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

1 SECTION 1. Section seven thousand five hundred fifty-nine (7559)
2 of the code, 1927, is hereby amended by adding after the word "dis-
3 trict" in line three (3) the following: "and the nature and/or amount
4 of work proposed differs from mere repairs as defined in section seven
5 thousand five hundred sixty-one (7561), code, 1927, then". Said
6 section is further amended by striking the words "may for good
7 reason" in line four (4) and by inserting in lieu thereof the word
8 "shall"; and it is further amended by striking the word "apportion-
9 ment" in line nine (9) and by inserting in lieu thereof the word
10 "establishment".

Senate File No. 441. Approved April 23, A. D. 1929.

CHAPTER 210

RECLASSIFICATION OF LEVEE AND DRAINAGE DISTRICTS

AN ACT to amend sections seventy-five hundred sixty-one (7561) and seventy-five hundred sixty-two (7562) of the code, 1927, relating to the reclassification of levee and drainage districts for assessment, repairs and improvements.

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

1 SECTION 1. Amend section seventy-five hundred sixty-one (7561)
2 of the code, 1927, by inserting the word "tile" after the word "or"
3 and before the word "lateral" in line 13 thereof, and also by insert-
4 ing the word "tile" after the word "or" in line 17.

1 SEC. 2. Also amend section seventy-five hundred sixty-two (7562)
2 of the code, 1927 by inserting the word "tile" after the word "the"
3 and before the word "lateral" in line six (6) thereof.

House File No. 230. Approved April 11, A. D. 1929.

CHAPTER 211

DRAINAGE

AN ACT to repeal section seventy-five hundred seventy-eight (7578) as it appears in the code of 1927, and to enact a substitute in lieu thereof authorizing the board of supervisors of a county in which a drainage ditch is established to purchase right of way for an outlet thereof in an adjoining state, and to contribute to the cost of construction of a drainage ditch in the adjoining state that is to be used as an outlet for the ditch in this state.

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

1 SECTION 1. That section seventy-five hundred seventy-eight (7578)
2 as it appears in the code of 1927 is hereby repealed and the following
3 enacted in lieu thereof: "When a district is, or has been established
4 in this state and no practicable outlet therefor can be obtained except
5 through lands in an adjoining state, the board of supervisors of the
6 county where said district is situated shall, as drainage commissioners,
7 have power to purchase a right of way and to construct a ditch for
8 such outlet in an adjoining state or to contribute to the construction
9 of such a ditch, in an adjoining state and to pay for the same out of
10 the funds of such district."

1 SEC. 2. The board of supervisors shall have authority to levy a tax
2 on the lands in said drainage district established in this state to pro-
3 vide funds from which to pay for the improvement referred to in
4 section one (1) hereof should such levy be necessary.

1 SEC. 3. All acts or parts of acts in conflict herewith are hereby
2 repealed.

House File No. 12. Approved March 19, A. D. 1929.

CHAPTER 212

DRAINAGE. TAX SALE CERTIFICATES

AN ACT to permit the board of supervisors, and the trustees of a drainage district, to purchase tax sale certificates for the protection and benefit of drainage and levee districts, and to provide funds for that purpose.

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

1 SECTION 1. That there is hereby enacted and inserted in the code
2 the following, to wit:
3 "7590-c1. **Purchase of tax certificate.** When land in a drainage
4 or levee district, or subdistrict, is subject to an unpaid assessment and
5 levy for drainage purposes and has been sold for taxes the board of
6 supervisors of that county, or if control of the district has passed to
7 trustees then such trustees, may purchase the certificate of sale issued
8 by the county treasurer by depositing with the county auditor the
9 amount of money to which the holder of the certificate would be
10 entitled if redemption was made at that time, and thereupon the
11 rights of the holder of the certificate and the ownership thereof shall

12 vest in the board of supervisors, or the trustees of that district, as
13 the case may be, in trust for said drainage district or subdistrict.

14 7590-c2. **Terms of redemption.** Redemption from said tax sale
15 shall be made on such terms as may be agreed upon between the
16 such board of supervisors or such trustees and the owner of the land
17 involved; but in any case in which the owner of said land will pay
18 as much as fifty per cent of the value of the land at the time of re-
19 demption he shall be permitted to redeem. If the parties cannot
20 agree upon such value, either of them may bring an action against
21 the other in the district court of the county where the land is situ-
22 ated, and the court shall determine the matter. The proceeding shall
23 be triable in equity.

24 7590-c3. **Payment—assignment of certificate.** When such money
25 is deposited with the county auditor he shall by mail notify the pur-
26 chaser at said tax sale, or the latter's assignee if of record, and shall
27 pay to the holder of such certificate the sum of money deposited with
28 him for that purpose on surrender of the certificate with proper
29 assignment thereon to the board of supervisors, or to the trustees
30 of said district, as the case may be, as trustee for said district.

31 7590-c4. **Funds.** Payment to the county auditor for such certifi-
32 cate shall be from the fund of said drainage or levee district, or sub-
33 district, on a warrant issued against that fund which shall have
34 precedence over all other outstanding warrants drawn against that
35 fund in the order of their payment. Should there not be a sufficient
36 amount in the fund of said district, or subdistrict, to pay said warrant
37 then the board of supervisors, or the trustees of the district, as the
38 case may be, are authorized to borrow a sum of money sufficient for
39 that purpose on a warrant for that amount on the fund of the dis-
40 trict, or subdistrict, which warrant shall bear interest from date at
41 six per cent (6%) per annum and shall have preference in payment
42 over all other unpaid warrants on said fund, and the county treas-
43 urer shall so enter the same on the list of warrants in his office and
44 call the same for payment as soon as there is sufficient money in
45 said fund.

46 7590-c5. **Lease or sale of land.** If said certificate goes to deed to
47 the board or to the trustees, all leases and sales of the land shall be
48 affected and record thereof made in the same manner in which leases
49 and sales are affected and record thereof made when the county
50 acquires title as a purchaser under execution sale.

51 7590-c6. **Duty of treasurer.** When any lands in a drainage or
52 levee district, or subdistrict, are subject to an unpaid assessment and
53 levy for drainage purposes and are sold for a less sum of money than
54 the amount of delinquent taxes thereon the county treasurer shall
55 immediately report that fact to the board of supervisors, or to the
56 trustees for the district, as the case may be."

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in two (2) news-
3 papers of this state as provided by law.

Senate File No. 31. Approved April 23, A. D. 1929.

I hereby certify that the foregoing act was published in the Jefferson Herald May
9, 1929, and the Webster City Freeman-Journal April 27, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 213

ASSESSMENT OF COSTS IN CONDEMNATION PROCEEDINGS

AN ACT to amend section seventy-eight hundred forty-one (7841) of the code, 1927, relating to the trial of appeals from the awards of commissioners in condemnation proceedings; and to amend section seventy-eight hundred fifty-two (7852) of the code, 1927, relating to the assessment of costs and attorney fees in condemnation proceedings.

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

1 SECTION 1. Section seventy-eight hundred forty-one (7841) of
2 the code, 1927, is hereby amended by adding thereto at the end of
3 said section and after the word "proceedings" in line seven (7) the
4 following: A written petition shall be filed by the plaintiff on or
5 before the 1st day of the term to which the appeal is taken, stating
6 specifically the items of damage and the amount thereof. The de-
7 fendant shall file a written answer to plaintiff's petition, or such other
8 pleadings as may be proper.

1 SEC. 2. Section seven thousand eight hundred fifty-two (7852) of
2 the code, 1927, is amended by adding at the end of said section the
3 following: "Provided that in all cases in which the state of Iowa is
4 the applicant, no attorney fee shall be taxed."

1 SEC. 3. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Boone
3 News Republican, a newspaper published in Boone, Iowa, and the
4 Madrid Register-News, a newspaper published in Madrid, Iowa.

House File No. 267. Approved April 12, A. D. 1929.

I hereby certify that the foregoing act was published in the Boone News Republican
April 16, 1929, and the Madrid Register-News April 18, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 214

GUARDIANSHIP OF VETERANS

AN ACT concerning the guardianship of incompetent veterans and of minor children of disabled or deceased veterans, and the commitment of veterans.

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

1 SECTION 1. As used in this act, the term "person" includes a part-
2 nership, corporation or an association.

3 The term "bureau" means the United States veterans' bureau or
4 its successor.

5 The terms "estate" and "income" shall include only moneys re-
6 ceived by the guardian from the bureau and all earnings, interest and
7 profits derived therefrom.

8 The term "benefits" shall mean all moneys payable by the United
9 States through the bureau.

10 The term "director" means the director of the United States vet-
11 erans' bureau or his successor.

12 The term "ward" means a beneficiary of the bureau.

13 The term "guardian" shall mean any person acting as a fiduciary
14 for a ward.

1 SEC. 2. Whenever pursuant to any law of the United States or
2 regulation of the bureau, the director requires, prior to payment of
3 benefits, that a guardian be appointed for a ward, such appointment
4 shall be made in the manner hereinafter provided.

1 SEC. 3. A petition for the appointment of a guardian for an incom-
2 petent ward may be filed in the district court of the county of which
3 he is an inhabitant.

4 The petition shall set forth:

5 1. The name, age, and place of residence of the ward, and the
6 name and address of the person or institution, if any, having actual
7 custody of the ward.

8 2. The name and place of residence of the nearest known relative
9 of the ward.

10 3. The fact that the ward is entitled to receive moneys payable
11 by or through the bureau, and the amount thereof then due and the
12 amount of probable future payments.

13 4. The fact that the ward has been rated incompetent on exami-
14 nation by the bureau in accordance with the laws and regulations
15 governing the bureau.

1 SEC. 4. Notice of the commencement of the action shall be served
2 upon the ward as provided by chapter 489, code of Iowa, 1927.

1 SEC. 5. A temporary guardian may be appointed as provided by
2 section 12620, code of Iowa, 1927.

1 SEC. 6. Trial shall be had as provided by section 12621, code of
2 Iowa, 1927.

1 SEC. 7. Upon trial of an issue arising upon a prayer for the appoint-
2 ment of either a temporary or permanent guardian, a certificate of
3 the director, or his representative, setting forth the fact that the de-
4 fendant ward has been rated incompetent by the bureau on examina-
5 tion in accordance with the laws and regulations governing the
6 bureau; and that the appointment of a guardian is a condition prece-
7 dent to the payment of any moneys due such person by the bureau,
8 shall be prima facie evidence of the necessity for such appointment,
9 and the court may appoint a guardian for the property of such
10 person.

1 SEC. 8. Guardians for the estate of minor wards may be appointed
2 as provided by chapter 539, code of Iowa, 1927.

1 SEC. 9. Upon appointment the guardian shall execute and file a
2 bond as provided in the case of guardians of minors in sections 12577
3 and 12578, and chapter 551, code of Iowa, 1927. The court shall have
4 power from time to time to require the guardian to file an additional
5 bond.

1 SEC. 10. Except as hereinafter provided it shall be unlawful for

2 any person to accept appointment as guardian of any ward if such
3 proposed guardian shall at that time be acting as guardian for ten
4 wards. In any case, upon presentation of a petition by an attorney
5 of the bureau under this section alleging that a guardian is acting
6 in a fiduciary capacity for more than ten wards and requesting his
7 discharge for that reason, the court, upon proof substantiating the
8 petition, shall require a final accounting forthwith from such guardian
9 and shall discharge such guardian in said case.

10 The limitations of this section shall not apply where the guardian
11 is a bank or trust company acting for the estate only and not for the
12 person of the ward. An individual may be guardian of more than
13 ten wards if they are all members of the same family.

1 SEC. 11. Every guardian who shall receive on account of his ward
2 any moneys from the bureau shall file with the court annually, on the
3 anniversary date of the appointment, in addition to such other ac-
4 counts as may be required by the court, a full, true and accurate ac-
5 count under oath of all moneys so received by him, of all disburse-
6 ments thereof, and showing the balance thereof in his hands at the
7 date of such account and how invested.

8 The court, or a judge thereof, shall fix a time and place for the
9 hearing on such account not less than fifteen and not more than thirty
10 days from the date of filing same, and notice thereof by registered
11 mail shall be given by the guardian to the proper office of the bureau
12 not less than fifteen days prior to the date fixed for the hearing,
13 which notice shall include a true copy of the accounting.

1 SEC. 12. If any guardian shall fail to file an account of the moneys
2 received by him from the bureau on account of his ward within thirty
3 days after such account is required by either the court or the bureau,
4 or shall fail to furnish the bureau a copy of his accounts as required
5 by this act, such failure shall be grounds for removal; provided, how-
6 ever, that the court shall have in addition hereto the same authority
7 to impose penalties and to remove guardians for cause as provided in
8 the general guardianship laws of this state.

1 SEC. 13. Compensation payable to guardians shall not exceed five
2 per centum of the income of the ward during any year. In the event
3 of extraordinary services rendered by such guardian the court may,
4 upon petition and after hearing thereon, authorize additional com-
5 pensation therefor, payable from the estate of the ward. Notice of
6 such petition and hearing shall be given the proper office of the bureau
7 in the manner provided in section 11. No compensation shall be
8 allowed on the corpus of an estate received from a preceding guardian.
9 The guardian may be allowed from the estate of his ward reasonable
10 premiums paid by him to any corporate surety upon his bond.

1 SEC. 14. Every guardian shall invest the funds of the estate under
2 order of court, in such securities, in which the guardian has no in-
3 terest, as authorized by section 12772, code of Iowa, 1927.

1 SEC. 15. A guardian shall not apply any portion of the estate of
2 his ward for the support and maintenance of any person other than
3 his ward, except upon order of the court after a hearing, notice of

4 which has been given the proper office of the bureau in the manner
5 provided in section 11.

1 SEC. 16. This act shall be construed liberally to secure the bene-
2 ficial intent and purpose thereof, and shall apply only to beneficiaries
3 of the bureau.

1 SEC. 17. This act may be cited as the "Uniform Veterans' Guard-
2 ianship Act."

1 SEC. 18. This act shall be so interpreted and construed as to ef-
2 fectuate its general purpose to make uniform the law of those states
3 which enact it.

1 SEC. 19. The invalidity of any portion of this act shall not affect
2 the validity of any other portion thereof which can be given effect
3 without such invalid part.

1 SEC. 20. All laws or parts of laws relating to beneficiaries of the
2 bureau inconsistent with this act are hereby repealed.

3 Guardians appointed under this act shall be subject to the general
4 guardianship law of the state except insofar as the same is modified
5 by this act.

6 Insofar as it may be applicable, this act shall apply to guardians
7 of bureau beneficiaries heretofore or hereafter appointed under the
8 general laws of the state.

1 SEC. 21. This act shall not be construed to require dual guardian-
2 ship proceedings of the property of the same person, but when a
3 guardian is such both as to moneys paid by the United States through
4 the bureau and as to other property of the ward, the accounts of the
5 moneys received through the bureau shall be kept separate and apart
6 from the accounts of other property.

Senate File No. 33. Approved April 16, A. D. 1929.

CHAPTER 215

REAL ESTATE BROKERS

AN ACT to define, regulate, and license real estate brokers and real estate salesmen;
to create a state real estate commissioner; and to provide a penalty for a violation
of the provisions thereof.

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

1 SECTION 1. That on and after January 1, 1930, it shall be unlaw-
2 ful for any person, copartnership, association or corporation, to act
3 as a real estate broker or real estate salesman, or to advertise or
4 assume to act as such real estate broker or real estate salesman,
5 without a license issued by the Iowa real estate commissioner.

6 No copartnership, association, or corporation shall be granted a
7 license, unless every member or officer of such copartnership, asso-
8 ciation or corporation, who actively participates in the brokerage
9 business of such copartnership, association or corporation, shall hold
10 a license as a real estate broker, and unless every employee who acts
11 as a salesman for such copartnership, association or corporation
12 shall hold a license as a real estate salesman.

1 SEC. 2. A real estate salesman within the meaning of this act is
2 any person who for a compensation or valuable consideration is em-
3 ployed either directly or indirectly by a real estate broker, to sell
4 or offer to sell, or to buy or offer to buy, or to negotiate the purchase
5 or sale or exchange of real estate, or to lease, to rent or offer for rent
6 any real estate, or to negotiate leases thereof, or of the improve-
7 ments thereon, as a whole or partial vocation.

8 The provisions of this act shall not apply to any person, copart-
9 nership, association or corporation, who as owner or lessor shall
10 perform any of the acts aforesaid with reference to property owned
11 or leased by them, or to the regular employees thereof, with respect
12 to the property so owned or leased, where such acts are performed
13 in the regular course of, or as an incident to, the management of
14 such property and the investment therein, nor shall the provisions
15 of this act apply to persons acting as attorney-in-fact under a duly
16 executed power of attorney from the owner authorizing the final
17 consummation by performance of any contract for the sale, leasing,
18 or exchange of real estate, nor shall this act apply to an attorney
19 admitted to practice in Iowa; nor shall it be held to include, while
20 acting as such, a receiver, trustee in bankruptcy, administrator or
21 executor, or any person selling real estate under order of any court,
22 nor to include a trustee acting under a trust agreement, deed of
23 trust, or will, or the regular salaried employees thereof; nor shall
24 it be held to include any state or national bank, chartered to do
25 business in the state, acting within the powers granted in its charter.

1 SEC. 3. The secretary of state shall be the real estate commis-
2 sioner and shall be charged with the administration of this act.

3 The real estate commissioner shall be provided by the executive
4 council with such office space, office furniture, fuel, light and other
5 proper conveniences necessary for the carrying out of this act. He
6 shall employ a secretary and such clerks and assistants as deemed
7 necessary to discharge the duties imposed by the provisions of this
8 act and shall outline the duties of such secretary, clerks and assist-
9 ants and fix their compensation subject to the general laws of the
10 state. Necessary printing and supplies shall be purchased by the
11 commissioner subject to the general laws of the state.

12 The commissioner shall adopt a seal with such design as the com-
13 missioner may prescribe engraved thereon by which it shall authen-
14 ticate its proceedings. Copies of all records and papers in the office
15 of the commissioner, duly certified and authenticated by the seal of
16 said commissioner shall be received in evidence in all courts equally
17 and with like effect as the original. All records kept in the office
18 of the commissioner under authority of this act shall be open to
19 public inspection under such rules and regulations as shall be pre-
20 scribed by the commissioner.

1 SEC. 4. All fees and charges collected by the commissioner under
2 the provisions of this act shall be paid into the general fund in the
3 state treasury. All expenses incurred by the commissioner under
4 the provisions of this act, including compensation to the secretary,
5 clerks and assistants shall be paid out of the general fund in the
6 state treasury upon approval by the state board of audit. No ex-
7 penditures shall be made in excess of the license fees and receipts

8 under the provisions of this act during any fiscal year of its opera-
9 tion.

1 SEC. 5. Licenses shall be granted only to persons who are trust-
2 worthy and competent to transact the business of a real estate
3 broker or real estate salesman in such manner as to safeguard the
4 interests of the public and only after satisfactory proof has been
5 presented to the commissioner. The applicant must be a person
6 whose application has not been rejected in this or any other state
7 within six months prior to date of application, or whose real estate
8 license has not been revoked in this or any other state within two
9 years prior to date of application.

1 SEC. 6. Every applicant for a real estate broker's license shall
2 apply therefor in writing upon blanks prepared or furnished by the
3 real estate commissioner.

4 Such application shall be accompanied by the recommendation of
5 at least two citizens, real estate owners, not related to the applicant,
6 who have owned real estate for a period of one year or more, and
7 who have known applicant for a period of six months, in the county
8 in which said applicant resides, or has his place of business, which
9 recommendation shall certify that the applicant bears a good repu-
10 tation for honesty, truthfulness, fair dealing and competency, and
11 recommending that a license be granted to the applicant.

12 Every applicant for a broker's license shall state the name of the
13 person, firm, partnership, copartnership, association or corporation
14 with which he will be associated in the business of real estate, and
15 the location of the place, or places, for which said license is desired,
16 and set forth the period of time, if any, which said applicant has
17 been engaged in the real estate business.

18 Every applicant for a license shall furnish a sworn statement
19 setting forth his present address, both of business and residence, a
20 complete list of all former places where he may have resided or been
21 engaged in business for a period of sixty days or more, during the
22 last five years, accounting for such entire period, and the length of
23 such residence, together with the name and address of at least one
24 real estate owner in each of said counties where he may have resided
25 or have been engaged in business and whether he has been convicted
26 of a criminal offense involving moral turpitude, and if so, what
27 offense.

28 Every applicant for a salesman's license shall, in addition to the
29 requirements of this section, also set forth the period of time, if
30 any, during which he has been engaged in the real estate business,
31 stating the name and address of his last employer and the name
32 and the place of business of the person, firm, partnership, copartner-
33 ship, association or corporation then employing him, or into whose
34 service he is about to enter. The application shall be accompanied
35 by a written statement by the broker in whose service he is about
36 to enter, stating that in his opinion the applicant is honest, truthful,
37 and of good reputation, and recommending that the license be
38 granted to the applicant.

39 Every application for a license, under the provisions of this act,
40 shall be accompanied by the license fee herein prescribed. In the

41 event that the commissioner does not issue the license, the fee shall
42 be returned to the applicant.

43 The commissioner, with due regard to the paramount interests of
44 the public, may require such other proof as shall be deemed desir-
45 able as to the honesty, truthfulness, integrity, reputation, and com-
46 petency of the applicant.

47 The commissioner is expressly vested with the power and author-
48 ity to make and enforce any and all such reasonable rules and regu-
49 lations connected with the application for any license as shall be
50 deemed necessary to administer and enforce the provisions of this
51 act.

1 SEC. 7. The commissioner, after an application in proper form has
2 been filed, shall, before refusing to issue a license, set the application
3 down for a hearing and determination as hereinafter provided in
4 section 10.

1 SEC. 8. The commissioner shall issue to each licensee a license
2 in such form and size as shall be prescribed by the commissioner.
3 This license shall show the name and address of the licensee and in
4 case of a real estate salesman's license, shall show the name of the
5 real estate broker by whom he is employed. Each license shall have
6 imprinted thereon the seal of the commissioner, and in addition to
7 the foregoing shall contain such matter as shall be prescribed by the
8 commissioner. The license of each real estate salesman shall be
9 delivered or mailed to the real estate broker by whom such real
10 estate salesman is employed and shall be kept in the custody and
11 control of such broker. It shall be the duty of each real estate
12 broker to conspicuously display his license in his place of business.

13 The commissioner shall prepare and deliver to each licensee a
14 pocket card, which card among other things shall contain an im-
15 print of the seal of the commissioner and shall certify that the
16 person whose name appears thereon is a licensed real estate broker
17 or real estate salesman, as the case may be, and if it is a real estate
18 salesman's card it shall also contain the name and address of his
19 employer, the matter to be printed on such pocket card, except as
20 above set forth, shall be prescribed by the commissioner.

21 At any time within six months—but not thereafter—after the
22 issuance of an original certificate of registration the commissioner
23 may upon his own motion and shall upon the verified complaint, in
24 writing, of any person, provided such complaint, or such complaint,
25 together with evidence, documentary or otherwise presented there-
26 with, shall make out a prima facie case that the registrant is un-
27 worthy to hold such certificate, notify the registrant, in writing,
28 that the question of his honesty, truthfulness and integrity shall be
29 reopened and determined de novo. Such written notice may be
30 served by delivery thereof personally to the registrant or by mailing
31 same by registered mail to the last known business address of the
32 registrant. Thereupon the commissioner may require and procure
33 further proof of the registrant's trustworthiness and competency,
34 and if such proof shall not be satisfactory, such certificate shall be
35 recalled and shall thereafter be null and void. Upon the recall of
36 any such certificate it shall be the duty of the registrant to sur-

37 render to the commissioner such certificate and any pocket card
38 received by him under the provisions hereof.

39 The annual fee for each real estate broker's license shall be ten
40 (\$10.00) dollars. The annual fee for each real estate salesman's
41 license shall be five (\$5.00) dollars. Provided that when a copart-
42 nership, association or corporation shall have paid an annual fee of
43 ten (\$10.00) dollars, and shall have designated one of its members
44 or officers as hereinafter provided in this section, the annual fees
45 payable by any other member or officer actively engaged in the real
46 estate business of such copartnership, association or corporation
47 shall be five (\$5.00) dollars, for which a salesman's license shall be
48 issued, but any such member or officer shall be entitled to a broker's
49 license upon the payment of the usual fee therefor.

50 When a real estate broker's license is granted to any copartner-
51 ship or association, consisting of more than one person, or to any
52 corporation, this shall entitle the copartnership, association or cor-
53 poration to designate one of its members or officers, who upon com-
54 pliance with the terms of this act, shall without payment of any
55 further fee, upon issuance of said broker's license, be entitled to
56 perform all of the acts of a real estate salesman contemplated by
57 this act. The person so designated, however, must make applica-
58 tion for a salesman's license which application shall accompany the
59 application of the real estate broker, and be filed with the commis-
60 sioner, at the same time. If, in any case, the person so designated
61 by a real estate broker shall be refused a license by the commis-
62 sioner, or in case such person ceases to be connected with such real
63 estate broker, said broker shall have the right to designate another
64 person who shall make application as in the first instance.

65 Each real estate broker's license which may be granted to an
66 individual shall entitle such individual to perform all of the acts
67 contemplated by this act without any application upon his part and
68 without payment of any fee other than the real estate broker's an-
69 nual fee.

70 Every license shall expire on the thirty-first day of December of
71 each year. The commissioner shall issue a new license for each en-
72 suing year, in the absence of any reason or condition which might
73 warrant the refusal of the granting of a license, upon receipt of the
74 written request of the applicant and the annual fee therefor, as
75 herein required. The revocation of a broker's license shall auto-
76 matically suspend every real estate salesman's license granted to any
77 person by virtue of his employment by the broker whose license has
78 been revoked, pending a change of employer and the issuance of a
79 new license. Such new license shall be issued upon payment of a
80 fee of one (1) dollar, if granted during the same year in which the
81 original license was granted.

82 No person, copartnership or corporation engaged in the business
83 or acting in the capacity of a real estate broker or a real estate
84 salesman within this state shall bring or maintain any action in the
85 courts of this state for the collection of compensation for any serv-
86 ices performed as a real estate broker or salesman without alleging
87 and proving that such person, copartnership or corporation was a
88 duly licensed real estate broker or real estate salesman at the time
89 the alleged cause of action arose.

90 Every real estate broker shall maintain a place of business in this
91 state. If the real estate broker maintains more than one place of
92 business within the state, a duplicate license shall be issued to such
93 broker for each branch office maintained. Provided, that if such
94 broker be a copartnership, association or corporation, a duplicate
95 shall be issued to the members or officers thereof, and a single fee
96 of one (\$1.00) dollar in each case shall be paid for each duplicate
97 license.

98 Notice in writing shall be given to the commissioner by each
99 licensee of any change of principal business location, whereupon the
100 commissioner shall issue a new license for the unexpired period
101 without charge. The change of business location without notifica-
102 tion to the commissioner shall automatically cancel the license there-
103 tofore issued.

104 When any real estate salesman shall be discharged or shall termi-
105 nate his employment with the real estate broker by whom he is
106 employed, it shall be the duty of such real estate broker to immedi-
107 ately deliver or mail by registered mail to the commissioner such
108 real estate salesman's license. The real estate broker shall at the
109 time of mailing such real estate salesman's license to the commis-
110 sioner address a communication to the last known residence address
111 of such real estate salesman, which communication shall advise such
112 real estate salesman that his license has been delivered or mailed to
113 the commissioner. A copy of such communication to the real estate
114 salesman shall accompany the license when mailed or delivered to
115 the commissioner. It shall be unlawful for any real estate salesman
116 to perform any of the acts contemplated by this act either directly
117 or indirectly under authority of said license from and after the date
118 of receipt of said license from said broker by the commissioner;
119 provided, that another license shall not be issued to such real estate
120 salesman until he shall return his former pocket card to the com-
121 missioner or shall satisfactorily account to him for the same. Pro-
122 vided, further, that not more than one license shall be issued to any
123 real estate salesman for the same period of time.

1 SEC. 9. The commissioner may upon his own motion and shall
2 upon the verified complaint in writing of any person, provided such
3 complaint, or such complaint together with evidence, documentary
4 or otherwise, presented in connection therewith, shall make out a
5 prima facie case, investigate the actions of any real estate broker
6 or real estate salesman, or any person who shall assume to act in
7 either such capacity within this state, and shall have the power to
8 suspend or to revoke any license issued under the provisions of this
9 act, at any time where the licensee has by false or fraudulent repre-
10 sentation obtained a license, or where the licensee in performing
11 or attempting to perform any of the acts mentioned herein, is deemed
12 to be guilty of:

- 13 (a) Making any substantial misrepresentation, or
- 14 (b) Making any false promises of a character likely to influence,
15 persuade or induce, or
- 16 (c) Pursuing a continued and flagrant course of misrepresenta-
17 tion, or making of false promises through agents or salesmen or
18 advertising or otherwise, or

19 (d) Acting for more than one party in a transaction without
20 the knowledge of all parties for whom he acts, or

21 (e) Accepting a commission or valuable consideration as a real
22 estate salesman for the performance of any of the acts specified in
23 this act, from any person, except his employer, who must be a
24 licensed real estate broker, or

25 (f) Representing or attempting to represent a real estate broker
26 other than his employer, without the express knowledge and consent
27 of the employer, or

28 (g) Failing, within a reasonable time, to account for or to remit
29 any moneys coming into his possession which belongs to others, or

30 (h) Being unworthy or incompetent to act as a real estate broker
31 or salesman in such manner as to safeguard the interests of the
32 public, or

33 (i) Paying a commission or valuable consideration to any person
34 for acts or services performed in violation of this act, or

35 (j) Any other conduct, whether of the same or a different char-
36 acter from that hereinbefore specified, which constitutes improper,
37 fraudulent, or dishonest dealing.

38 Any unlawful act or violation of any of the provisions of this act
39 by any real estate salesman, employee, or partner or associate of a
40 licensed real estate broker, shall not be cause for the revocation of
41 a license of any real estate broker, partial or otherwise, unless it
42 shall appear to the satisfaction of the commissioner that said em-
43 ployer, partner or associate had guilty knowledge thereof.

1 SEC. 10. The commissioner shall before denying an application
2 for license or before suspending or revoking any license set the mat-
3 ter down for a hearing and at least twenty days prior to the date
4 set for the hearing he shall notify the applicant or licensee in writ-
5 ing, which said notice shall contain an exact statement of the charges
6 made and the date and place of hearing. The applicant or licensee
7 at all such hearings shall have the opportunity to be heard in person
8 and by counsel in reference thereto. Such written notice may be
9 served by delivery of same personally to the applicant or licensee
10 or by mailing same by registered mail to the last known business
11 address of such applicant or licensee. If such applicant or licensee
12 be a salesman the commissioner shall also notify the broker employ-
13 ing him or in whose employ he is about to enter by mailing notice
14 by registered mail to the broker's last known business address. The
15 hearing on such charges shall be at such time and place as the com-
16 missioner shall prescribe.

17 In the preparation and conduct of hearings the commissioner shall
18 have power to require by subpoena the attendance and testimony
19 of witnesses and the production of papers, and the commissioner
20 may sign subpoenas, administer oaths, and affirmations, examine
21 witnesses and receive evidence. The fees and mileage shall be the
22 same as prescribed by law in judicial procedure in the courts of this
23 state in civil cases. Any party to any hearing before the commis-
24 sioner shall have the right to the attendance of witnesses in his
25 behalf at such a hearing upon making a request thereof to the com-
26 missioner and designating the person or persons sought to be sub-
27 poenaed.

28 In case of disobedience to a subpoena the commissioner may in-
29 voke the aid of any court of competent jurisdiction in requiring the
30 attendance and testimony of witnesses and the production of papers;
31 and such court may issue an order requiring the persons to appear
32 before the commissioner and give evidence or to produce papers as
33 the case may be; and any failure to obey such order of the court
34 may be punished by the court as a contempt thereof.

35 Testimony may be taken by deposition as in civil cases, and any
36 person may be compelled to appear and depose in the same manner
37 as witnesses may be compelled to appear and testify as hereinbefore
38 provided.

39 Any person who shall neglect or refuse to attend and testify or
40 to answer any lawful inquiry or to produce documentary evidence
41 if in his power to do so in obedience to a subpoena or lawful require-
42 ment by such commissioner shall be guilty of a misdemeanor and
43 upon conviction thereof by a court of competent jurisdiction shall
44 be punished as provided in section 13 of this act.

45 If the commissioner shall determine that any applicant is not
46 qualified to receive a license, a license shall not be granted to such
47 applicant, and if the commissioner shall determine that any licensee
48 is guilty of a violation of any of the provisions of this act, the
49 license shall be suspended or revoked. The commissioner, upon re-
50 quest of the applicant or licensee, shall furnish said applicant or
51 licensee with a definite statement of its finding of facts and its
52 reason or reasons for refusing to grant the license or for suspension
53 of the rights of the licensee or for the revocation of the license, as
54 the case may be. The findings of fact made by the commissioner
55 acting within his powers shall, in the absence of fraud, be conclusive,
56 but the district court shall have the power to review questions of
57 law involved in any final decision or determination of the commis-
58 sioner; provided that an application is made by the aggrieved party
59 within thirty (30) days after such determination by certiorari, man-
60 damus, or by any other method permissible under the rules and
61 practices of said court, or the laws of this state, and said court may
62 make such further orders in respect thereto as justice may require.

1 SEC. 11. A non-resident of this state may become a real estate
2 broker or a real estate salesman by conforming to all of the condi-
3 tions of this paragraph and this act.

4 In his discretion the commissioner may recognize in lieu of the
5 recommendations and statements required to accompany an appli-
6 cation for license, the license issued to a non-resident broker, or
7 salesman in such other state, upon payment of the license fee and
8 the filing by the applicant with the commissioner of a certified copy
9 of applicant's license issued by such other state.

10 (1) Provided that such applicant, if a broker, shall maintain an
11 active place of business in the state by which he is originally
12 licensed; and

13 (2) Provided further that every non-resident applicant shall file
14 an irrevocable consent that suits and actions may be commenced
15 against such applicant in the proper court of any county of this
16 state in which a cause of action may arise in which the plaintiff
17 may reside, by the service of any process or pleading authorized by

18 the laws of this state on the commissioner, said consent stipulating
19 and agreeing that such service of such process or pleadings on said
20 commissioner shall be taken and held in all courts to be as valid and
21 binding as if due service had been made upon said applicant in the
22 state of Iowa. Said instrument containing such consent shall be
23 authenticated by the seal thereof, if a corporation, or by the acknowl-
24 edged signature of a member or officer thereof, if otherwise. All
25 such applications, except from individuals, shall be accompanied by
26 the duly certified copy of the resolution of the proper officers or
27 managing board, authorizing the proper officer to execute the same.
28 In case any process or pleadings mentioned in the case are served
29 upon the commissioner, it shall be by duplicate copies, one of which
30 shall be filed in the office of the commissioner and the other im-
31 mediately forwarded by registered mail to the main office of the
32 applicant against which said process or pleadings are directed.

1 SEC. 12. The commissioner shall at least semi-annually prepare
2 a list of the names and addresses of all licensees licensed by him
3 under the provisions of this act, and of all persons whose license
4 has been suspended or revoked within one (1) year; together with
5 such other information relative to the enforcement of the provisions
6 of this act as it may deem of interest to the public. One of such
7 lists shall be mailed to the clerk of the district court in each county
8 of the state and shall be held by said clerk of the district court as
9 a public record. Such lists shall also be mailed by the commissioner
10 to any person in this state upon request.

1 SEC. 13. Any person or corporation violating a provision of this
2 act shall upon conviction thereof, if a person, be punished by a fine
3 of not more than five hundred (\$500.00) dollars, or by imprison-
4 ment for a term not to exceed six (6) months or by both such fine
5 and imprisonment, in the discretion of the court, and if a corpora-
6 tion, be punished by a fine of not more than one thousand (\$1,000.00)
7 dollars. Any officer or agent of a corporation, or member or agent
8 of a copartnership or association, who shall personally participate
9 in or be accessory to any violation of this act by such copartnership,
10 association or corporation, shall be subject to the penalties herein
11 prescribed for individuals. Any court of competent jurisdiction
12 shall have full power to try any violation of this act and upon con-
13 viction the court may at its discretion revoke the license of the
14 person, copartnership, association or corporation so convicted.

15 All fines and penalties shall inure to the commissioner, and shall
16 be placed in the general fund of the state.

17 This law shall not be construed to release any person from civil
18 liability or criminal prosecution under the general laws of this state.

19 The commissioner may refer a complaint for violation of section
20 1 of this act before any court of competent jurisdiction, and it may
21 take the necessary legal steps through the proper legal officers of
22 this state to enforce the provisions hereof and collect the penalties
23 herein provided.

1 SEC. 14. If any section, subsection, sentence, clause, phrase, or
2 requirement of this act is for any reason held to be unconstitutional,
3 such decision shall not affect the validity of the remaining portions

4 thereof. The legislature hereby declares that it would have passed
5 this act, and each section, subsection, sentence, clause, phrase and
6 requirement thereof, irrespective of the fact that any one or more
7 sections, subsections, sentences, clauses, phrases, or requirements
8 be declared unconstitutional.

1 SEC. 15. All laws or parts of laws in conflict with this act, be and
2 the same are hereby repealed.

Senate File No. 164. Approved April 17, A. D. 1929.

CHAPTER 216

CORPORATIONS

AN ACT to amend the law as it appears in section eighty-six hundred one (8601), code of 1927, relating to the filing of articles of incorporation of foreign non-pecuniary corporations.

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

1 SECTION 1. That the law as it appears in section eighty-six hundred
2 one (8601), code of 1927, be and is hereby amended by striking from
3 lines four (4) and five (5), the following words,
4 "upon the payment of ten cents (10c) per hundred (100) words,
5 record" and in lieu thereof insert the word "file".

6 Said section is further amended by adding at the end thereof the
7 following:

8 "The secretary of state shall number consecutively all such certified
9 copies filed in his office and shall maintain a card index thereof alpha-
10 betically arranged and shall preserve the same as permanent records
11 of his office."

Senate File No. 248. Approved April 5, A. D. 1929.

CHAPTER 217

INSURANCE

AN ACT to amend section eighty-six hundred forty-seven (8647) of the code of 1927 relating to capital and surplus required for the organization of stock life insurance companies.

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

1 SECTION 1. Section eighty-six hundred forty-seven (8647) code of
2 1927 is amended by striking all of said section and inserting in lieu
3 thereof the following, to wit:

4 "No stock life insurance company shall be authorized to transact
5 business under the provisions of this chapter with less than two hun-
6 dred thousand dollars (\$200,000) capital stock fully paid for in cash
7 and one hundred thousand dollars (\$100,000) of surplus paid in in
8 cash or invested as provided by law. Nothing herein contained shall
9 affect companies now authorized to transact business under the provi-
10 sions of this chapter.

Senate File No. 166. Approved March 9, A. D. 1929.

CHAPTER 218

INSURANCE

AN ACT to amend section eighty-six hundred fifty-one (8651), code of Iowa, 1927 relating to the organization and authorization of mutual life insurance companies.

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

1 SECTION 1. Section eighty-six hundred fifty-one (8651), code of
2 Iowa, 1927, is hereby amended by changing the semicolon following
3 the figures 8647 in line 15 thereof to a comma and inserting the
4 following words, to wit:

5 "and in addition thereto a deposit of cash or securities of the char-
6 acter provided by law for the investment of funds for life insurance
7 companies in the sum of twenty-five thousand dollars (\$25,000),
8 which shall constitute a guaranty fund for the protection of policy
9 holders. In no event shall the contribution to said guaranty fund give
10 to any contributors thereof, or to any other persons any voting or
11 other power in the management of the affairs of the company by
12 reason of such contribution. Said guaranty fund may be repaid to
13 the contributors thereto with interest at six per cent (6%) from the
14 date of contribution, at any time, in whole or in part, provided such
15 repayment does not reduce the surplus of the company below the
16 amount of twenty-five thousand dollars (\$25,000) and then only pro-
17 vided consent in writing for such repayment is obtained from the
18 commissioner of insurance;"

Senate File No. 165. Approved March 12, A. D. 1929.

CHAPTER 219

INSURANCE

AN ACT to amend section eighty-six hundred seventy-one (8671) of the code, 1927, relating to life insurance and medical examinations therefor.

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

1 SECTION 1. Section eighty-six hundred seventy-one (8671) of the
2 code, 1927, is hereby amended by striking out all of said section com-
3 mencing with the word "Provided" in line seventeen (17) thereof and
4 by substituting therefor the following:

5 "Provided that this section shall not apply to industrial or juvenile
6 policies or to policies of two thousand dollars (\$2000.00) or less."

1 SEC. 2. That policies so written shall be incontestible for any rea-
2 son, after two years from date of issue.

1 SEC. 3. This act, being deemed of immediate importance, shall take
2 effect from and after its publication in the Maquoketa Excelsior and
3 the Eldon Forum, two newspapers of the state, as provided by law.

House File No. 86. Approved March 28, A. D. 1929.

I hereby certify that the foregoing act was published in the Maquoketa Excelsior April 2, 1929, and the Eldon Forum April 4, 1929.

ED. M. SMITH, *Secretary of State.*

See Chapter 220.

CHAPTER 220

LIFE INSURANCE

AN ACT to repeal house file eighty-six (86), acts of the forty-third general assembly, and enact a substitute therefor, relating to life insurance and medical examinations therefor.

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

1 SECTION 1. Sections one (1) and two (2) of house file eighty-six
2 (86), acts of the forty-third general assembly are hereby repealed and
3 the following enacted in lieu thereof:

4 "Section eighty-six hundred seventy-one (8671) of the code, 1927,
5 is amended by striking all of said section commencing with the word
6 "Provided" in line seventeen (17) thereof and substituting therefor
7 the following:

8 "Provided that medical examination of the applicant as condition
9 precedent to approval of policy forms shall not be required in the case
10 of juvenile and industrial policies, and policies in amount of two
11 thousand dollars (\$2,000) or less; policies so written shall be incon-
12 testible for any reason except for non-payment of premiums after two
13 years from date of issue."

1 SEC. 2. This act, being deemed of immediate importance, shall take
2 effect from and after its publication in the Maquoketa Excelsior and
3 the Eldon Forum, two newspapers of the state, as provided by law.

Senate File No. 501. Approved April 18, A. D. 1929.

I hereby certify that the foregoing act was published in the Maquoketa Excelsior April 23, 1929, and the Eldon Forum April 25, 1929.

ED. M. SMITH, *Secretary of State.*

See Chapter 219.

CHAPTER 221

INSURANCE

AN ACT to amend section eighty-six hundred seventy-six (8676) of the code, 1927, relative to group insurance and granting authority to labor organizations and teachers associations to issue group insurance on their members.

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

1 SECTION 1. Amend section eighty-six hundred seventy-six (8676)
2 of the code, 1927, by adding after the period (.) in line eight (8), the
3 following:

4 "The following form of life insurance is hereby decreed to be group
5 life insurance within the meaning of this section:

6 Life insurance covering the members of any labor union or teachers
7 association written under a policy issued to such union or teachers
8 association, which shall be deemed to be the employer for the purposes
9 of this chapter, the premium on which is to be paid by the union or
10 by the union and its members jointly, or by the teacher or by the
11 teachers association jointly, and insuring only all of its members who

12 are actively engaged in the same occupation or profession, for
 13 amounts of insurance based upon some plan which will preclude in-
 14 dividual selection, for the benefit of persons other than the union,
 15 teachers association, or their officials; provided, however, that when
 16 the premium is to be paid by the union or teachers association and
 17 their members jointly and the benefits are offered to all eligible mem-
 18 bers, not less than sixty-five (65) per centum of such members may
 19 so be insured.

20 "Provided also that in case an insurance policy is renewable annu-
 21 ally only at the option of both parties to the contract, and provided
 22 that the basis of premium rates may be changed by the insurance com-
 23 pany at the beginning of any policy year, all members of a trade union
 24 or teachers association may be insured."

1 SEC. 2. This act shall be deemed in full force and effect after pub-
 2 lication in the Ottumwa Daily Courier, a newspaper published in the
 3 city of Ottumwa, Iowa, and the Sioux City Tribune, a newspaper pub-
 4 lished in the city of Sioux City, Iowa.

Senate File No. 418. Approved April 5, A. D. 1929.

I hereby certify that the foregoing act was published in the Ottumwa Daily Courier
 April 8, 1929, and the Sioux City Tribune April 8, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 222

INVESTMENT OF INSURANCE COMPANY FUNDS

AN ACT to amend section eighty-seven hundred thirty-seven (8737), code, 1927, relat-
 ing to the investment in public utility bonds of funds of life insurance companies
 and associations contemplated by chapters three hundred ninety-eight (398) and
 four hundred (400) of the code, 1927.

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

1 SECTION 1. Section eighty-seven hundred thirty-seven (8737),
 2 code, 1927, is amended as follows:

3 1. Amend paragraph four (4), subsection b, by inserting imme-
 4 diately following the comma (,) in line five (5) the following: "and/".

5 2. Amend paragraph four (4), subsection b, by adding immediately
 6 after the comma (,) in line six (6), the following:

7 "or, in lieu of either of such requirements, the net earning of said
 8 corporation shall have been at least two (2) times the interest on
 9 the present mortgage indebtedness for each of the three (3) years
 10 prior to the date of purchase,".

11 3. Amend paragraph four (4), subsection c, by striking from
 12 line eight (8) the following words, "one and three-fourths" and sub-
 13 stituting in lieu thereof the word "two".

14 4. Amend paragraph four (4), subsection c, by striking from line
 15 eleven (11) the following words, "one and three fourths" and by sub-
 16 stituting in lieu thereof the following word, "two".

17 5. Amend paragraph four (4), subsection f, by striking from line
 18 two (2) the word "sixty" and substituting in lieu thereof, the word,
 19 "fifty-five".

20 "6. Amend paragraph four (4), subsection c, by striking from
21 line nine (9) and from line twelve (12) the word "funded" and in-
22 serting in lieu thereof the word "mortgage"."

23 7. Amend paragraph four (4), subsection f, by striking from line
24 ten (10) the word "seventy" and substituting in lieu thereof the
25 word "fifty-five".

26 "8. Amend paragraph four (4), subsection f, by striking from
27 lines one (1) and nine (9), the word "funded" and inserting in lieu
28 thereof the word "mortgage"."

29 "9. Amend paragraph four (4), subsection f, by striking from
30 lines three (3) and four (4), the words "as shown by the books of the
31 corporation"."

1 SEC. 2. **Publication clause.** This act is deemed of immediate impor-
2 tance and shall take effect from and after its publication in two (2)
3 newspapers of this state as provided by law.

Senate File No. 181. Approved April 16, A. D. 1929.

I hereby certify that the foregoing act was published in the Sidney Argus April 25,
1929, and the Hawarden Chronicle April 25, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 223

INVESTMENT OF FUNDS

AN ACT to amend section eighty-seven hundred thirty-seven (8737), code, 1927, relating to the investments of the funds of life insurance companies and associations.

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

1 SECTION 1. Section eighty-seven hundred thirty-seven (8737),
2 code, 1927, is amended by inserting immediately following paragraph
3 four (4) of said section, the following, to wit:

4 "5. **Railroad bonds.** (a) Mortgage bonds of any railroad or rail-
5 way corporation owning in fee not less than five hundred (500) miles
6 of railroad, and located wholly or in part in any state or states of the
7 United States, the capital stock of which equals at least one-third
8 (1/3) of its funded indebtedness, and which has been paid regularly
9 for the five (5) years next preceding the date of such investment all
10 interest charges on said funded indebtedness, and which has earned
11 regularly for such period dividends of at least four per cent (4%)
12 per annum upon all its issues of capital stock; or in the mortgage
13 bonds of any railroad, railway, or terminal corporation which have
14 been, both as to principal and interest, assumed or guaranteed by any
15 such railroad or railway corporation.

16 (b) Notes or certificates of any equipment trust created in behalf
17 of any railroad coming within the terms of paragraph (a) above,
18 provided that the plan of such trust, in case of any railroad coming
19 within the terms of paragraph (a) includes an initial cash payment
20 of at least twenty-five per cent (25%), and that such notes mature
21 not later than fifteen (15) years from the date of issue, and retire-

22 ment of such notes begins not later than six (6) years from the date
23 of purchase."

1 SEC. 2. Paragraphs five (5) to nine (9), inclusive, of said section
2 eighty-seven hundred thirty-seven (8737) are hereby renumbered as
3 paragraphs six (6) to ten (10), inclusive.

Senate File No. 295. Approved April 18, A. D. 1929.

CHAPTER 224

INSURANCE

AN ACT to amend sub-section nine (9) of section eighty-seven hundred thirty-seven (8737) of the code 1927, relating to the deposit of certain securities by life insurance companies and associations with the commissioner of insurance, and the withdrawal thereof; and to amend section eighty-seven hundred thirty-six (8736) of the code 1927, so as to except the securities deposited under sub-section nine (9) of section eighty-seven hundred thirty-seven (8737) of the code, 1927, from the requirements thereof.

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

1 SECTION 1. That sub-section nine (9) of section eighty-seven hun-
2 dred thirty-seven (8737) of the code, 1927, is hereby amended by
3 striking out all of said sub-section from and after the first paragraph
4 thereof and by substituting the following in lieu thereof:

5 "Said companies may also substitute for such securities warranty
6 deeds conveying any of the property included in the original mortgage
7 to the commissioner of insurance, and to his successors in office, in
8 their official capacity."

9 "Before depositing any such deed with the commissioner of insur-
10 ance it shall first be recorded in the county where such property is
11 located. Said deed shall be accompanied by a certificate that the com-
12 pany has in its possession either an abstract showing good title to the
13 property conveyed or a policy or contract guaranteeing said title, and
14 said deed shall be accepted for deposit not in excess of the amount
15 of the original security, and only so long as the company annually
16 certifies the taxes are paid and fire insurance maintained. Upon re-
17 quest of the company any of such property shall be reconveyed by
18 quit-claim deed by the commissioner then in office, in his official
19 capacity, to the company or other person designated by such company,
20 and in any event shall be so reconveyed at the end of ten years from
21 the date of the conveyance to the commissioner. The company may
22 agree to sell any property to which it has obtained title in connection
23 with the foreclosure or satisfaction of a mortgage, or mortgages,
24 under contract of sale, in form to be approved by the commissioner of
25 insurance, and to run for a period of not longer than twenty years.
26 Such contracts when assigned to the commissioner, in form satisfac-
27 tory to him, may be substituted for any of the securities hereinbefore
28 mentioned, or may be deposited with the commissioner as provided
29 in section eighty-six fifty-five (8655), the valuation to be fixed by
30 the commissioner, which may be changed from time to time as he
31 may determine."

32 "The total amount of certificates of sale, contracts of sale, and
 33 deeds deposited, as herein provided, shall not exceed at any one time
 34 twenty (20) per cent of the amount any such company is required by
 35 law to deposit with the insurance department."

36 "No such change of security shall be made if the same has been
 37 purchased from any officer, stockholder, agent or employee of the in-
 38 surer."

1 SEC. 2. Section eighty-seven hundred thirty-six (8736) of the code,
 2 1927, is hereby amended by inserting after the word "shall" in the
 3 fourth line thereof a comma and the following:

4 "Unless a deed to or a contract for the sale of the same shall have
 5 been deposited with or assigned to the commissioner of insurance as
 6 provided in sub-section nine (9) of section eighty-seven hundred
 7 thirty-seven (8737)".

1 SEC. 3. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its publication in the Newton
 3 Daily News, a newspaper published at Newton, Iowa, and the Cedar
 4 Rapids Tribune, a newspaper published at Cedar Rapids, Iowa.

Senate File No. 289. Approved April 5, A. D. 1929.

I hereby certify that the foregoing act was published in the Newton Daily News
 April 8, 1929, and the Cedar Rapids Tribune April 12, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 225

INSURANCE. RECIPROCAL REQUIREMENTS

AN ACT to repeal sections eighty-seven hundred fifty-two (8752) and eighty-nine hundred sixty-nine (8969) of the code of Iowa, 1927, so as to fix reciprocal requirements as to taxes, fines, penalties, license fees, certificates of authority, certificates of solvency, and otherwise, of insurance companies.

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

1 SECTION 1. That section eighty-seven hundred fifty-two (8752)
 2 and section eighty-nine hundred sixty-nine (8969) code of Iowa, 1927,
 3 be and the same are hereby repealed.

1 SECTION 2. That section eighty-six hundred twelve (8612) code
 2 of Iowa, 1927, be amended by adding thereto the following:

3 "If, by the existing or future laws of any state, an insurance cor-
 4 poration of this state or the agents thereof, shall be required to make
 5 any deposit of securities in such other state for the protection of
 6 policyholders or otherwise, or to make payment for taxes, fines, penal-
 7 ties, certificates of authority, license fees or otherwise, or are sub-
 8 jected to any restrictions, obligations, conditions, or penalties greater
 9 than are required or imposed by the laws of the state of Iowa relating
 10 to insurance companies from or under similar corporations of such
 11 other states by the then existing laws of this state, then and in every
 12 such case all similar insurance corporations of such states shall be
 13 and they are hereby required to make like deposit for the like pur-
 14 poses in the insurance department of this state, and to pay to the

15 commissioner of insurance for taxes, fines, penalties, certificates of
 16 authority, license fees and otherwise an amount equal to the amount
 17 of such charges and payments, and shall be subjected to the same
 18 restrictions, obligations, conditions or penalties imposed by the laws
 19 of other states upon insurance companies and agents thereof."

20 "Whenever it shall appear to the commissioner of insurance that
 21 permission to transact the business of insurance and/or to sell its
 22 securities in any state within the United States or in any foreign
 23 country is refused to a company organized under the laws of this
 24 state, after a certificate of solvency and good management of such
 25 company has been issued to it by the commissioner of insurance and
 26 after such company has complied with any reasonable laws of such
 27 state or foreign country, then, and in every such case, the commis-
 28 sioner of insurance may cancel the authority of every company or-
 29 ganized under the laws of such state or foreign government, licensed
 30 to do business in this state, and may refuse a certificate of authority
 31 to any and all insurance companies of such state thereafter applying
 32 for authority to do business in this state, until such time as the cer-
 33 tification of the commissioner of insurance of this state shall have
 34 been duly recognized by the government of such state or country."

1 SEC. 3. Securities as defined herein shall mean the shares of capital
 2 stock, subscription certificates, debenture bonds, and any and/or other
 3 contracts or evidences of ownership of or interest in insurance cor-
 4 porations as referred to in this section.

1 SEC. 4. This act being of immediate importance shall take effect
 2 and be in force from and after its publication in the Telegraph Herald
 3 & Times Journal and the Iowa City Press Citizen newspapers, pub-
 4 lished in Dubuque, Iowa, and Iowa City, Iowa, respectively.

Senate File No. 412. Approved April 16, A. D. 1929.

I hereby certify that the foregoing act was published in the Dubuque Telegraph-
 Herald and Times-Journal April 19, 1929, and the Iowa City Press Citizen April 20, 1929.
 ED. M. SMITH, *Secretary of State.*

CHAPTER 226

FRATERNAL ORGANIZATIONS

AN ACT to amend section eight thousand seven hundred eighty-five (8785) of the code,
 1927, relating to fraternal beneficiary societies, orders or associations.

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

1 SECTION 1. Section eight thousand seven hundred eighty-five
 2 (8785) of the code, 1927, is amended by striking the period at the end
 3 of said section and substituting a colon therefor and adding the fol-
 4 lowing:

5 "Provided, however, that societies whose membership is confined to
 6 the members of any one religious denomination may be permitted to
 7 provide that benefits under their certificates of membership may be
 8 paid to educational, religious, charitable or benevolent institutions."

Senate File No. 279. Approved April 5, A. D. 1929.

CHAPTER 227

FRATERNAL ORGANIZATIONS

An ACT to amend sub-section eight (8) of section eighty-eight hundred twenty-nine (8829), of the code, 1927, relating to the deposits of certain securities by fraternal beneficiary societies, orders or associations with the commissioner of insurance, and the withdrawal thereof.

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

1 SECTION 1. That sub-section eight (8) of section eighty-eight hun-
2 dred twenty-nine (8829) of the code, 1927, is amended by striking out
3 all of said sub-section from and after the first paragraph thereof and
4 by substituting the following in lieu thereof:

5 "Said companies may also substitute for such securities warranty
6 deeds conveying any of the property included in the original mortgage
7 to the commissioner of insurance, and to his successors in office, in
8 their official capacity."

9 "Before depositing any such deed with the commissioner of insur-
10 ance it shall first be recorded in the county where such property is
11 located. Said deed shall be accompanied by a certificate that the com-
12 pany has in its possession either an abstract showing good title to
13 the property conveyed or a policy or contract guaranteeing said title,
14 and said deed shall be accepted for deposit not in excess of the amount
15 of the original security, and only so long as the company annually
16 certifies the taxes are paid and fire insurance maintained. Upon re-
17 quest of the company any of such property shall be re-conveyed by
18 quit claim deed by the commissioner then in office, in his official
19 capacity, to the company or other person designated by such company,
20 and in any event shall be so re-conveyed at the end of ten years from
21 the date of the conveyance to the commissioner. The company may
22 agree to sell any property to which it has obtained title in connection
23 with the foreclosure or satisfaction of a mortgage, or mortgages,
24 under contract of sale, in form to be approved by the commissioner
25 of insurance, and to run for a period of not longer than twenty years.
26 Such contracts when assigned to the commissioner, in form satisfac-
27 tory to him, may be substituted for any of the securities hereinbefore
28 mentioned, or may be deposited with the commissioner as provided
29 in section eighty-eight hundred twenty-five (8825), of the code, 1927,
30 the valuation to be fixed by the commissioner, which may be changed
31 from time to time as he may determine."

32 "The total amount of certificates of sale, contracts of sale, and deeds
33 deposited, as herein provided, shall not exceed at any one time twenty
34 (20) per cent of the amount any such company is required by law to
35 deposit with the insurance department."

36 "No such change of security shall be made if the same has been
37 purchased from any officer, stockholder, agent or employee of the in-
38 surer."

Senate File No. 314. Approved April 5, A. D. 1929.

CHAPTER 228

INVESTMENT OF INSURANCE FUNDS

AN ACT to amend the law as it appears in section eighty-nine hundred and twenty-seven (8927) of the code of 1927, relating to the investment of funds of insurance companies other than life.

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

1 SECTION 1. Section eighty-nine hundred twenty-seven (8927) of
2 chapter four hundred four (404), title twenty (20), code of Iowa,
3 1927, is hereby repealed and the following enacted in lieu thereof:

4 "Any company organized under the provisions of this chapter shall
5 invest its capital and funds in the following described securities and
6 no other.

7 1. The bonds of the United States or federal farm loan bonds
8 issued under the provisions of the act of congress relative thereto
9 approved July 17, 1926, and bonds issued or guaranteed by the
10 Dominion of Canada.

11 2. The bonds of this or any other state of the United States and
12 bonds issued by any of the provinces of the Dominion of Canada.

13 3. Bonds or other evidences of indebtedness of any county, city,
14 town, or school district within this or any of the states of the United
15 States, drainage district bonds of this state, improvement certificates
16 issued by any municipal corporation of this state, such certificates
17 being a first lien upon real estate within the corporate limits of the
18 municipality issuing the same, where such bonds or other evidences
19 of indebtedness are issued by authority of and according to law and
20 bearing interest.

21 4. Mortgages and other interest bearing securities being first liens
22 upon real estate within this or any other state of the United States
23 worth at least double the amount loaned thereon and secured thereby.
24 Improvements shall not be considered in estimating value unless the
25 owner shall contract to keep the same insured in a reliable fire insur-
26 ance company or companies, association or associations authorized
27 to transact business in this state, during the life of the loan in a sum
28 at least equal to the excess of the loan above one-half of the value of
29 the ground, exclusive of improvements, the insurance to be made
30 payable in case of loss to the company or association investing its
31 funds as its interests may appear at the time of loss. Any mortgage
32 lien upon real estate shall not for the purpose of this section be held
33 or construed to be other than a first lien, by reason of the fact that
34 drainage or other improvement assessments may have been levied
35 against the real estate covered by said mortgage whether the install-
36 ment of said assessments be matured or not, provided that in deter-
37 mining the value of such real estate for loan purposes the amount of
38 drainage or other assessment tax unpaid shall be first deducted.

39 5. Real estate bonds which are first lien upon real estate within
40 this or any other state of the United States, provided the outstanding
41 indebtedness against the property does not exceed sixty per cent
42 (60%) of the reasonable value thereof and provided further that the
43 average earnings of the property are at least two and one-half (2½)

44 times the interest requirements of all outstanding bonds and indebted-
45 ness.

46 6. Not to exceed twenty per cent of such capital and funds in
47 stocks, other than bank stock or the company's own stock, and/or
48 bonds or other evidences of indebtedness of any solvent dividend pay-
49 ing corporation organized under the laws of any of the states of the
50 United States, provided that no company may invest an amount in
51 excess of ten per cent (10%) of the surplus of the company in the
52 stock and/or bonds of any one corporation.

53 7. Any loans secured by collateral security consisting of any
54 securities enumerated in this act, provided there is a margin of ten
55 per cent (10%) between the amount of the loan and the value of the
56 securities."

Senate File No. 192. Approved April 18, A. D. 1929.

CHAPTER 229

INSURANCE AGAINST AIRCRAFT DAMAGE

AN ACT to amend section eighty-nine hundred forty (8940) of the code, 1927, to permit insurance of buildings and other property against loss or damage caused by airplanes, seaplanes, dirigibles, or other aircraft.

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

1 SECTION 1. Section eighty-nine hundred forty (8940) of the code,
2 1927, is hereby amended by changing the period at the end of sub-
3 section one (1) thereof to a semi-colon and adding thereto the fol-
4 lowing:

5 "and also against loss or damage caused by airplanes, seaplanes,
6 dirigibles or other aircraft".

House File No. 531. Approved April 16, A. D. 1929.

CHAPTER 230

CREDIT INSURANCE

AN ACT to amend the law as it appears in subsection eight (8) of section eighty-nine hundred forty (8940) of the code of Iowa, relating to the subject of credit insurance.

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

1 SECTION 1. That the law as it appears in subsection eight (8) of
2 section eighty-nine forty (8940) of the code of Iowa, be and the same
3 is hereby amended by adding at the end of the subsection the follow-
4 ing words:

5 "Such coinsurance percentages shall be deducted in advance of the
6 agreed normal loss from the gross covered loss sustained by the in-
7 sured."

Senate File No. 259. Approved April 18, A. D. 1929.

CHAPTER 231

INSURANCE ON AUTOMOBILES

AN ACT to amend the law as it appears in sections eighty-nine hundred forty (8940) and nine thousand seventeen (9017) of the code, 1927, relating to insurance and policies of insurance on automobiles.

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

1 SECTION 1. That clause *e* of subdivision five (5) of section eighty-
2 nine hundred and forty (8940) of the code of 1927, be, and the same
3 is hereby amended by inserting after the word "conveyances" in line
4 four (4), the words "including aircraft" and by striking out the
5 semi-colon following the word "object" in line nine, and inserting
6 in lieu thereof a comma and the words as follows:

7 "and insure the assured's own automobile against loss or damage,
8 including the loss of use thereof, by fire, lightning, windstorm, tor-
9 nado, cyclone, hail, burglary or theft, vandalism, malicious mischief,
10 or the wrongful conversion, disposal or concealment thereof, or any
11 one or more of such hazards, whether said automobile is held under
12 conditional sale, contract, or subject to chattel mortgages;"

1 SEC. 2. Subsection nine (9) of section eighty-nine hundred forty
2 (8940) of the code, 1927, is hereby amended by striking from line
3 twenty-one (21) the words "but not", and inserting after the word
4 "person" in line twenty-two (22), the following:

5 " ; provided that should an execution on a judgment against the
6 insured be returned unsatisfied in an action by a person who is in-
7 jured or whose property is damaged when the owner or operator has
8 insured his liability for such personal injury or damage, the judgment
9 creditor shall have the right of action against the insurer to the same
10 extent that such owner or operator could have enforced his claim
11 against such insurer had such owner or operator paid said judgment".

1 SEC. 3. Section nine thousand seventeen (9017) of the code, 1927,
2 is hereby amended by inserting after the word "automobiles" in line
3 four (4), the following:

4 " , airplane, seaplanes, dirigibles, or other aircraft".

1 SEC. 4. This act, being deemed of immediate importance, shall be
2 in full force and effect from and after its publication in the Center
3 Point Independent, a newspaper published at Center Point, Iowa, and
4 the Plain Talk, a newspaper published at Des Moines, Iowa.

House File No. 47. Approved March 21, A. D. 1929.

I hereby certify that the foregoing act was published in the Center Point Inde-
pendent March 28, 1929, and the Des Moines Plain Talk March 28, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 232

INSURANCE

AN ACT to amend chapter 406, code 1927, relating to stipulation for arbitration of loss under contracts of insurance.

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

1 SECTION 1. Chapter 406 of title XX, code of Iowa, 1927, is amended
 2 by adding thereto the following:
 3 "No recovery on a policy or contract of insurance shall be defeated
 4 for failure of the insured to comply, after a loss occurs, with any arbi-
 5 tration or appraisal stipulation as to fixing the value of property.
 6 No arbitration shall take place except substantially where the prop-
 7 erty was situated at the time of loss. Contracts of insurance to in-
 8 demnify against loss by hail to growing crops which stipulate for arbi-
 9 tration shall provide that the decision of the majority of the arbitra-
 10 tors shall be final only as to the arbitration."

Senate File No. 232. Approved March 30, A. D. 1929.

CHAPTER 233

INSURANCE COMMISSIONER MADE RECEIVER

AN ACT making the insurance commissioner of the state of Iowa the receiver or liquidating officer for insurance companies, associations or insurance carriers, and prescribing the compensation and expenses thereof.

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

1 SECTION 1. The commissioner of insurance henceforth shall be the
 2 receiver and/or liquidating officer for any insurance company, asso-
 3 ciation or insurance carrier, and shall serve without compensation
 4 other than his stated compensation as commissioner of insurance, but
 5 he shall be allowed clerical and other expenses necessary for the con-
 6 duct of such receivership.

1 SEC. 2. All expenses of supervision and liquidation shall be fixed
 2 by the commissioner of insurance, subject to approval by the court
 3 or a judge thereof, and shall, upon his order, be paid out of the funds
 4 of such company, association or insurance carrier in his hands.

House File No. 458. Approved April 9, A. D. 1929.

CHAPTER 234

INSURANCE. TAX REFUNDS

AN ACT to provide for refund of taxes, fees, licenses collected from insurance companies by or through error, mistake, or erroneous interpretation of statute.

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

1 SECTION 1. Whenever it appears to the satisfaction of the com-
2 missioner of insurance that because of error, mistake, or erroneous
3 interpretation of statute that a foreign or domestic insurance cor-
4 poration has paid to the state of Iowa taxes, fines, penalties, or license
5 fees in excess of the amount legally chargeable against it, the com-
6 missioner of insurance shall have power to refund to such corporation
7 any such excess by applying the amounts thereof toward the pay-
8 ment of taxes, fines, penalties, or license fees already due or which
9 may hereafter become due, until such excess payments have been
10 fully refunded.

Senate File No. 413. Approved March 30, A. D. 1929.

CHAPTER 235

RECORDING FEES

AN ACT to amend the law as it appears in section eighty-four hundred sixty-two (8462), section eighty-four hundred ninety (8490) and section ninety-two hundred eighty-three-b four (9283-b4), code of 1927, relating to fees to be charged for recording.

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

1 SECTION 1. That the law as it appears in section eighty-four hun-
2 dred sixty-two (8462), code of 1927, be amended by inserting after
3 the word "dollar" in line ten (10) the following words:
4 "In all cases there shall be paid a recording fee of ten cents (10c)
5 per hundred (100) words, no fee to be less than fifty cents (50c)."

1 SEC. 2. That the law as it appears in section eighty-four hundred
2 ninety (8490), code of 1927, be amended by adding at the end thereof
3 the following words:
4 "In all cases there shall be paid a recording fee of ten cents (10c)
5 per hundred (100) words, no recording fee to be less than fifty cents
6 (50c)."

1 SEC. 3. That the law as it appears in section ninety-two hundred
2 eighty-three-b four (9283-b4), code of 1927, be amended by striking
3 therefrom the period (.) after the word "dollars" found in line six
4 (6) and by adding the following words thereto:
5 "and a recording fee of ten cents (10c) per hundred (100) words."

Senate File No. 243. Approved April 6, A. D. 1929.

CHAPTER 236

HIGHWAY COMMISSION. ATTORNEY

AN ACT to amend the law as it appears in section one hundred fifty-one (151) of the code of Iowa, 1927, relating to assistant attorneys general.

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

1 SECTION 1. That the law as it appears in section one hundred fifty-
2 one (151) of the code of Iowa, 1927, be and the same is hereby
3 amended by adding to said section, the following:
4 The highway commission may request of the attorney general, the
5 assistance of a special attorney to look after the legal work of the
6 highway commission, and in such event, the attorney general shall ap-
7 point a special assistant attorney general who shall be satisfactory
8 to the commission. The salary of such special assistant attorney gen-
9 eral shall be fixed at forty-five hundred dollars (\$4,500.00) per annum,
10 which, together with his necessary traveling expenses shall be paid
11 from the support fund of the highway commission created by section
12 forty-seven hundred fifty-five b thirty-one (4755-b31) of the code,
13 1927. The commission shall provide and furnish a suitable office for
14 such special assistant attorney general upon request of the attorney
15 general.

House File No. 293. Approved May 7, A. D. 1929.

CHAPTER 237

NEGOTIABLE INSTRUMENTS

AN ACT to amend sections ninety-five hundred fifty-six (9556) and ninety-six hundred nine (9609), code, 1927, relating to negotiable instruments.

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

1 SECTION 1. Section ninety-five hundred fifty-six (9556), code, 1927,
2 is amended by inserting in line six (6) immediately before the word
3 "unless" the words "the notice".
1 SEC. 2. Section ninety-six hundred nine (9609), code, 1927, is
2 amended by inserting in line eleven (11) immediately before the word
3 "ground" the word "other".

Senate File No. 251. Approved April 16, A. D. 1929.

CHAPTER 238

PUBLIC CONTRACTS

AN ACT to amend section ninety-nine hundred twenty-eight (9928), code, 1927, relating to public contracts and the implied provisions thereof.

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

- 1 SECTION 1. Section ninety-nine hundred twenty-eight (9928), code,
- 2 1927, is amended by striking from lines twenty-six (26), twenty-
- 3 seven (27), and twenty-eight (28) the following words, to wit: "and
- 4 agrees that the establishment of the falsity of these representations
- 5 and guaranties, or any of them".

House File No. 158. Approved March 12, A. D. 1929.

CHAPTER 239

EVIDENCE OF INDEBTEDNESS

AN ACT to provide for the surrender of written evidence of indebtedness to the clerk of court before the judgment thereon is entered of record.

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

- 1 SECTION 1. Unless otherwise ordered by the court or judge, the
- 2 clerk of the district court shall not enter or spread upon the records
- 3 of his office any judgment based upon any promissory note or notes
- 4 or other written evidence of indebtedness, unless the note or notes
- 5 or other written evidence of indebtedness are first delivered to the
- 6 clerk.

Senate File No. 226. Approved April 16, A. D. 1929.

CHAPTER 240

COURT PROCEDURE. APPEAL BONDS

AN ACT to regulate the filing and approval of bonds when required in appeals to any court.

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

- 1 SECTION 1. The filing by an approving officer of a duly tendered
- 2 appeal bond in an appeal to any court shall carry the presumption
- 3 until the contrary is established that said officer approved the bond
- 4 even though no formal approval is endorsed on the bond.

Senate File No. 130. Approved April 17, A. D. 1929.

CHAPTER 241

PUBLIC UTILITIES

AN ACT to repeal section ten thousand thirty-six (10036), code of 1927, and to enact a substitute therefor, relating to the filing of contracts pertaining to public utility equipment; and to repeal section ten thousand thirty-eight (10038), code of 1927, and to enact a substitute therefor, relating to fees to be charged by the secretary of state.

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

1 SECTION 1. That the law as it appears in section ten thousand
2 thirty-six (10036), code of 1927, is hereby repealed and the following
3 enacted as a substitute therefor:

4 "The contracts herein authorized shall be filed with the secretary of
5 state who shall number consecutively all such contracts filed in his
6 office and shall maintain a card index thereof alphabetically arranged,
7 and shall preserve the same as permanent records of his office."

1 SEC. 2. That the law as it appears in section ten thousand thirty-
2 eight (10038), code of 1927, is hereby repealed and the following en-
3 acted as a substitute therefor:

4 "For such service the secretary of state shall charge a filing fee
5 of one dollar (\$1.00) for each contract and each declaration."

Senate File No. 249. Approved April 5, A. D. 1929.

CHAPTER 242

LEGALIZATION OF CONVEYANCES

AN ACT to amend section ten thousand seventy-one (10071), code, 1927, relating to the legalization of conveyances of real estate and to the presumption which shall be indulged as to the names of persons receiving and conveying title.

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

1 SECTION 1. Section ten thousand seventy-one (10071), code, 1927,
2 is amended by striking from the last line thereof the figures "1900"
3 and by inserting in lieu thereof the figures "1915".

1 SEC. 2. Said section is further amended by striking the word "con-
2 clusive" as it appears in line seven (7) thereof and by inserting in
3 lieu thereof the word "presumptive".

1 SEC. 3. This act shall not be effective as to any person adversely
2 affected thereby until after the lapse of ninety (90) days after this
3 act takes effect, and during said time of ninety (90) days such per-
4 son may institute any appropriate action or proceeding to protect his
5 said right.

1 SEC. 4. This act shall not apply to pending litigation.

House File No. 364. Approved April 6, A. D. 1929.

CHAPTER 243

CEMETERIES

AN ACT to amend the law as it appears in sections ten thousand two hundred eleven (10211), ten thousand two hundred twelve (10212) and ten thousand two hundred thirteen (10213) of the code, 1927, relating to the management of cemetery funds by trustees.

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

1 SECTION 1. That the law as it appears in section ten thousand two
2 hundred eleven (10211) of the code, 1927, be and the same is hereby
3 amended by inserting the word "Counties" at the beginning of said
4 section.

1 SEC. 2. That the law as it appears in section ten thousand two
2 hundred twelve (10212) of the code, 1927, be and the same is hereby
3 amended by inserting the words "board of supervisors" before the
4 word "mayor" in the first line of said section.

1 SEC. 3. That the law as it appears in section ten thousand two hun-
2 dred thirteen (10213) of the code, 1927, be and the same is hereby
3 amended by inserting the word "county" before the word "city" in
4 the second line of said section and also by adding at the close of said
5 section the following sentence:

6 "In case there is no cemetery association then the income from said
7 fund shall be expended under the direction of the board of supervisors
8 in accordance with the terms of said donation or bequest."

House File No. 33. Approved February 14, A. D. 1929.

CHAPTER 244

SERVICES ON PUBLIC IMPROVEMENTS

AN ACT to amend section ten thousand two hundred ninety-nine (10299) of the code of Iowa, 1927, relating to the furnishing of labor and services in connection with public improvements.

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

1 SECTION 1. That the law as it appears in section ten thousand two
2 hundred ninety-nine (10299) of the code of Iowa, 1927, be and the
3 same is hereby amended by inserting after the word "feed", in line
4 eighteen, the following: ", gasoline, kerosene, lubricating oils and
5 greases."

1 SEC. 2. That the law as it appears in section ten thousand two
2 hundred ninety-nine (10299) of the code of Iowa, 1927, be and the
3 same is hereby amended by adding thereto the following as para-
4 graph five (5):

5 5. "Service" shall, in addition to its ordinary meaning, include the
6 furnishing to the contractor of workmen's compensation insurance,
7 and premiums and charges for such insurance shall be considered a
8 claim for service.

1 SEC. 3. This act, being deemed of immediate importance, shall take
2 effect and be in force from and after its publication in the Fairfield
3 Daily Ledger, a newspaper published in Fairfield, Iowa, and the Keo-
4 sauqua Republican, a newspaper published in Keosauqua, Iowa.

Senate File No. 200. Approved April 16, A. D. 1929.

I hereby certify that the foregoing act was published in the Fairfield Daily Ledger
April 19, 1929, and the Keosauqua Republican April 25, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 245

LEGALIZING CONVEYANCES

AN ACT to amend the law as it appears in section ten thousand three hundred ninety-four (10394) of the code, 1927, legalizing conveyances by executors, administrators, trustees, guardians, assignees, receivers, referees or commissioners of record prior to January 1, 1920, limiting the time in which actions may be brought under or concerning the conveyances herein sought to be legalized, and making provision that this act shall not affect pending litigation.

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

1 SECTION 1. The law as it appears in section ten thousand three
2 hundred ninety-four (10394) of the code, 1927, is amended by strik-
3 ing out the figures "1910" where same appear in line two (2) of
4 said section, and substituting therefor the figures "1920" and by
5 striking out the figures "1910" in line eight (8) of said section and
6 substituting therefor the figures "1920".

1 SEC. 2. Any person or corporation who may have any adverse inter-
2 est in and to real property affected by any conveyance made by any
3 executor, administrator, trustee, guardian, assignee, receiver, referee,
4 or commissioner in this or any other state, and who may be affected
5 by the provisions of this act and who shall fail to bring action to
6 assert or protect any adverse claim or right which said person or
7 corporation may have in any court of competent jurisdiction within
8 ninety (90) days from the taking effect of this act, shall be barred
9 thereafter from having or enforcing any such adverse claim or right.

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

1 SEC. 4. This act being deemed of immediate importance shall be
2 in force and effect from and after its publication in the West Side
3 Journal, a newspaper published in West Side, Iowa and in the Vail
4 Observer, a newspaper published in Vail, Iowa.

Senate File No. 52. Approved March 13, A. D. 1929.

I hereby certify that the foregoing act was published in the West Side Journal
March 14, 1929, and the Vail Observer March 20, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 246

LEGALIZING CERTAIN TAX SALE PROCEEDINGS

AN ACT to amend section ten thousand three hundred ninety-eight (10398), code, 1927, relating to the legalization of certain tax sale proceedings so as to extend the provisions of such legalization to the year nineteen hundred fifteen (1915) and providing a statute of limitations.

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

1 SECTION 1. Section ten thousand three hundred ninety-eight, code,
2 1927, is amended by striking from line three (3) the figures "eighteen
3 hundred ninety-five (1895)" and by inserting in lieu thereof the fig-
4 ures "nineteen hundred fifteen (1915)".

1 SEC. 2. Any person having any claim adversely affected by the
2 provisions of section one (1) hereof, shall institute proceedings to
3 enforce the same within three (3) months after the taking effect of
4 this act, and thereafter any such claim shall be forever barred.

House File No. 159. Approved March 27, A. D. 1929.

CHAPTER 247

LEGALIZATION OF CONVEYANCES

AN ACT to amend section ten thousand four hundred six (10406), code, 1927, relating to the legalization of certain conveyances of real estate as to extend the provisions of such legalization to the year nineteen hundred fifteen (1915) and providing a statute of limitations.

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

1 SECTION 1. Section ten thousand four hundred six (10406), code,
2 1927, is amended by striking from line thirteen (13) the figures
3 "eighteen hundred ninety (1890)" and by inserting in lieu thereof the
4 figures "nineteen hundred fifteen (1915)".

1 SEC. 2. Any person having any claim adversely affected by the pro-
2 visions of section one (1) hereof, shall institute proceedings to enforce
3 the same within three (3) months after the taking effect of this act,
4 and thereafter any such claim shall be forever barred.

House File No. 160. Approved April 16, A. D. 1929.

CHAPTER 248

ANNULMENT OF MARRIAGES

AN ACT to amend section ten thousand four hundred eighty-six (10486), code, 1927, relating to annulment of marriages.

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

1 SECTION 1. Section ten thousand four hundred eighty-six (10486),
2 code, 1927, is amended by inserting immediately after the word
3 "death" in line four (4) of paragraph three (3), the words, "or
4 divorce".

Senate File No. 253. Approved April 16, A. D. 1929.

CHAPTER 249

COURT ROOMS

AN ACT to amend the law as it appears in section ten thousand seven hundred seventy-one (10771), code of Iowa, 1927, relating to holding court and providing for same to be at the expense of the county.

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

1 SECTION 1. That the law as it appears in section ten thousand
2 seven hundred seventy-one (10771), code of Iowa, 1927, be amended
3 by striking out the period (.) at the end of said section and inserting
4 a semicolon (;) and by inserting after the semicolon the following:
5 "Any necessary alterations, repairs, or additions to said rooms and
6 places shall be provided at the expense of the county; and the board
7 of supervisors is authorized and empowered to make such alterations,
8 improvements or additions, the cost thereof not to be in excess of the
9 limitations imposed by section fifty-two hundred sixty-one (5261),
10 code of Iowa, 1927."

House File No. 153. Approved April 3, A. D. 1929.

CHAPTER 250

JUSTICES OF THE PEACE

AN ACT to amend the law as it appears in section ten thousand six hundred thirty-nine (10639), relating to salaries and fees of justices of the peace.

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

1 SECTION 1. That section ten thousand six hundred thirty-nine
2 (10639), of the code, 1927, subsection 4, is hereby amended by insert-
3 ing immediately after the comma following the word "annum" in
4 line 9, the following:
5 "And in townships having a population over fifty thousand not to
6 exceed one thousand dollars (\$1,000.00) per annum."

House File No. 132. Approved April 16, A. D. 1929.

CHAPTER 251

DISTRICT JUDGES

AN ACT to repeal sections ten thousand seven hundred eighty-six-a one (10786-a1) and ten thousand eight hundred six-a one (10806-a1), code, 1927, relating to the filing and auditing of expense vouchers of district judges and the issuance of warrants therefor.

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

- 1 SECTION 1. Sections ten thousand seven hundred eighty-six-a one
- 2 (10786-a1) and ten thousand eight hundred six-a one (10806-a1),
- 3 code, 1927, are hereby repealed.

House File No. 161. Approved March 27, A. D. 1929.

CHAPTER 252

DISTRICT JUDGES. SALARIES

AN ACT to amend the law as it appears in section ten thousand eight hundred four (10804), of the code 1927, relating to salaries of district judges.

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

- 1 SECTION 1. That section ten thousand eight hundred four (10804)
- 2 of the code, 1927, be and is hereby amended by striking out the word
- 3 "four" in line two (2) and inserting in lieu thereof the word "five".

House File No. 125. Approved March 19, A. D. 1929.

CHAPTER 253

JUDGE'S ORDERS IN VACATION

AN ACT to repeal section eleven thousand two hundred forty two (11242) of the code, 1927, and to enact a substitute therefor relating to judge's orders made in vacation and to validate such orders and fix a period of limitations after which such orders cannot be attacked.

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

- 1 SECTION 1. Section eleven thousand two hundred forty-two (11242)
- 2 of the code, 1927, is hereby repealed and the following enacted in lieu
- 3 thereof:— "Such order except in case of an order which regulates,
- 4 directs, or authorizes the acts, conduct, or business of any receiver,
- 5 assignee, trustee, referee, guardian, administrator, executor, or other
- 6 officer of the court who is conducting a continuing business or a
- 7 process of liquidation, shall be in force only during the vacation in
- 8 which it is granted and until the close of the next ensuing term of
- 9 court."

- 1 SEC. 2. No order, ruling, or decree heretofore made in vacation by
- 2 any judge which directed or authorized or regulated any act, conduct,

3 or business or any receiver, assignee for creditors, trustee, commis-
 4 sioner, executor, administrator, or guardian shall be declared void or
 5 ineffectual by any court or judge on account of the fact that it was
 6 made or entered in vacation unless an action to set it aside or make
 7 or declare it to be void or ineffectual shall be commenced within
 8 ninety days after the taking effect of this act; which action shall be
 9 commenced in the court in which the matter was pending at the
 10 time the order was made.

1 SEC. 3. Any person or corporation who may have any interest in
 2 any right, thing, or property which is affected by any conveyance or
 3 action which has heretofore been made by any executor, administra-
 4 tor, trustee, guardian, assignee, receiver, or commissioner adverse to
 5 the rights acquired or claimed under such conveyance or action of
 6 any one of said officers acting or purporting to act by virtue of any
 7 order made in vacation and who shall fail to bring action in a compe-
 8 tent court to assert or protect such adverse claim or right within
 9 ninety days from the time of the taking effect of this act shall be
 10 barred thereafter from claiming or having such adverse claim or
 11 right on the ground or for the reason that such order was made or
 12 entered in vacation.

1 SEC. 4. This act being deemed of immediate importance shall take
 2 effect and be in force from and after its publication in the *Laurens*
 3 *Sun*, a newspaper published in Laurens, Iowa, and the *Evening Democ-*
 4 *rat*, a newspaper published in Ft. Madison, Iowa.

Senate File No. 154. Approved April 16, A. D. 1929.

I hereby certify that the foregoing act was published in the *Laurens Sun* April 25,
 1929, and the *Fort Madison Evening Democrat* April 20, 1929.

ED. M. SMITH, *Secretary of State*.

CHAPTER 254

COURT PROCEDURE

AN ACT to amend the law as it appears in section eleven thousand four hundred thirty
 two (11432) of the code, 1927, relating to the granting of continuances in actions
 cognizable in equity when evidence is taken in the form of depositions.

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

1 SECTION 1. That the law as it appears in section eleven thousand
 2 four hundred thirty-two (11432) of the code, 1927, be and the same
 3 is hereby amended by striking out of lines six and seven thereof the
 4 words "shall be entitled to" and inserting in lieu thereof: "may in
 5 the discretion of the court be granted".

Senate File No. 355. Approved April 6, A. D. 1929.

CHAPTER 255

LEVY AND EXECUTION

AN ACT to amend section eleven thousand six hundred sixty-eight (11668) of the code, 1927, to require notice of levy of execution in certain cases to be entered in encumbrance book of the clerk of the district court.

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

1 SECTION 1. Section eleven thousand six hundred sixty-eight
2 (11668) of the code, 1927, be and the same is hereby amended by
3 adding thereto the following:
4 "If real estate is levied upon, except by virtue of a special execution
5 issued in cases foreclosing recorded liens, the officer making the levy
6 shall make an entry in the encumbrance book in the office of the clerk
7 of the district court of the county where the real estate is located,
8 which entry shall constitute notice to all persons of such levy. Such
9 entry shall contain the number and title of the case, date of levy, date
10 of the entry, amount claimed, description of the real estate levied
11 upon, and signature of the officer.

Senate File No. 350. Approved April 17, A. D. 1929.

CHAPTER 256

EXEMPTIONS FROM EXECUTION

AN ACT to amend section eleven thousand seven hundred sixty (11760), code of 1927, relating to exemptions from execution.

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

1 SECTION 1. That section eleven thousand seven hundred sixty
2 (11760), code of 1927, be amended by striking all of sub-sections
3 twenty (20) and twenty-one (21) thereof, and by adding thereto as
4 sub-sections twenty (20), twenty-one (21) and twenty-two (22) the
5 following:
6 20. Poultry to the value of fifty dollars (\$50.00).
7 21. If the debtor is a resident of this state and is the head of a
8 family, and does not own one or more of the foregoing items
9 of property, his wife, if she is an actual member of the family, and
10 owns one or more such items, and is the debtor, shall be entitled to
11 hold such items exempt from execution.
12 22. If the debtor is a resident of this state and a woman other than
13 the head of a family, she may hold exempt from execution one sew-
14 ing machine, and poultry to the value of fifty dollars (\$50.00).

House File No. 112. Approved April 6, A. D. 1929.

CHAPTER 257

GUARDIANSHIP

AN ACT to amend section twelve thousand six hundred eleven (12611) of the code, 1927, relating to transfer of personal property to foreign guardian.

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

1 SECTION 1. Section twelve thousand six hundred eleven (12611)
2 of the code, 1927, is amended by striking out the word "minor", being
3 the first word of the last line of said section, and substituting in lieu
4 thereof the word "ward".

1 SEC. 2. This act being deemed of immediate importance, shall be
2 in full force and effect after its publication in the Grundy Register,
3 a newspaper published at Grundy Center, Iowa, and the Cedar Falls
4 Record, a newspaper published at Cedar Falls, Iowa.

Senate File No. 490. Approved April 18, A. D. 1929.

I hereby certify that the foregoing act was published in the Grundy Register April 25, 1929, and the Cedar Falls Record April 22, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 258

CLAIMS IN ASSIGNMENTS

AN ACT to amend sections twelve thousand seven hundred twenty seven (12727) and twelve thousand seven hundred twenty eight (12728) of the code of 1927, relating to the filing of claims in assignments for benefit of creditors:

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

1 SECTION 1. That the law as it appears in section twelve thousand
2 seven hundred twenty seven (12727) of the code of 1927, be, and the
3 same is hereby amended by striking from line eight (8) thereof, the
4 following: "Present to him", and by substituting in lieu thereof the
5 following: "file in the office of the clerk of the district court".

1 SEC. 2. That the law as it appears in section twelve thousand seven
2 hundred twenty eight (12728) of the code of 1927, be, and the same
3 is hereby amended by striking from lines four (4) and five (5) there-
4 of, the following: "with the assignee", and by substituting in lieu
5 thereof the following: "in the office of the clerk of the district court".

Senate File No. 37. Approved March 9, A. D. 1929.

CHAPTER 259

INVESTMENT OF FUNDS BY FIDUCIARIES

AN ACT to repeal section twelve thousand seven hundred seventy-two (12772) of the code, 1927, and to enact a substitute therefor relating to investment of funds by trustees, executors, administrators and guardians.

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

1 SECTION 1. That section twelve thousand seven hundred seventy-
2 two (12772) of the code, 1927, be and the same is hereby repealed
3 and the following enacted in lieu thereof:

4 "All proposed investments of trust funds by fiduciaries shall first
5 be reported to the court or a judge for approval and be approved
6 and unless otherwise authorized or directed by the court under
7 authority of which he or it acts, or by the will, trust agreement or
8 other document which is the source of authority, a trustee, executor,
9 administrator or guardian shall invest all moneys received by such
10 fiduciary, to be by him or it invested, in securities which at the time
11 of the purchase thereof are included in one or more of the following
12 classes:

13 (1) Bonds or other interest bearing obligations of the United
14 States for the payment of which the faith and credit of the United
15 States is pledged.

16 (2) Bonds issued by any federal land bank under the act of con-
17 gress designated as "The Federal Farm Loan Act" and acts
18 amendatory thereof.

19 (3) Bonds or other interest bearing obligations of any state in the
20 United States for the payment of which the faith and credit of such
21 state is pledged and which state has not defaulted in the payment of
22 any of its bonded debts within the ten (10) preceding years.

23 (4) Bonds, or other interest bearing obligations, which are a
24 direct obligation of any county, township, city, village, town, school
25 district, or other municipal corporation or district, having power to
26 levy general taxes, in the state of Iowa, and also bonds, or other inter-
27 est bearing obligations, which are a direct obligation of any county,
28 township, city, village, town, school district or other municipal cor-
29 poration or district, having power to levy general taxes, in any ad-
30 joining state, having a population of not less than five thousand
31 (5,000); and also bonds, or other interest bearing obligations, which
32 are a direct obligation of any county, township, city, village, town,
33 school district, or other municipal corporation or district, having
34 power to levy general taxes, in any other state, having a population
35 of not less than ten thousand (10,000). Provided, however, the total
36 funded indebtedness of any such municipality enumerated in this
37 paragraph shall not exceed ten per cent (10%) of the assessed value
38 of the taxable property therein, as ascertained by the last assess-
39 ment for tax purposes, and provided further that such municipality
40 or district has not defaulted in the payment of any of its bonded
41 indebtedness within the ten (10) preceding years.

42 (5) Notes or bonds of any individual secured by a first mortgage
43 on improved real estate located in this state, provided the aggregated
44 amount of such notes and/or bonds secured by such first mortgage,

45 does not exceed fifty per cent (50%) of the value of the mortgage
46 property as determined by the fiduciary.

47 (6) Notes or bonds of any corporation secured by a first mortgage
48 on improved real estate located in this or any adjoining state upon
49 which no default in payment of principal or interest shall have
50 occurred within five (5) preceding years provided the aggregate
51 amount of such notes and/or bonds secured by such first mortgage
52 does not exceed fifty per cent (50%) of the value of the mortgage
53 property as determined by the fiduciary.

54 (7) Bonds of any railroad corporation which are secured by a first
55 lien mortgage or trust deed upon not less than one hundred (100)
56 miles of main track in the United States and which mortgage or
57 trust deed has been outstanding not less than fifteen (15) years and
58 upon which bonds issued thereunder there has been no default in
59 the payment of principal and/or interest since the date of said such
60 trust deed.

61 (8) Bonds of any corporation secured by a first lien upon any
62 railroad terminal depot, tunnel or bridge in the United States used
63 by two or more railroad companies which have guaranteed the pay-
64 ment of principal and interest of such bonds and have otherwise
65 covenanted or agreed to pay the same, provided at least one of said
66 railroad companies meets the following requirements:

67 (a) Has earned net income equal to at least four per cent (4%)
68 of the par value of its outstanding capital stock for five (5) preced-
69 ing years, and

70 (b) Has regularly and punctually paid interest and maturing prin-
71 cipal on all of its mortgage indebtedness for five (5) preceding years.

72 (c) Has outstanding capital stock of the par value of at least one-
73 third ($1/3$) of its total mortgage indebtedness.

74 (9) Bonds of any corporation supplying either water, electric
75 energy, or artificial manufactured gas or two (2) or more thereof for
76 light, heat, power, water or other purposes, or furnishing telephone
77 or telegraph service, provided that such bonds are secured by a first
78 mortgage on all property used in the business of the issuing cor-
79 poration or by a first and refunding mortgage containing provision
80 for retiring all prior liens, and provided further, that the issuing
81 corporation is incorporated within the United States, and if operating
82 entirely outside this state is operating in a state or other jurisdic-
83 tion having a public utilities commission with regulatory powers,
84 and providing such operating corporation has annual gross earnings
85 of at least one million dollars (\$1,000,000.00), seventy-five per cent
86 (75%) of which gross earnings have come from the sale of water,
87 gas or electricity, or the rendering of telephone or telegraph service
88 and not more than fifteen per cent (15%) from any other one kind of
89 business and which corporation has a record on its behalf or for its
90 predecessors or constituent companies, or having officially reported
91 net earnings at least twice its interest charges on all mortgaged in-
92 debtedness for the period of five (5) years immediately preceding
93 the investment and having outstanding stock the book value of
94 which is not less than two-thirds ($2/3$) of its total funded debt, and
95 which corporation shall have all franchises to operate in the terri-
96 tory it serves in which at least seventy-five per cent (75%) of its
97 gross income is earned, which franchise shall extend at least five

98 (5) years beyond the maturity of such bonds or which have indeter-
 99 minate permits or agreements with duly constituted public author-
 100 ities, or in the bonds of any constituent or subsidiary company of
 101 any such operating company which are secured by a first mortgage
 102 on all property of such constituent or subsidiary company, provided
 103 such bonds are to be retired or refunded by a junior mortgage, the
 104 bonds of which are eligible hereunder.

1 SEC. 2. The population specified in section one (1) shall be deter-
 2 mined by the last preceding official state or federal census. The
 3 indebtedness of any municipality or governmental subdivision shall
 4 be determined by the official certificate of the officer of such mu-
 5 nicipality or district in charge of its public accounts.

1 SEC. 3. Any fiduciary may by and with the consent of the court
 2 having jurisdiction over such fiduciary or under permission of the
 3 will or other instrument creating the trust, continue to hold any in-
 4 vestment originally received by him or it under the trust or any
 5 increase thereof. Such fiduciary may also make investments which
 6 he or it may deem necessary to protect and safeguard investments
 7 already made according to the provisions of this act.

1 SEC. 4. All acts or parts of acts in conflict with the provisions
 2 hereof are hereby repealed.

1 SEC. 5. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its publication in the.....
 3, a newspaper published in....., Iowa, and the
 4, a newspaper published in....., Iowa.

House File No. 501. Approved April 16, 1929.

I hereby certify that the foregoing act was published in the Ida Grove Pioneer April 25, 1929, and the Oakland Acorn April 25, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 260

SUPREME COURT

AN ACT to amend section twelve thousand eight hundred one (12801) of the code, 1927, relating to the number of judges of the supreme court, and providing for an additional judge of said court.

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

1 SECTION 1. Section twelve thousand eight hundred one (12801)
 2 of the code, 1927, is hereby amended by striking from line two thereof
 3 the word "eight" and substituting in lieu thereof the word "nine", and
 4 by striking from said line two of said section the word "four" and
 5 substituting in lieu thereof the word "five".

1 SEC. 2. The additional judge provided for by this act shall be ap-
 2 pointed by the governor after the taking effect of this act. The per-
 3 son so appointed shall hold office until the first of January following
 4 the general election in the year 1930, and until his successor is elected

5 and qualified, which successor shall, at the general election in the year
6 1930, and each six years thereafter be elected for a full term of six
7 years.

1 SEC. 3. This act, being deemed of immediate importance, shall be
2 in full force and effect from and after its passage and publication in
3 The Des Moines Register, a newspaper published at Des Moines, Iowa,
4 and the Sioux City Journal, a newspaper published at Sioux City, Iowa.

House File No. 67. Approved February 13, A. D. 1929.

I hereby certify that the foregoing act was published in the Waterloo Evening
Courier February 14, 1929, and the Sioux City Journal February 15, 1929.

ED. M. SMITH, *Secretary of State.*

(One of the above newspapers selected by secretary of state under section 55 of
the code.)

CHAPTER 261

CONCEALED WEAPONS

AN ACT to amend the law as it appears in section twelve thousand nine hundred thirty-
eight (12938) and section twelve thousand nine hundred forty-one (12941), of the
code, 1927, relating to the issuance of permits to carry concealed weapons.

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

1 SECTION 1. That the law in section twelve thousand nine hundred
2 thirty-eight (12938), of the code, 1927, be and the same is hereby
3 amended by inserting at the end of line one (1) and before the comma
4 (,) the following:
5 "to a resident of his county,"

1 SEC. 2. That the law in section twelve thousand nine hundred forty-
2 one (12941) of the code, 1927, be and the same is hereby amended by
3 inserting in line four (4) thereof, after the word "who", and before
4 the comma (,) the following:

5 "are residents of his county, and who,"
6 Also further amend the law as it appears in said section by adding
7 to the end thereof the following:

8 "A non-resident of the state may be issued a permit by the sheriff
9 of any county in which said non-resident is employed or on duty,
10 provided, however, that it shall appear to the sheriff upon investiga-
11 tion, that such non-resident is a fit person to be permitted to go so
12 armed, and any permit issued to such a non-resident shall be valid
13 throughout the state until revoked either by the sheriff issuing the
14 same or upon expiration as provided by law."

1 SEC. 3. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 the Harrison County News, a newspaper published at Missouri Valley,
4 Iowa, and in the Mapleton Press, a newspaper published at Mapleton,
5 Iowa.

Senate File No. 87. Approved March 13, A. D. 1929.

I hereby certify that the foregoing act was published in the Harrison County News
March 14, 1929, and the Mapleton Press March 21, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 262

PUNCH BOARDS AND OTHER DEVICES

AN ACT to prohibit the manufacture and possession of punch boards and all other devices generally used in connection and as a part of any game of chance, lottery, or gambling device, and prescribing punishments for violations.

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

1 SECTION 1. That section thirteen thousand one hundred ninety-
2 eight (13198) of the code, 1927, be amended by inserting after the
3 comma (,) following the word "equality" in line six (6) of said sec-
4 tion the following:
5 "punch board".

1 SEC. 2. That section thirteen thousand two hundred ten (13210)
2 of the code, 1927, be amended by inserting after the comma (,) fol-
3 lowing the word "table" in line five (5) of said section the following:
4 "punch board".

House File No. 429. Approved April 16, A. D. 1929.

CHAPTER 263

GIVING OF BRIBES

AN ACT to amend section thirteen thousand three hundred two (13302) of the code, 1927, relating to the giving of bribes.

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

1 SECTION 1. That section thirteen thousand three hundred two
2 (13302) of the code, 1927, is hereby amended by striking therefrom
3 the words "foregoing section" as they appear in line five (5) thereof
4 and by inserting in lieu thereof the words "this chapter".

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 *Laurens Sun*, a newspaper published in Laurens, Iowa,
4 and in the *Waterloo Courier*, a newspaper published in Waterloo,
5 Iowa.

Senate File No. 435. Approved April 15, A. D. 1929.

I hereby certify that the foregoing act was published in the *Laurens Sun* April 25, 1929, and the *Waterloo Courier* April 19, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 264

PEACE OFFICERS

AN ACT to amend the law as it appears in section thirteen thousand three hundred seven (13307) of the code, 1927, relating to falsely assuming to be and impersonating officers, so as to extend the provisions thereof to include state agents and peace officers.

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

1 SECTION 1. That the law as it appears in section thirteen thousand
2 three hundred seven (13307) of the code, 1927, be and the same is
3 hereby amended by inserting at the end of line three (3) thereof, the
4 following:
5 "peace officer, special agent of the department of justice, game
6 warden,".

1 SEC. 2. This act being deemed of immediate importance shall be in
2 full force and effect from and after its passage and publication in the
3 Persia Globe, a newspaper published at Persia, Iowa, and in the Ute
4 Independent, a newspaper published at Ute, Iowa.

Senate File No. 89. Approved April 5, A. D. 1929.

I hereby certify that the foregoing act was published in the Persia Globe April 11, 1929, and the Ute Independent April 12, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 265

PLACE OF PUNISHMENT

AN ACT to amend section thirteen thousand three hundred fifty-eight (13358) of the code, 1927, relative to the place of punishment of jail breakers.

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

1 SECTION 1. That the law as it appears in section thirteen thousand
2 three hundred and fifty-eight (13358), of the code, 1927, be and the
3 same is hereby amended by inserting after the word "he" in line six
4 (6) of said section the words: "shall be guilty of a felony and"; also
5 by striking from line seven (7) thereof, the words "in such jail", and
6 by substituting in lieu thereof, the words "in either the state peniten-
7 tiary or reformatory".

House File No. 266. Approved April 4, A. D. 1929.

CHAPTER 266

FORM OF INDICTMENTS

AN ACT to amend, revise and codify sections thirteen thousand seven hundred thirty three (13733), thirteen thousand seven hundred thirty four (13734), thirteen thousand seven hundred thirty five (13735), thirteen thousand seven hundred thirty six (13736), thirteen thousand seven hundred thirty nine (13739), thirteen thousand seven hundred forty (13740), thirteen thousand seven hundred forty one (13741), thirteen thousand seven hundred forty two (13742), thirteen thousand seven hundred forty three (13743), thirteen thousand seven hundred forty nine (13749), thirteen thousand seven hundred fifty (13750), thirteen thousand seven hundred fifty three (13753), thirteen thousand seven hundred fifty four (13754), thirteen thousand seven hundred fifty five (13755), thirteen thousand seven hundred fifty six (13756), and thirteen thousand seven hundred fifty eight (13758) of the code, 1927, relating to the form, contents and sufficiency of indictments, and to provide for bills of particular in aid of indictments.

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

That sections thirteen thousand seven hundred thirty-three (13733), thirteen thousand seven hundred thirty-four (13734), thirteen thousand seven hundred thirty-five (13735), thirteen thousand seven hundred thirty-six (13736), thirteen thousand seven hundred thirty-nine (13739), thirteen thousand seven hundred forty (13740), thirteen thousand seven hundred forty-one (13741), thirteen thousand seven hundred forty-two (13742), thirteen thousand seven hundred forty-three (13743), thirteen thousand seven hundred forty-nine (13749), thirteen thousand seven hundred fifty (13750), thirteen thousand seven hundred fifty-three (13753), thirteen thousand seven hundred fifty-four (13754), thirteen thousand seven hundred fifty-five (13755), thirteen thousand seven hundred fifty-six (13756), and thirteen thousand seven hundred fifty-eight (13758), of the code, 1927, are amended, revised, and codified to read as follows, to wit:—

1 SECTION 1. The indictment may be in substantially the following
2 form:

3 "In the district court of Iowa in and for.....county.

4 State of Iowa vs. A. B.

5 The grand jurors of the county of.....accuse A. B. of
6 (here state the offense, e. g., treason, manslaughter, robbery, or lar-
7 ceny) and charge that (here the particulars of the offense, for in-
8 stance, as set forth in section thirty-three (33) of this act may be
9 added with the view to avoiding the necessity for a bill of particu-
10 lars)."

11 [Illustration for Indictment for Murder.

12 The grand jurors of the county of Polk accuse John Doe of murder
13 and charge that on or about the 1st day of December, 1928, John Doe
14 murdered Richard Roe.

15 Illustration for Indictment for Burglary.

16 The grand jurors of the county of Polk accuse John Doe of burglary
17 and charge that on or about the 1st day of December, 1928, John Doe
18 committed burglary of the dwelling of Richard Roe.

19 Illustration for Indictment for Robbery.

20 The grand jurors of the county of Polk accuse John Doe of robbery
21 and charge that on or about the 1st day of December, 1928, John Doe
22 robbed Richard Roe.]

1 SEC. 2. The indictment may charge, and is valid and sufficient if
2 it charges, the offense for which the accused is being prosecuted in one
3 or more of the following ways:

4 (1) By using the name given to the offense by statute.

5 (2) By stating so much of the definition of the offense, either in
6 terms of the common law or of the statute defining the offense, or in
7 terms of substantially the same meaning, as is sufficient to give the
8 court and the accused notice of what offense is intended to be charged.

9 The indictment may refer to a section or sub-section of any statute
10 creating the crime charged therein, and in determining the validity
11 or sufficiency of such indictment regard shall be had to such reference.

1 SEC. 3. No indictment which charges the offense in accordance with
2 the provisions of the preceding section shall be held to be insufficient
3 on the ground that it fails to inform the defendant of the particulars
4 of the offense.

1 SEC. 4. (1) When an indictment charges an offense in accordance
2 with the provisions of section two (2) hereof, but such indictment
3 together with the minutes of the evidence filed therewith fails to in-
4 form the defendant of the particulars of the offense sufficiently to
5 enable him to prepare his defense, or to give him such information
6 as he is entitled to under the constitution of this state, the court may,
7 of its own motion, and shall, at the request of the defendant, order the
8 county attorney to furnish a bill of particulars containing such infor-
9 mation as may be necessary for these purposes, or the county attorney
10 may of his own motion furnish such bill of particulars.

11 (2) When the court deems it to be in the interest of justice that
12 facts not set out in the indictment or in the minutes of the evidence
13 or in any previous bill of particulars, should be furnished to the de-
14 fendant, it may order the county attorney to furnish a bill of particu-
15 lars containing such facts. In determining whether such facts and,
16 if so, what facts, should be so furnished the court shall consider the
17 whole record of the case and the entire course of the proceedings
18 against the defendant.

19 (3) Supplemental bills of particulars or a new bill may be ordered
20 by the court or furnished voluntarily under the conditions above
21 stated.

22 (4) Each supplemental bill shall operate to amend any and all pre-
23 vious bills and a new bill shall supersede any previous bill.

24 (5) When any bill of particulars is furnished it shall be filed and
25 become a part of the record and a copy of such bill shall be given to
26 the defendant upon his request.

1 SEC. 5. If it appears from the bill of particulars furnished under
2 the preceding section that the particulars stated do not constitute the
3 offense charged in the indictment, or that the defendant did not com-
4 mit that offense, or that a prosecution for that offense is barred by
5 the statute of limitations, the court may and on motion of defendant
6 shall set aside the indictment unless the county attorney shall furnish
7 another bill of particulars which so states the particulars as to show
8 that the particulars constitute the offense charged in the indictment
9 and that the offense was committed by the defendant and that it is
10 not barred by the statute of limitations.

1 SEC. 6. (1) In an indictment or bill of particulars it is sufficient for
2 the purpose of identifying the defendant to state his true name, or to
3 state the name, appellation or nickname by which he has been or is
4 known, or, if no better way of identifying him is practicable, by stat-
5 ing a fictitious name, or describing him as a person whose name is
6 unknown, or in any other manner. In stating the true name or the
7 name by which the defendant has been or is known or a fictitious
8 name, it is sufficient to state a surname, a surname and one or more
9 given names, or a surname and one or more abbreviations or initials
10 of a given name or names.

11 (2) If the defendant is a corporation, it is sufficient to state the
12 corporate name of such corporation, or any name or designation by
13 which it has been or is known or by which it may be identified, with-
14 out an averment that the corporation is a corporation or that it was
15 incorporated according to law.

16 (3) If in the course of the proceedings the true name of a person
17 indicted otherwise than by his true name is disclosed by the defendant
18 or in the proceedings before the court, it shall order the true name of
19 the defendant to be inserted in the indictment and court record wher-
20 ever his name appears otherwise therein, and the case shall proceed
21 against him in his true name.

22 (4) In no case is it necessary to prove that the true name of the
23 defendant is unknown to the grand jury or prosecuting attorney.

1 SEC. 7. (1) An indictment need contain no allegation of the time
2 of the commission of the offense except in those cases in which time
3 is a material ingredient of the offense.

4 (2) The allegation in an indictment that the defendant committed
5 the offense shall in all cases be considered an allegation that the of-
6 fense was committed after it became an offense and before the finding
7 of the indictment and within the period of limitations prescribed by
8 law for the prosecution of the offense.

9 (3) All allegations of the indictment and bill of particulars shall,
10 unless stated otherwise, be deemed to refer to the same time.

1 SEC. 8. (1) An indictment need contain no allegation of the place
2 of the commission of the offense, except in those cases in which the
3 place is a material ingredient of the offense.

4 (2) The allegation in an indictment that the defendant committed
5 the offense shall in all cases be considered an allegation that the of-
6 fense was committed within the territorial jurisdiction of the court.

7 (3) All allegations in the indictment and bill of particulars shall,
8 unless stated otherwise, be deemed to refer to the same place.

1 SEC. 9. An indictment need contain no allegation of the means by
2 which an offense was committed, unless such allegation is necessary
3 to charge an offense under section two (2) hereof.

1 SEC. 10. An indictment or bill of particulars need contain no allega-
2 tion of the value or price of any property, unless such allegation is
3 necessary to charge an indictable offense under section two (2) hereof,
4 and in such case it is sufficient to aver that the value or price of the
5 property equals or exceeds the certain value or price which determines
6 the offense. The facts which give the property such value need not be
7 alleged.

1 SEC. 11. (1) An indictment need contain no allegation of the owner-
2 ship of any property, unless such allegation is necessary to charge the
3 offense under section two (2) hereof.

4 (2) An allegation in an indictment or bill of particulars of own-
5 ership of property is supported by proof of possession or right of
6 possession of such property, and any statement in an indictment or bill
7 of particulars which implies possession or right of possession is a
8 sufficient allegation of ownership.

1 SEC. 12. (1) An indictment need contain no allegation of the intent
2 with which an act was done, unless such allegation is necessary to
3 charge the offense under section two (2) hereof.

4 (2) An allegation generally of an intent to defraud and injure is
5 sufficient without alleging an intent to defraud or injure any particu-
6 lar person, unless such allegation is necessary to charge the offense
7 under section two (2) hereof.

1 SEC. 13. (1) An indictment need not allege that the offense was
2 committed or the act done "feloniously" or "traitorously" or "unlaw-
3 fully" or "with force and arms" or "with a strong hand", nor need it
4 use any phrase of like kind otherwise to characterize the offense, nor
5 need it allege that the offense was committed or the act done "bur-
6 glariously", "wilfully", "knowingly", "maliciously", or "negligently",
7 nor need it otherwise characterize the manner of the commission of the
8 offense unless such characterization is necessary to charge the of-
9 fense under section two (2) hereof.

1 SEC. 14. An indictment need not state any matter not necessary
2 to be proved.

1 SEC. 15. Whenever it is necessary in an indictment to describe any
2 place or thing in order to charge an offense under section two (2) it
3 is sufficient to describe such place or thing by any term which in com-
4 mon understanding embraces such place or thing and does not include
5 any place or thing which is not by law the subject of, or connected
6 with, the offense.

1 SEC. 16. (1) In an indictment or bill of particulars it is sufficient
2 for the purpose of identifying any person other than the defendant
3 to state his true name, or to state the name, appellation, or nickname
4 by which he has been or is known, or, if no better way of identifying
5 such person is practicable, by stating a fictitious name, or stating the
6 name of an office or position held by him, or by describing him as
7 "a certain person", or by words of similar import, or in any other
8 manner. In stating the true name of such person or the name by
9 which such person has been, or is known, it is sufficient to state a
10 surname, or a surname and one or more given names, or a surname
11 and one or more abbreviations or initials of a given name or names.

12 (2) It is sufficient for the purpose of describing any group or
13 association of persons not incorporated to state the proper name of
14 such group or association, or to state any name or designation by
15 which the group or association has been or is known or by which it
16 may be identified, or to state the names of all the persons in such
17 group or association, or to state the name or names of one or more

18 persons in such group or association, referring to the other or others
19 as "another" or "others".

20 (3) It is sufficient for the purpose of describing a corporation to
21 state the corporate name of such corporation, or any name or desig-
22 nation by which it has been or is known, or by which it may be iden-
23 tified, without an averment that the corporation is a corporation or
24 that it was incorporated according to law.

25 (4) In no case is it necessary to aver or prove that the true name
26 of any person, group or association of persons or any corporation is
27 unknown to the grand jury or prosecuting attorney.

28 (5) If in the course of the trial the true name of any person, group,
29 or association of persons, or corporation, described otherwise than
30 by the true name is disclosed by the evidence, the court shall cause the
31 true name to be inserted in the indictment and court record wherever
32 the name appears otherwise.

1 SEC. 17. In an indictment in which it is necessary to make an aver-
2 ment as to money, treasury notes or certificates, bank notes or other
3 securities intended to circulate as money, checks, drafts or bills of
4 exchange, it is sufficient to describe the same or any of them as
5 money, without specifying the particular character, number, denomi-
6 nation, kind, species, or nature thereof.

1 SEC. 18. Whenever it is necessary in an indictment or bill of par-
2 ticulars to make an averment relative to any instrument which con-
3 sists wholly or in part of writing or figures, pictures or designs, it is
4 sufficient to describe such instrument by any name or description by
5 which it is usually known or by which it may be identified, or by its
6 purport, without setting forth a copy or facsimile of the whole or
7 any part thereof: Provided that the description, if in a bill of par-
8 ticulars, sets forth the character and contents of the instrument with
9 such particularity as to enable the defendant to prepare his defense.

1 SEC. 19. Whenever in an indictment or bill of particulars an aver-
2 ment relative to any spoken or written words or any picture is neces-
3 sary, it is sufficient to set forth such spoken or written words by
4 their general purport or to describe such picture generally, without
5 setting forth a copy or facsimile of such written words or such pic-
6 ture: Provided that when such words or description occur in a bill of
7 particulars, the defendant is thereby sufficiently informed of the
8 identity of the words or picture concerning which the averment is
9 made as to enable him to prepare his defense.

1 SEC. 20. The words and phrases used in an indictment or bill of
2 particulars are to be construed according to their usual acceptation,
3 except that words and phrases which have been defined by law or
4 which have acquired a legal signification are to be construed according
5 to their legal signification.

1 SEC. 21. In alleging in an indictment or information a prior con-
2 viction of the defendant it is sufficient to allege that the defendant
3 was convicted of a certain offense, stating the name of the offense,
4 if it has one, or otherwise stating the offense in accordance with the
5 provisions of section two (2), sub-section 2.

1 SEC. 22. No indictment for an offense created or defined by statute
2 shall be invalid or insufficient merely for the reason that it fails to
3 negative any exception, excuse or proviso contained in the statute
4 creating or defining the offense.

1 SEC. 23. No indictment for an offense which may be committed by
2 the doing of one or more of several acts, or by one or more of several
3 means, or with one or more of several intents, or with one or more
4 of several results, shall be invalid or insufficient for the reason that
5 two or more of such acts, means, intents or results are charged in the
6 disjunctive or alternative.

1 SEC. 24. No indictment shall be invalid or insufficient for the rea-
2 son that it alleges indirectly and by inference or by way of recital any
3 matters, facts, or circumstances connected with or constituting the
4 offense.

1 SEC. 25. No indictment for libel shall be invalid or insufficient for
2 the reason that it does not set forth extrinsic facts for the purpose of
3 showing the application to the party alleged to be libelled of the de-
4 famatory matter on which the indictment is founded.

1 SEC. 26. An indictment for perjury, or for subornation of, solici-
2 tation of, or conspiracy to commit, perjury need not set forth any part
3 of the records or proceedings with which the oath was connected, or
4 the commission or authority of the court or other official before whom
5 the perjury was committed or was to have been committed, or the
6 form of the oath or affirmation, or the manner of administering the
7 same.

1 SEC. 27. In an indictment for an offense which is divided into de-
2 grees it is sufficient to charge that the accused committed the of-
3 fense.

1 SEC. 28. No indictment shall be invalid or insufficient by reason of
2 any repugnant allegation contained therein: Provided that an offense
3 is charged in accordance with the provisions of section two (2) hereof.

1 SEC. 29. Any allegation unnecessary under existing law or under
2 the provisions of this act may, if contained in an indictment, be dis-
3 regarded as surplusage.

1 SEC. 30. Nothing contained in this act shall be so construed as to
2 make invalid or insufficient any indictment which would have been
3 valid and sufficient under the law existing at the date of the enact-
4 ment hereof.

1 SEC. 31. Whenever reference is made to what is necessary to be
2 included in an indictment the interpretation shall be that it is neces-
3 sary to be included in the indictment, information or bill of particu-
4 lars; and wherever reference is made to what is not necessary to be
5 included in an indictment, the interpretation shall be that it is not
6 necessary to be included in the indictment, information or bill of
7 particulars.

1 SEC. 32. No preliminary information and no information for a

2 non-indictable offense which charges the offense in accordance with
3 the provisions of this act, shall be held to be insufficient.

1 SEC. 33. The following forms may be used in the cases in which
2 they are applicable:

3 Adultery—A. B. committed adultery with C. D.

4 Affray—A. B. and C. D. made an affray.

5 Arson—A. B. committed arson of the dwelling of C. D. (Other

6 Burnings) A. B. wilfully and maliciously burned the warehouse of

7 C. D. A. B. wilfully and maliciously set fire to the hay stack of C. D.

8 Assault—A. B. assaulted C. D.

9 Assault and Battery—A. B. committed assault and battery upon
10 C. D.

11 Assault with intent—A. B. assaulted C. D. with intent to murder
12 (or to rob or to inflict great bodily injury, as the case may be).

13 Assault while masked—A. B. while masked, assaulted C. D.

14 Attempt—A. B. attempted to break and enter the dwelling of C. D.

15 with intent to commit a public offense (or attempted to commit arson
16 of the dwelling of C. D., or attempted to produce the miscarriage of

17 C. D., or whatever the indictable attempt may be).

18 Bigamy—A. B. committed bigamy with C. D.

19 Bribery—A. B. bribed C. D. (or offered a bribe to C. D., or accepted
20 a bribe from C. D. etc.).

21 Burglary—A. B. committed burglary of the dwelling of C. D.

22 Burglary by means of explosives—A. B. committed burglary of the
23 building of C. D. by means of explosives.

24 Burglary by means of electricity—A. B. committed burglary of the
25 building of C. D. by means of electricity.

26 (Other breaking and enterings)—A. B. broke and entered the dwell-
27 ing of C. D. (or A. B. committed an entry of the dwelling of C. D., or

28 A. B. broke and entered office of C. D. as the case may be).

29 Carrying concealed weapons—A. B. carried concealed weapons.

30 Cigarettes—A. B. sold cigarettes to C. D. without affixing stamps.

31 Common felon—A. B. committed burglary of the dwelling of C. D.

32 (or robbed C. D., or set forth any other crime mentioned in section

33 13396 of the code after the following convictions (set forth convictions

34 of D of two prior offenses mentioned in section 13396, giving

35 the court, date and place of rendition).

36 Conspiracy—A. B. and C. D. conspired together to murder E. F.

37 (or to steal the property of E. F. or to rob E. F., as the case may be).

38 Desertion—A. B. deserted his wife C. B. (or his child D. B.).

39 Embezzlement—A. B. embezzled fifty dollars of C. D.

40 Failure to report automobile accident—A. B., while operating a
41 motor vehicle, injured C. D. and failed to give notice of the accident.

42 False pretenses—A. B. obtained an automobile from C. D. by means
43 of false pretenses.

44 Forgery—A. B. forged a certain instrument purporting to be a
45 promissory note (or describe the note or give its tenor or substance).

46 Gambling—A. B. gambled with C. D.

47 Incest—A. B. committed incest with C. D.

48 Indecent exposure—A. B. made an indecent exposure of his person.

49 Intoxicating liquors—

50 Nuisance—A. B. kept a building at (give street and number and

- 51 city or otherwise describe or identify the building for purposes of
 52 abatement) in which he unlawfully possessed intoxicating liquors.
 53 Possession—A. B. unlawfully possessed intoxicating liquors.
 54 Keeping house of ill fame—A. B. kept a house of ill fame.
 55 Kidnapping—A. B. kidnapped C. D.
 56 Larceny—A. B. stole from C. D. a horse worth more than twenty
 57 dollars.
 58 Lascivious acts with children—A. B. committed lascivious acts with
 59 C. D. who was under sixteen years of age.
 60 Lewdness—A. B. and C. D. lewdly associated together.
 61 Libel—A. B. published a libel concerning C. D. in the form of a
 62 letter (book, picture, etc. as the case may be), (the particulars should
 63 specify the pages and lines constituting the libel, when necessary, as
 64 where it is contained in a book or pamphlet).
 65 Malicious mischief—A. B. maliciously injured the building of C. D.
 66 Manslaughter—A. B. unlawfully killed C. D.
 67 Murder—A. B. murdered C. D.
 68 Perjury—A. B. committed perjury by testifying as follows: (Set
 69 forth the testimony).
 70 Prostitution—A. B. resorted to a house of ill fame for the purpose
 71 of prostitution (or A. B. was found in a hotel leading a life of prosti-
 72 tution, as the case may be).
 73 Rape—A. B. raped C. D.
 74 Receiving stolen property—A. B. received a stolen watch belonging
 75 to C. D. and worth more than twenty dollars, knowing that it had been
 76 stolen.
 77 Robbery—A. B. robbed C. D.
 78 Seduction—A. B. seduced C. D.
 79 Sodomy—A. B. committed sodomy with C. D.
 80 Uttering a forged instrument—A. B. uttered as genuine a forged
 81 instrument purporting to be a promissory note (or describe the note
 82 or give its tenor or substance).

Senate File No. 326. Approved April 6, A. D. 1929.

CHAPTER 267

COURT PROCEDURE. INDICTMENTS

AN ACT to amend section thirteen thousand seven hundred eighty-one (13781), code, 1927, relating to motions to set aside indictments.

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

1 SECTION 1. Section thirteen thousand seven hundred eighty-one
 2 (13781), code, 1927, is amended by adding to paragraph seven (7)
 3 thereof the following: "except as hereinafter provided."

1 SEC. 2. Section thirteen thousand seven hundred eighty-one
 2 (13781), code, 1927, is further amended by inserting immediately
 3 after said section, the following:

4 "13781-cl. Exception. A motion to set aside an indictment shall
 5 not lie on the ground that the grand jury which returned the indict-
 6 ment was composed of more than one juror from the same civil town-
 7 ship."

House File No. 244. Approved March 28, A. D. 1929.

CHAPTER 268

COURT PROCEDURE

AN ACT to amend section thirteen thousand eight hundred (13800) as it appears in the code, 1927, relating to the arraignment and plea of the defendant in criminal actions.

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

- 1 SECTION 1. That section thirteen thousand eight hundred (13800),
- 2 code, 1927, be amended by adding at the end thereof the following:
- 3 "The plea may be entered in vacation at the usual place of holding
- 4 court in any county of the judicial district."

House File No. 240. Approved April 4, A. D. 1929.

CHAPTER 269

COURT PROCEDURE

AN ACT to repeal the law as it appears in section thirteen thousand eight hundred ninety-one (13891) of the code, 1927, relating to the failure of the defendant to testify in a criminal prosecution.

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

- 1 SECTION 1. That the law as it appears in section thirteen thousand
- 2 eight hundred ninety-one (13891) of the code, 1927, be and the same
- 3 is hereby repealed.

Senate File No. 7. Approved March 28, A. D. 1929.

CHAPTER 270

MOTIONS IN ARREST OF JUDGMENT

AN ACT to repeal paragraph one (1) of section thirteen thousand nine hundred forty-six (13946), code, 1927, relating to motions in arrest of judgment in criminal cases.

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

- 1 SECTION 1. Paragraph one (1) of section thirteen thousand nine
- 2 hundred forty-six (13946), code, 1927, is hereby repealed.

House File No. 127. Approved March 12, A. D. 1929.

SPECIAL ACTS

CHAPTER 271

BIENNIAL STATE LEVY

AN ACT designating and fixing the amount of revenue for general state purposes for which levy is to be made by the executive council.

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

1 SECTION 1. Biennial state levy. That the amount of revenue for
2 general state purposes is hereby designated and fixed by the general
3 assembly as the sum of nine million nine hundred thousand dollars
4 (\$9,900,000.00), to be provided by the levy for 1929, and the sum of
5 nine million nine hundred thousand dollars (\$9,900,000.00), to be pro-
6 vided by the levy for 1930, said levies to be made as provided in
7 sections seven thousand one hundred eighty-two (7182) and seven
8 thousand one hundred eighty-three (7183) of the code, 1927.

Senate File No. 508. Approved April 18, A. D. 1929.

CHAPTER 272

CAPITOL EXTENSION FUND

AN ACT to transfer the capitol extension fund to the general fund of the state treasury.

WHEREAS, the thirty-fifth general assembly of the state of Iowa in 1913 enacted a law for the "extension and improvement of state capitol grounds," and

WHEREAS, section 1 of said act required the levy of a special tax for ten years and provided that "the proceeds of such levies shall be carried into the state treasury to the credit of a fund to be called the capitol grounds extension and improvement fund," and

WHEREAS, said fund is still maintained in the state treasury and the transactions within it, carried on by the executive council without appropriation by the legislature, amount annually to about \$10,000.00 and there now is a balance of about \$30,000.00 in said fund, and

WHEREAS, it is desirable that the proceeds of said capitol extension fund be covered into the general fund of the state treasury and expenditures be regulated by appropriation by the legislature, therefore

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

1 SECTION 1. The fund in the Iowa state treasury known and main-
2 tained as the capitol extension fund is hereby terminated as such and

3 the balance in such fund, as of date of approval of this act by the
 4 governor, and all moneys accruing to such fund thereafter shall be
 5 covered into and become a part of the general fund of the treasury
 6 of the state of Iowa and subject to regulations and enactments gov-
 7 erning such fund.

Senate File No. 294. Approved April 6, A. D. 1929.

CHAPTER 273

SURVEY OF INDUSTRIES AND RESOURCES

AN ACT providing for a survey of the industries and natural resources of Iowa and making an appropriation therefor.

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

1 SECTION 1. Authority is hereby granted for the making of a survey
 2 of the agricultural, industrial, and natural resources of the state for
 3 the purpose of determining what industries are economically adapted
 4 to Iowa conditions and may, therefore, be developed with profit; and
 5 to disseminate information so obtained.

1 SEC. 2. The survey provided for in section one (1) shall be under
 2 the general supervision of the director of the engineering experiment
 3 station of the Iowa state college of agricultural and mechanic arts,
 4 who shall serve without compensation except for the payment of
 5 actual and necessary traveling expenses, and who is authorized and
 6 directed to cooperate with any and all institutions and agencies both
 7 public and private, which may be able to assist in making such a
 8 survey.

1 SEC. 3. There is hereby appropriated out of any money in the state
 2 treasury not otherwise appropriated the sum of ten thousand dollars
 3 (\$10,000.00) for the purpose of carrying out the provisions of this
 4 act.

1 SEC. 4. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its publication in the Colfax
 3 Tribune, a newspaper published in Colfax, Iowa and the Grinnell
 4 Herald, a newspaper published in Grinnell, Iowa.

Senate File No. 318. Approved April 16, A. D. 1929.

I hereby certify that the foregoing act was published in the Colfax Tribune April 25, 1929, and the Grinnell Herald April 19, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 274

MERLE D. HAY MONUMENT

AN ACT to provide for the erection of a monument at the grave of Merle D. Hay at Glidden, Iowa, and to make an appropriation therefor.

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

1 SECTION 1. There is hereby created a commission which shall be
2 known as the Merle D. Hay memorial commission, which shall consist
3 of Mr. George W. Prichard of Onawa, Iowa, Honorable C. C. Helmer of
4 Carroll, Iowa, and Honorable J. G. Merritt of Glidden, Iowa. All
5 vacancies in the membership of the commission shall be filled by the
6 governor.

1 SEC. 2. The duties of said commission shall be to cause to be erected
2 a monument at the grave of Merle D. Hay at Glidden, Iowa.

1 SEC. 3. Said commission shall proceed with all reasonable diligence
2 to perform their duties, and to this end shall have full power and
3 authority to choose and adopt such monument and style thereof and
4 inscriptions thereon as in its judgment will be fit, proper and appro-
5 priate, and to enter into the necessary contracts for the completion
6 and erection of such monument.

1 SEC. 4. Contracts shall not be entered into which entail an ex-
2 penditure for said completed monument in excess of five thousand
3 dollars (\$5,000).

1 SEC. 5. No contract involving an expenditure of five hundred dol-
2 lars (\$500) or more shall be entered into unless the performance of
3 such contract shall be guaranteed by a bond issued by a surety com-
4 pany authorized to transact business in this state, which bond shall
5 be payable to the state of Iowa.

1 SEC. 6. The attorney general shall be the legal advisor of said
2 commission, and on request of the commission shall prepare all con-
3 tracts and other necessary documents.

1 SEC. 7. All payments for said work and materials shall be made on
2 vouchers approved by said commission or by a majority of the mem-
3 bers thereof, and duly filed with and approved by the state board of
4 audit.

1 SEC. 8. Upon the completion of said monument and the erection
2 and dedication thereof, the said commission shall make a full report
3 to the governor of its doings.

1 SEC. 9. Each member of the commission shall be repaid his actual
2 and necessary traveling and hotel expenses while performing his
3 duties.

1 SEC. 10. The commission shall organize by the election of one of
2 its members as chairman, and by the election of one of its members as
3 secretary. The secretary shall keep and preserve a full record of the
4 proceedings of the commission, which record upon the completion of

5 the work of the commission shall be deposited with the curator of
6 the historical, memorial and art department of Iowa.

1 SEC. 11. The executive council shall furnish the commission with
2 all supplies necessary for the commission to discharge its duties.

1 SEC. 12. There is hereby appropriated from any funds in the state
2 treasury, not otherwise appropriated, the sum of five thousand dol-
3 lars (\$5,000) to defray the expenses herein provided for.

1 SEC. 13. **Publication clause.** This act is deemed of immediate im-
2 portance and shall take effect from and after its publication in The
3 Carroll Herald, Carroll, Iowa, and The Glidden Graphic, Glidden,
4 Iowa, newspapers published in the state of Iowa.

Senate File No. 478. Approved April 16, A. D. 1929.

I hereby certify that the foregoing act was published in the Carroll Herald April 24,
1929, and the Glidden Graphic April 25, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 275

RICE LAKE

AN ACT to authorize the state board of conservation, subject to the approval of the executive council, to re-construct and re-establish Rice Lake located in Winnebago and Worth Counties.

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

1 SECTION 1. The state board of conservation is hereby authorized
2 to proceed with the re-construction, rehabilitation, and re-establish-
3 ment of Rice Lake located in Winnebago and Worth counties. The
4 board of conservation shall, subject to the approval of the executive
5 council, adopt such plans and enter into such contracts as shall best
6 carry out the provisions of this act.

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 the Hawarden Independent, a newspaper published at Hawarden,
4 Iowa, and the Stanwood Herald, a newspaper published at Stanwood,
5 Iowa.

Senate File No. 451. Approved March 28, A. D. 1929.

I hereby certify that the foregoing act was published in the Hawarden Independent
April 4 1929, and the Stanwood Herald April 3, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 276

SCHOOL FUND FORECLOSURE

AN ACT to relinquish any claim of right, title, or interest, for or on behalf of the state of Iowa, in or to any lands heretofore sold under foreclosure of permanent school fund mortgages where the title was erroneously taken in the name of the state of Iowa, or for the use of the school fund, or in the name of the county instead of in the name of the state of Iowa for the use and benefit of the permanent school fund of any particular county in the state, and confirming title thereto in the purchaser thereof.

WHEREAS, certain school fund mortgages in the state of Iowa have been foreclosed and the real estate sold under order of court, and pursuant to said sale the sheriffs of various counties in the state of Iowa have executed deed and conveyance to real estate to the state of Iowa, or for the use and benefit of the permanent school fund, or in the name of a county; and

WHEREAS, the said real estate has been sold under the order of various boards of supervisors of said counties and deed and conveyance executed under the authority of said boards of supervisors by the county auditor of said various counties; and

WHEREAS, said deeds of conveyance have been placed of record and the purchasers thereof have paid the full price of sale to the county for the use of, credited to, and used for the said permanent school fund; and

WHEREAS, doubt has arisen as to whether or not the said conveyance conveys all of the right, title, and interest of the state of Iowa in and to said real estate, and vests title in the purchaser, now therefore

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

1 SECTION 1. That, in any case where the title to real estate has been
2 heretofore conveyed by the sheriff of any county in the state of Iowa
3 pursuant to sheriff's sale under the foreclosure of permanent school
4 fund mortgages to the state of Iowa, or to the state of Iowa for the
5 use of the school fund, or to the county for the school fund; and said
6 land has been heretofore sold under authority of the board of super-
7 visors of said county and conveyed under its authority, prior to the
8 effective date of this act, and the full purchase price paid and credited
9 to, and used by, the county for the permanent school fund of said
10 county, all right, title, or interest of the state of Iowa in and to said
11 real estate is hereby relinquished and quit-claimed to the purchaser
12 or his grantees forever, and the title thereto confirmed in such pur-
13 chaser, or his grantees in so far as the aforesaid erroneous convey-
14 ance is concerned.

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Traer
3 Star-Clipper, a newspaper published at Traer, Iowa, and the Toledo
4 Chronicle, a newspaper published at Toledo, Iowa.

House File No. 101. Approved March 12, A. D. 1929.

I hereby certify that the foregoing act was published in the Traer Star-Clipper March 22, 1929, and the Toledo Chronicle March 21, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 277

INVESTMENT OF UNEXPENDED MEMORIAL FUNDS

AN ACT to authorize the expenditure and investment of tax funds raised for the erection and maintenance of memorial buildings and monuments when such funds have remained unexpended for a period of five (5) years or more.

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

1 SECTION 1. Whenever in any county, funds have been raised by
2 taxation for the purpose of erecting and maintaining memorial build-
3 ings or monuments, and said funds are under control of a commission
4 as provided in chapter thirty-three (33), code, 1927, and said funds
5 have remained unexpended for a period of five (5) years or more, and
6 when no unpaid obligation exists against said funds, the said com-
7 mission, or a majority of the members thereof, may disburse said
8 funds for the erection, purchase or improvement of one or more
9 memorial buildings, monuments, parks, playgrounds, swimming pools,
10 homes or club rooms for duly incorporated and acting American legion
11 posts in the county.

1 SEC. 2. When such erection, purchase or improvement has been
2 made, the commission shall take from the American legion post which
3 is the beneficiary of such erection, purchase or improvement, the
4 promissory obligation of such post to repay the amount expended by
5 the commission with or without annual interest, together with such
6 security as the commission may require.

1 SEC. 3. Funds not disbursed as provided in section 1 hereof may
2 be invested by said commission in such securities as are authorized
3 by section twelve thousand seven hundred seventy-two (12772) of
4 the code, 1927.

1 SEC. 4. All interest accumulations shall become part of the prin-
2 cipal fund and all uninvested funds shall be kept on deposit with the
3 county treasurer.

1 SEC. 5. For the purpose of carrying out the provisions of this act,
2 the commission shall have authority to receive and to convey title
3 to real estate, to take mortgage or other security and to release or
4 transfer the same.

Senate File No. 351. Approved April 16, A. D. 1929.

CHAPTER 278

CITY OF MUSCATINE

AN ACT to relinquish and quit-claim any claim of right, title or interest of the state of Iowa in or to certain real estate situated in the city of Muscatine, Iowa, known as Muscatine slough, to the city of Muscatine, Iowa.

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

1 SECTION 1. That the state of Iowa does hereby relinquish and
 2 quit-claim any and all claim of right, title, or interest, in or to the
 3 following described real estate situated in the city of Muscatine,
 4 Muscatine county, Iowa, known as the Muscatine slough, or a portion
 5 thereof, to the city of Muscatine, Iowa.
 6 "That part of Muscatine slough bed lying within the corporate
 7 limits of Muscatine, Iowa, meandering from the Mississippi river,
 8 west through the southwest quarter (SW $\frac{1}{4}$) of section two (2) and
 9 the south half (S $\frac{1}{2}$) of section three (3), all in township seventy-six
 10 (76) north, range two (2) west of the 5th P. M. Iowa."

1 SEC. 2. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its publication in the West
 3 Liberty Index, a newspaper published in West Liberty, Iowa, and
 4 the Muscatine Journal & News-Tribune, a newspaper published in
 5 Muscatine, Iowa, without expense to the state.

House File No. 340. Approved March 27, A. D. 1929.

I hereby certify that the foregoing act was published in the West Liberty Index April 4, 1929, and the Muscatine Journal April 4, 1929.

ED. M. SMITH, *Secretary of State.*

(One of above newspapers selected by secretary of state under section 55 of the code.)

CHAPTER 279

CITY OF FOREST CITY

AN ACT to authorize the governor and the secretary of state to deed and transfer to the municipal corporation of Forest City, certain land now belonging to the state and used as a state park.

WHEREAS, there was conveyed and deeded to the state of Iowa by one, Clinton Merrick of Hancock county, a tract of land containing approximately five (5) acres located at Forest City, Iowa, and as hereinafter described for state park purposes; and

WHEREAS, there has been an arrangement between the state board of conservation and the city of Forest City, whereby the said city has been maintaining and keeping up said real property so devoted to state park purposes, and which arrangement has not proven satisfactory; and

WHEREAS, the tract of land is too small to justify or warrant the state

to incur the expense necessary to properly supervise, maintain and police said property devoted to state park purposes; now therefore

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

1 SECTION 1. That the governor and the secretary of state are hereby
2 authorized to convey by quit-claim deed to the municipal corporation
3 of Forest City, the following described real estate located in Han-
4 cock county, Iowa:

5 "A triangular tract of land in the northwest quarter (NW $\frac{1}{4}$) of
6 the northwest quarter (NW $\frac{1}{4}$) of section one (1), township ninety-
7 seven (97) range twenty-four (24), Hancock county, Iowa, described
8 as commencing at the northwest corner of section one (1), running
9 thence east on section line to the M. & St. L. railway right-of-way;
10 thence southwesterly along said railroad right-of-way five hundred
11 forty-five (545) feet; thence northwesterly two hundred four (204)
12 feet to the section line at a point four hundred nineteen (419) feet
13 south of the place of beginning; thence north on section line to place
14 of beginning."

15 Said real property to be used by the city of Forest City for the pur-
16 poses and in the manner prescribed in the deed and conveyance of
17 said premises by Clinton Merrick to the state of Iowa, dated August
18 22, 1922, and filed in the office of the recorder of Hancock county on
19 November 14, 1922.

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 Lake Mills Graphic, a newspaper published at Lake Mills, Iowa, and
4 in The Forest City Summit, a newspaper published at Forest City,
5 Iowa.

Senate File No. 148. Approved March 26, A. D. 1929.

I hereby certify that the foregoing act was published in the Lake Mills Graphic
April 3, 1929, and the Forest City Summit April 4, 1929.

Ed. M. SMITH, *Secretary of State.*

CHAPTER 280

FORT ATKINSON STATE PARK

AN ACT to convey by patent real estate to the government of the United States.

WHEREAS, the state of Iowa is the owner of certain lands in Winneshiek county, Iowa, known as the Fort Atkinson state park, and described more particularly as follows:

"Lots one (1), two (2), three (3), four (4), five (5), six (6), seven (7), eight (8), fifteen (15), sixteen (16), seventeen (17), eighteen (18), nineteen (19), and one of eight (8) and one of nine (9), all in Fort Square block; also, all of block thirty-two (32); also that part of lots seven (7), eight (8), nine (9), and ten (10), lying north of the public highway in block forty-four (44), all in the original town of Fort Atkinson.

"That piece or parcel of land in Fort Square block in the town of Fort Atkinson, Winneshiek county, Iowa, designated as the public square, as

per the plat thereof acknowledged by Caroline Newington on March 19th, 1857 and duly filed for record March 28th, 1857 and duly recorded in book A of town lots on pages 408 and 409 therein;

'Also all that part of certain streets and alleys in Fort Square block in the town of Fort Atkinson, Winneshiek county, Iowa, as per the plat thereof acknowledged by Caroline Newington on March 19th, 1857 and duly filed for record March 28th, 1857 and duly recorded in book A of town lots on pages 408 and 409 therein, described and bounded by the lines commencing at the southeast corner of lot number eight (8) of Fort Square block in the town of Fort Atkinson, Winneshiek county, Iowa, thence east twenty-five (25) feet, thence north to the northwest corner of the public square in aforesaid Fort Square block, thence east to the northeast corner of aforesaid public square, thence north twenty-five (25) feet to the south line of lot number five (5) of aforesaid Fort Square block, thence west on the south line of lots number five (5), four (4) and three (3) of aforesaid Fort Square block to the southwest corner of the aforesaid lot number three (3), thence north to the northwest corner of the aforesaid lot number three (3), thence west to the northeast corner of lot number two (2) of aforesaid Fort Square block, thence south on the east line of lots number two (2) and eight (8) of aforesaid Fort Square block to the place of beginning.

'The above described premises being also described as follows, to-wit:

'Lot No. 17 of Fort Square block in the town of Fort Atkinson, Winneshiek county, Iowa, as per the plat thereof acknowledged by Levi F. James and N. J. James on March 23rd, 1917, and duly filed for record March 30, 1917, and duly recorded in plat book No. 71, page 116 therein, records, recorder's office, Winneshiek county, Iowa; also as lots numbered 18 and 19 of Fort Square block in the town of Fort Atkinson, Winneshiek county, Iowa as per the plat thereof acknowledged by George E. Cooney, April 7th, 1917, and duly filed for record April 9th, 1917, and duly recorded in plat book No. 71 on page 117 therein, records, recorder's office in Winneshiek county, Iowa.' and

WHEREAS, the board of conservation of the state of Iowa has passed the following resolution:

"WHEREAS, the board of conservation has petitioned congress to repair and restore the old Indian fort buildings at the Fort Atkinson state park in Winneshiek county, Iowa, and

"WHEREAS, the board has been informed by the Iowa representatives in congress that it is necessary, before the government will undertake any improvement on these buildings, that the land be conveyed to the United States government, and

"WHEREAS, most of the buildings are in a deplorable state of repair, some being completely destroyed, and

"WHEREAS, the board of conservation believes that these buildings should be completely repaired and restored primarily for their historical interest, and

"WHEREAS, it is estimated that the cost of repairing and restoring the above mentioned buildings will approximate the sum of \$40,000, which sum the board of conservation is absolutely unable to provide with its present appropriation;

“Therefore, be it resolved, that the board requests the governor and the executive council to have prepared the necessary documents for the transfer of the Fort Atkinson state park, containing about five acres more or less, to the United States government, with the distinct understanding that the transfer is made under the condition that the United States government undertakes and agrees to repair and restore the buildings, and maintain said park and buildings as a national monument, open to the public under the usual restrictions.”

WHEREAS, the executive council of the state of Iowa has passed the following resolution in connection therewith:

“The executive council, at a meeting held this date, approved the attached resolution relative to the transfer of Fort Atkinson state park, to the United States government, adopted by the board of conservation at a meeting held February 5th, 1929.” now therefore

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

1 SECTION 1. That the said above described real estate be conveyed
2 to the government of the United States of America upon the condition
3 and for the consideration that the said government of the United
4 States of America undertake and agree to repair and restore the
5 buildings situated upon the said real estate, and to maintain said park
6 and buildings as a national monument open to the public under the
7 usual restrictions; and the governor of the state of Iowa and the
8 secretary of state of the state of Iowa are hereby authorized and
9 directed to execute a patent to the said real estate to the government
10 of the United States upon such consideration.

Senate File No. 422. Approved March 30, A. D. 1929.

CHAPTER 281

ETTA V. BRALL. LAND PATENT

AN ACT to authorize and direct the governor of the state of Iowa to execute and deliver to Etta V. Brall a patent to lots three (3) and four (4) in block one (1) in outlot seventeen (17) in the town of Sidney, Fremont county, Iowa.

WHEREAS, Millard Abshire, sheriff of Fremont county, Iowa, did, on the 11th day of February, 1926, give a sheriff's deed to lots three (3) and four (4) in block one (1) in outlot seventeen (17) of the town of Sidney, Fremont county, Iowa, said property having been sold by said sheriff under a mortgage foreclosure, said mortgage having been given to secure a loan of school funds, and

WHEREAS, Fremont county, Iowa, by L. O. Clark, chairman of the board of supervisors, did, on January 10, 1927, give a warranty deed to said real estate to the state of Iowa, and

WHEREAS, R. R. Armstrong, county auditor of Fremont county, Iowa, as agent for the state of Iowa, did, on January 18, 1927, give a warranty deed to said real estate to Etta V. Brall, for and in consideration of the sum of eight hundred dollars (\$800), and

WHEREAS, the said Etta V. Brall, made objection to the title to said real

estate and refused to accept the title to said real estate, and the said Etta V. Brall did, on August 27, 1927, give a quit claim deed to said real estate to the state of Iowa, and

WHEREAS, it is necessary to correct the title to said real estate, and to give good title in said real estate to Etta V. Brall purchaser, now therefore,

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

- 1 SECTION 1. That the governor of the state of Iowa be, and is hereby
- 2 authorized, empowered and directed to execute to Etta V. Brall a
- 3 patent conveying to her lots three (3) and four (4) in block one (1)
- 4 in outlot seventeen (17) in the town of Sidney, Fremont county, Iowa.

House File No. 268. Approved April 9, A. D. 1929.

CHAPTER 282

HERMAN COLYN

AN ACT to authorize the issuance of a patent to certain lands in Marion county, Iowa.

WHEREAS, the United States of America, by act of congress, dated August 8, 1846, granted to the state of Iowa, the west five acres of the south west quarter (SW $\frac{1}{4}$) of the north west quarter (NW $\frac{1}{4}$) of section five (5), township seventy-seven (77), north, range twenty (20) west of the 5th P. M. Iowa, and said land was purchased from the state of Iowa, November 3, 1852 by John S. Busey, and,

WHEREAS, no patent has been issued by the state of Iowa, covering said above described land to said John S. Busey nor to any other person, firm or corporation, and

WHEREAS, Herman Colyn is now the owner of said above described land and holds title thereto by perfect chain of title from John S. Busey, and that he has been together with his grantors in possession of said land since the 3rd day of November 1852, 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, but that the state of Iowa failed to issue a patent to said John S. Busey, 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; now therefore,

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

- 1 SECTION 1. That the governor and secretary of state shall, in the
- 2 name of the state of Iowa and under its seal, convey by patent to the
- 3 said Herman Colyn, the following described real estate situated in the
- 4 county of Marion, state of Iowa, to-wit:
- 5 The west five acres of the south west quarter (SW $\frac{1}{4}$) of the north
- 6 west quarter (NW $\frac{1}{4}$) of section five (5), township seventy-seven
- 7 (77), north, range twenty (20) west of the 5th P. M. Iowa; and
- 8 thereby transfer to the said Herman Colyn any and all right, title

9 and interest which the state of Iowa may have in or to the said de-
 10 scribed real estate, said patent to issue without expense to the state
 11 of Iowa.

1 SEC. 2. This act being deemed of immediate importance shall be in
 2 full force and effect from and after its publication in Knoxville Jour-
 3 nal, a newspaper published at Knoxville, Iowa, and Pella Press, a news-
 4 paper published at Pella, Iowa without expense to the state.

Senate File No. 116. Approved March 9, A. D. 1929.

I hereby certify that the foregoing act was published in the Knoxville Journal
 March 14, 1929, and the Pella Press March 21, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 283

PATENT TO CERTAIN LANDS IN APPANOOSE COUNTY

AN ACT to authorize the issuance of a patent to certain lands in Appanoose county,
 Iowa.

WHEREAS, on the 2nd day of October, 1858, there was a deed made by
 the county judge of Appanoose county, Iowa, to one, Henry Hakes, con-
 veying or purporting to convey, the northeast quarter (NE $\frac{1}{4}$) of the
 northwest quarter (NW $\frac{1}{4}$) of section thirteen (13), township sixty-eight
 (68), north, range seventeen (17) west, in said Appanoose county, Iowa,
 as swamp land, under the impression that said land had been conveyed
 by patent to the state of Iowa by the government of the United States
 and to the county of Appanoose by the state of Iowa, for which convey-
 ance the said Henry Hakes paid to Appanoose county the full purchase
 price; and

WHEREAS, said described tract of land was by said Henry Hakes and
 other grantees and grantors occupied and used under claim of right and
 color of title under said conveyance from said date of said deed until May
 25, 1914, when same was conveyed to one, G. F. Severs, since deceased; and

WHEREAS, it was discovered on or about the 16th day of March, 1928,
 that the said described real estate had never been conveyed by the gov-
 ernment of the United States to the state of Iowa, nor by the state of
 Iowa to said county as swamp lands, or otherwise, by patent or other-
 wise; and

WHEREAS, the government of the United States has now issued a patent
 to the state of Iowa as swamp lands, said patent conveying said real estate
 to the state of Iowa; and

WHEREAS, the state of Iowa neither has, nor claims to have, any interest
 in or to said real estate; and

WHEREAS, the said patent from the government of the United States
 was obtained by the state of Iowa for the purpose of clearing the title
 to said real estate; and

WHEREAS, the sole and only heirs or beneficiaries of the said G. F.

Severs, deceased, are Agnes Severs Isett, Blanche Severs Forman, Madge Severs and Emma Pulliam: therefore

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

1 SECTION 1. The governor and the secretary of state be and they
2 are hereby authorized, empowered, and directed in the name of the
3 state of Iowa and under its seal to convey by patent, any and all right,
4 title, or interest, of the state of Iowa, to Agnes Severs Isett, Blanche
5 Severs Forman, Madge Severs and Emma Pulliam, without expense
6 to the state, the following described real estate situated in Appanoose
7 county, Iowa:

8 "The northeast quarter (NE $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$)
9 of section thirteen (13), township sixty-eight (68), north, range
10 seventeen (17) west, Appanoose county, Iowa."

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in full force from and after its publication in the Moravia
3 Union, a newspaper published at Moravia, Iowa, and the Centerville
4 Daily Iowegian & Citizen, a newspaper published at Centerville, Iowa,
5 the said publication to be without expense to the state.

House File No. 221. Approved March 27, A. D. 1929.

I hereby certify that the foregoing act was published in the Moravia Union April 4,
1929, and the Centerville Daily Iowegian and Citizen March 30, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 284

CHERRY-BURRELL CORPORATION

AN ACT authorizing the executive council to transfer certain described land located in Tama county to the Cherry-Burrell Corporation in order to carry out a contract entered into between the said corporation and the highway commission.

WHEREAS, in the construction of U. S. highway No. 30, it became necessary to arrange for an overhead crossing over the Chicago Northwestern railroad three (3) miles west of Tama, Iowa; and

WHEREAS, the Cherry-Burrell Corporation owned a right of way upon which was constructed a mill race, furnishing water to the corporation and to the lake at Tama City; and

WHEREAS, it was deemed excessive to bridge the railroad and the mill race in one structure, a contract was entered into between the highway commission and the Cherry-Burrell Corporation to re-locate said mill race so that the same could be carried under the highway; and

WHEREAS, it was necessary for the highway commission to furnish a right of way upon which to re-locate the mill race, certain property for said purpose and for road right of way purposes was purchased from one, W. A. DeLand, which property was taken in the name of the state, now therefore,

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

1 SECTION 1. That the executive council of the state of Iowa, is

2 hereby authorized and instructed to transfer to the Cherry-Burrell
3 Corporation the following described property:

4 Commencing as a place of reference at the SE corner of Sec. 29,
5 T83N, R15W, thence N 636.8' to the point of beginning; thence W
6 541.6'; thence N 50 degrees 51 minutes W 831.4'; thence S 77 degrees
7 38 minutes E 661'; thence S 68 degrees 28 minutes E 581.2'; thence
8 S 170' to the point of beginning, containing 6.28 acres, more or less.

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Cedar
3 Rapids Tribune, a newspaper published in Cedar Rapids, Iowa, and
4 Tama News-Herald, a newspaper published in Tama, Iowa.

House File No. 277. Approved March 28, A. D. 1929.

I hereby certify that the foregoing act was published in the Cedar Rapids Tribune
April 5, 1929, and the Tama News Herald April 4, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 285

PATENT TO LAND IN CLAYTON COUNTY

AN ACT to authorize the issuance of a patent to certain lands in Clayton county, Iowa.

WHEREAS, at divers times from 1855 to 1884, the drainage commissioner for the county of Clayton and the state of Iowa, as authorized by law, sold the following described real estate situated in the county of Clayton, and state of Iowa, described as follows, to-wit:

The west fractional part of the southwest quarter (SW $\frac{1}{4}$) of the southeast quarter (SE $\frac{1}{4}$); the east fractional part of the southeast quarter (SE $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$); the west fractional part of the southeast quarter (SE $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$); the east fractional part of the southwest quarter (SW $\frac{1}{4}$); the west fractional part of the northeast quarter (NE $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$); the west fractional part of the northeast quarter (NE $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$); the east fractional part of the northwest quarter (NW $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$); and government lot three (3), all in section two (2), township 91, N. R. 2 west of the 5th P. M. Iowa; and government lots five (5), six (6), seven (7), and eight (8), in section three (3), township 91, N. R. 2 west of the 5th P. M. Iowa; and

WHEREAS, the said lots are on an island subject to overflow in the Mississippi river and were understood and believed by the county of Clayton to be a part of the swamp lands granted to said county by the state of Iowa; and

WHEREAS, the said land was sold at tax sale for failure to pay taxes to Clayton county, Iowa, on or about the first Monday in December, 1919, and purchased by G. J. Graf and deed issued pursuant to said sale in the year 1922; and

WHEREAS, there appears to be a cloud upon the title of the said G. J. Graf by reason of some alleged lack of authority on the part of the drainage commissioner and of the county treasurer to convey said land, now therefore

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

1 SECTION 1. That the governor and the secretary of state shall, in
 2 the name of the state of Iowa and under its seal, convey by patent
 3 to the said G. J. Graf, the following described real estate situated in
 4 the county of Clayton, state of Iowa, to-wit:
 5 The west fractional part of the southwest quarter (SW $\frac{1}{4}$) of the
 6 southeast quarter (SE $\frac{1}{4}$); the east fractional part of the southeast
 7 quarter (SE $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$); the west frac-
 8 tional part of the southeast quarter (SE $\frac{1}{4}$) of the southwest quarter
 9 (SW $\frac{1}{4}$); the east fractional part of the northeast quarter (NE $\frac{1}{4}$)
 10 of the southwest quarter (SW $\frac{1}{4}$); the west fractional part of the
 11 northeast quarter (NE $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$); the
 12 east fractional part of the northwest quarter (NW $\frac{1}{4}$) of the south-
 13 west quarter (SW $\frac{1}{4}$); and government lot three (3), all in section
 14 two (2), township 91, N. R. 2 west of the 5th P. M. Iowa; and govern-
 15 ment lots five (5), six (6), seven (7), and eight (8), in section three
 16 (3), township 91, N. R. 2 west of the 5th P. M. Iowa;
 17 and thereby transfer to the said G. J. Graf any and all right, title,
 18 and interest which the state of Iowa may have in or to said described
 19 real estate, said patent to issue without expense to the state of Iowa.

Senate File No. 14. Approved April 5, A. D. 1929.

CHAPTER 286

TITLE TO LAND IN HARRISON COUNTY

AN ACT for the relief of certain grantees of Harrison county, Iowa, and for the purpose of having a patent issued in the name of Harrison county, Iowa, for certain tracts of land.

WHEREAS, the congress of the United States by a certain act approved March 3, 1845, entitled, "An act supplemental to an act for the admission of the states of Iowa and Florida into the Union", granted certain lands hereinafter described to the state of Iowa for the benefit of the school fund; and

WHEREAS, certain lands situated in Harrison county, Iowa, described as follows:

The northeast quarter (NE $\frac{1}{4}$) and the north half (N $\frac{1}{2}$) of the northwest quarter (NW $\frac{1}{4}$) and the southeast quarter (SE $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$), section twenty-six (26), township eighty-one (81), north range forty-five (45); were, with other lands, by an act of the general assembly of the state of Iowa, approved January 15, 1849, which act is entitled, "An act and ordinance accepting the proposition made by congress on the admission of Iowa into the Union" accepted by the state of Iowa; and

WHEREAS, the United States government by original entry dated October 15, 1855, granted the lands above described to the state of Iowa; and

WHEREAS, the lands above described were selected by the register of the United States land office on September 8, 1854, for school purposes

under the act of congress approved May 20, 1826, entitled, "An act to appropriate lands for the support of schools in certain townships and fractional townships not before provided for", and the selection thereof was on October 15, 1855, approved by the secretary of interior; and

WHEREAS, on September 28, 1858, Harrison county, Iowa, deeded and quit-claimed to Charles McEvers the north half ($N\frac{1}{2}$) of the northwest quarter ($NW\frac{1}{4}$) and the southeast quarter ($SE\frac{1}{4}$) of the northwest quarter ($NW\frac{1}{4}$) of section twenty-six (26), township eighty-one (81), north, range forty-five (45), said deed reciting that the grantee, being the holder of a certificate of pre-emption, and having made payment for said land at the rate of one and 25/100 dollars (\$1.25) an acre, this deed is issued pursuant to an act of the general assembly of the state of Iowa, approved March 22, 1858, entitled, "An act for the relief of swamp land pre-emption"; and

WHEREAS, on September 29, 1858, Harrison county, Iowa, deeded and quit-claimed to Isaac Tyson, the west half ($W\frac{1}{2}$) of the northeast quarter ($NE\frac{1}{4}$) of section twenty-six (26), township eighty-one (81), north, range forty-five (45), said deed reciting that the grantee, being the holder of a certificate of pre-emption, and having made payment for said land at the rate of one and 25/100 dollars (\$1.25) an acre, this deed is issued pursuant to an act of the general assembly of the state of Iowa, approved March 22, 1858, entitled, "An act for the relief of swamp land pre-emption"; and

WHEREAS, on January 21, 1865, Harrison county, Iowa, deeded and quit-claimed to S. W. Condit, the east half ($E\frac{1}{2}$) of the northeast quarter ($NE\frac{1}{4}$), of section twenty-six (26), township eighty-one (81), north, range forty-five (45), said deed reciting that the grantee, being the holder of a certificate of pre-emption, and having made payment for said land at the rate of one and 25/100 dollars (\$1.25) an acre, this deed is issued pursuant to an act of the general assembly of the state of Iowa, approved March 22, 1858, entitled "An act for the relief of swamp land pre-emption"; and

WHEREAS, the land above described was omitted from the swamp land grant from the state of Iowa to Harrison county, Iowa; and

WHEREAS, by reason of such omission there is now an apparent outstanding title in the state of Iowa; and

WHEREAS, by conveyance from the original grantees the title to said land is now vested in a great many different owners and a part of said land is included in the town plat of River Sioux, Harrison county, Iowa, and thereby divided into lots and small sub-divisions; therefore

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

- 1 SECTION 1. Disclaimer of title. That the state of Iowa hereby
- 2 waives and disclaims any right, title or interest in and to the north-
- 3 east quarter ($NE\frac{1}{4}$) and the north half ($N\frac{1}{2}$) of the northwest
- 4 quarter ($NW\frac{1}{4}$) and the southeast quarter ($SE\frac{1}{4}$) of the northwest
- 5 quarter ($NW\frac{1}{4}$), section twenty-six (26), township eighty-one (81),
- 6 north, range forty-five (45), and the title conveyed by Harrison
- 7 county, Iowa, to the grantees, Charles McEvers, Isaac Tyson and

8 S. W. Condit, aforesaid, is hereby declared valid and treated with the
9 same force and effect as though said lands had been included in the
10 swamp land grant to Harrison county, Iowa, and the conveyances of
11 Harrison county, aforesaid, are hereby legalized and the said con-
12 veyances passed to the grantees and through them to the present
13 owner all right, title and interest of the state of Iowa in said lands.

House File No. 518. Approved April 4, A. D. 1929.

APPROPRIATION ACTS

CHAPTER 287

STATE BUDGET

AN ACT to establish the general fund for the state of Iowa, for the biennium beginning July 1, 1929, and ending June 30, 1931, and to appropriate therefrom for all departments and various divisions thereof, of the state of Iowa, for all purposes provided by law, for the said biennium.

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

1 SECTION 1. That the amount derived from direct taxation, other
 2 than from the bonus levy, during the fiscal years beginning July 1,
 3 1929, and July 1, 1930, and ending June 30, 1930, and June 30, 1931,
 4 respectively, together with any unexpended appropriations at the
 5 close of the biennium ending June 30, 1929, and all revenue from
 6 sources other than direct taxation which is available for appropri-
 7 ation for state purposes, and all other money in the state treasury
 8 which is not by law segregated, shall be established as a general
 9 fund, and so much thereof as may be necessary, shall be, and the
 10 same is hereby appropriated for the biennium beginning July 1,
 11 1929, and ending June 30, 1931, in the following manner and for the
 12 following uses, to-wit:

DEPARTMENT OF THE ADJUTANT GENERAL

1 SEC. 2. For the department of the adjutant general there is here-
 2 by appropriated for each year of the biennium beginning July 1,
 3 1929, and ending June 30, 1931, the sum of two hundred thirty
 4 thousand one hundred forty-five dollars (\$230,145.00), or so much
 5 thereof as may be necessary, to be used in the following manner:

NATIONAL GUARD

6	For salaries and wages:	
7	Adjutant general	\$ 3,400.00
8	Assistant adjutant general.....	2,200.00
9	Quartermaster, U. S. P. D. O.....	1,500.00
10	Assistant quartermaster	1,800.00
11	Secretary and file clerk.....	1,500.00
12	Record clerk	1,200.00
13	Voucher clerk and bookkeeper.....	1,320.00
14	Order clerk	1,200.00
15	Chief clerk	1,500.00
16	Requisition clerk	1,200.00
17	Property clerk	1,200.00

18	Stenographer and clerk.....	1,200.00
19	Chief storekeeper	1,620.00
20	Shipping clerk	1,200.00
21	Armorer	1,200.00
22	Record clerk	1,200.00
23		<u>\$ 24,440.00</u>
24	For miscellaneous purposes:	
25	Armory rent	\$122,385.00
26	Express, freight and drayage.....	750.00
27	Headquarters allowances	1,500.00
28	Per capita allowances.....	27,500.00
29	Office expenses and supplies.....	1,500.00
30	Physical examinations	1,000.00
31	Rifle range allowance.....	9,750.00
32	Travel expenses	5,000.00
33	Encampment	6,000.00
34	Rifle and pistol firing.....	2,000.00
35	Division headquarters allowance.....	1,800.00
36	Brigade headquarters allowance.....	900.00
37	Contingent	1,500.00
38	Extra help	600.00
39		<u>\$182,185.00</u>
40	Total national guard.....	\$206,625.00
41	For the purpose of complying with federal rul-	
42	ing in the matter of holding schools of instruc-	
43	tion, when requested, there is hereby appro-	
44	propriated five thousand dollars (\$5,000.00) or so	
45	much thereof as may be necessary.....	5,000.00
46		<u>\$211,625.00</u>

CAMP DODGE MAINTENANCE

47	For salaries and wages:	
48	Electrician	\$ 1,500.00
49	Utility officer and guard.....	1,500.00
50	Caretaker	1,200.00
51	Caretaker	1,200.00
52	Superintendent of camp grounds.....	1,500.00
53		<u>6,900.00</u>
54	For miscellaneous purposes:	
55	Buildings, grounds and utilities upkeep and	
56	preparing grounds for encampment.....	5,000.00
57	Total Camp Dodge maintenance.....	<u>\$ 11,900.00</u>

PENSIONS

58	Widows of survivors of the Northern border	
59	brigade	\$ 2,000.00

60	Widows of survivors, Spirit Lake relief expedi-	
61	tion	720.00
62	Total pensions	<u>\$ 2,720.00</u>

WAR ROSTER COMMISSION

63	For salaries and wages:	
64	Secretary-director	\$ 2,700.00
65	Stenographer	1,200.00
66	Total war roster commission.....	<u>\$ 3,900.00</u>
67	Grand total of all appropriations for all purposes	
68	for each year of the biennium for the depart-	
69	ment of the adjutant general.....	<u>\$230,145.00</u>

DEPARTMENT OF AGRICULTURE

1 SEC. 3. For the department of agriculture there is hereby appro-
 2 priated for each year of the biennium beginning July 1, 1929, and
 3 ending June 30, 1931, the sum of four hundred seventy-two thou-
 4 sand three hundred fifty dollars (\$472,350.00), or so much thereof
 5 as may be necessary, to be used in the following manner:

AGRICULTURAL DEPARTMENT

6	For salaries and wages:	
7	Secretary	\$ 4,000.00
8	Assistant secretary	3,300.00
9	Chief dairy and food department.....	3,000.00
10	Chief division animal health.....	3,000.00
11	Chemist	3,000.00
12	Chief of inspectors.....	3,200.00
13	Inspector of records and correspondence...	2,500.00
14	Assistant chemist	2,300.00
15	Chief clerk	2,300.00
16	License clerk	1,600.00
17	Secretary to the secretary.....	2,000.00
18	Messenger	900.00
19	Clerks (3)	3,600.00
20	Assistant record clerk.....	1,500.00
21	Stenographers (10)	12,500.00
22	Seed analyst	1,000.00
23	Inspectors (33)	75,900.00
24	Assistant chemist	2,000.00
25		<u>\$127,600.00</u>
26	For miscellaneous purposes:	
27	Traveling, contingent and replacement of	
28	cars	42,000.00
29	Total agricultural department.....	<u>\$169,600.00</u>

ANIMAL HEALTH AND VETERINARY

30	For the control and eradication of contagious	
31	and infectious live stock diseases, T. B. in-	
32	spectors, assistant state veterinarians, (per	
33	diem and expenses), indemnities and miscel-	
34	laneous	\$250,000.00
	BEEF PRODUCERS' ASSOCIATION	
35	State aid	\$ 6,250.00
	CORN AND SMALL GRAIN GROWERS' ASSOCIATION	
36	For miscellaneous purposes:	
37	Corn yield test.....	\$ 1,500.00
38	State corn exhibit.....	2,150.00
39	Office expense	600.00
40		\$ 4,250.00
	DAIRY ASSOCIATION	
41	State aid	\$ 6,250.00
42	(To be expended in accordance with the	
43	provisions of chapter 137, code of 1927).	
	HORTICULTURAL EXPOSITION	
44	For miscellaneous purposes:	
45	For state aid to the horticultural exposi-	
46	tion	\$ 3,500.00
	HORTICULTURAL SOCIETY	
47	For miscellaneous purposes:	
48	For state aid to the horticultural society...	\$ 6,250.00
	FARMERS' INSTITUTES, POULTRY ASSOCIATIONS, SHORT COURSES	
49	For state aid to farmers' institutes (to be ex-	
50	pended in accordance with the provisions of	
51	chapter 137 of the code); for state aid to	
52	county poultry breeders' associations; for	
53	state aid to state poultry breeders' associa-	
54	tion (to be expended in accordance with the	
55	provisions of chapter 142 of the code); for	
56	state aid to short courses (to be expended in	
57	accordance with the provisions of chapter 137	
58	of the code), the sum of.....	\$ 11,000.00
	BOARD OF VETERINARY EXAMINERS	
59	Per diem and expenses of board members.....	\$ 400.00
	IOWA HORSE BREEDERS' ASSOCIATION	
60	For miscellaneous purposes:	
61	Field representatives and traveling ex-	
62	penses (to be expended under the super-	
63	vision of the state secretary of agricul-	
64	ture)	\$ 6,250.00
	WEATHER AND CROP BUREAU	
65	For salaries and wages:	
66	Director	\$ 2,000.00

67	Statistician	2,400.00
68	Clerks and stenographers (2).....	3,000.00
		<u> </u>
69		\$ 7,400.00
70	For miscellaneous purposes:	
71	Traveling	\$ 150.00
72	Contingent	1,050.00
		<u> </u>
73		\$ 1,200.00
		<u> </u>
74	Total weather and crop bureau.....	\$ 8,600.00
75	Grand total of all appropriations for all pur-	
76	poses for each year of the biennium, for the	
77	department of agriculture.....	\$472,350.00

BOARD OF AUDIT

1	SEC. 4. For the board of audit there is hereby appropriated for	
2	each year of the biennium beginning July 1, 1929, and ending June	
3	30, 1931, the sum of four thousand two hundred dollars (\$4,200.00),	
4	or so much thereof as may be necessary, to be used in the following	
5	manner:	
6	Salaries and wages:	
7	Chief voucher clerk.....	\$ 1,600.00
8	Voucher clerk and stenographer.....	1,400.00
9	Voucher clerk	1,200.00
		<u> </u>
10		\$ 4,200.00
11	Grand total of all appropriations for all purposes	
12	for each year of the biennium, for the board	
13	of audit	\$ 4,200.00

AUDITOR OF STATE

1	SEC. 5. For the office of auditor of state there is hereby appro-	
2	riated for each year of the biennium beginning July 1, 1929, and	
3	ending June 30, 1931, the sum of twenty-seven thousand five hun-	
4	dred dollars (\$27,500.00), or so much thereof as may be necessary,	
5	to be used in the following manner:	
6	For salaries and wages:	
7	Auditor	\$ 4,000.00
8	Deputy	3,000.00
9	Chief clerk, revenue department.....	2,100.00
10	Chief clerk, county accounting.....	2,400.00
11	Chief clerk, municipal accounting.....	2,400.00
12	Assistant accountant	2,000.00
13	Warrant clerk	1,400.00
14	Assistant warrant clerk.....	1,200.00
15	Stenographer and clerk	1,200.00
16	Secretary	1,800.00
17	Clerk	1,200.00
18	Statistical clerk	1,800.00
		<u> </u>
19		\$ 24,500.00

20	For miscellaneous purposes:	
21	Traveling expenses and contingent.....	\$ 2,000.00
22	Examiners, state expense.....	1,000.00
		<hr/>
23		\$ 3,000.00
24	Grand total of all appropriations for all pur-	
25	poses for each year of the biennium, for the	
26	office of the auditor of state.....	\$ 27,500.00

COMMISSION FOR THE BLIND

1	SEC. 6. For the commission for the blind there is hereby appro-	
2	riated for each year of the biennium beginning July 1, 1929, and	
3	ending June 30, 1931, the sum of twelve thousand dollars	
4	(\$12,000.00), or so much thereof as may be necessary, to be used	
5	in the following manner:	
6	To be expended in accordance with the provi-	
7	sions of chapter 75 of the acts of the forty-	
8	first general assembly.....	\$ 12,000.00

DIRECTOR OF THE BUDGET

1	SEC. 7. For the department of the director of the budget there	
2	is hereby appropriated for each year of the biennium beginning	
3	July 1, 1929, and ending June 30, 1931, the sum of thirty thousand	
4	eight hundred dollars (\$30,800.00), or so much thereof as may be	
5	necessary, to be used in the following manner:	
6	For salaries and wages:	
7	Director	\$ 5,000.00
8	Assistant	3,000.00
9	State accountant	3,000.00
10	First assistant accountant.....	2,400.00
11	Second assistant accountant.....	2,400.00
12	Third assistant accountant.....	2,400.00
13	Fourth assistant accountant.....	2,400.00
14	Fifth assistant accountant.....	2,400.00
15	Secretary	1,800.00
16	Clerk of the accounting division.....	1,500.00
		<hr/>
17		\$ 26,300.00
18	For miscellaneous purposes:	
19	Traveling expenses	\$ 1,750.00
20	Engineer and architect.....	1,750.00
21	Extra help	1,000.00
		<hr/>
22		\$ 4,500.00
23	Grand total of all appropriations for all pur-	
24	poses for each year of the biennium, for the	
25	department of the director of the budget....	\$ 30,800.00

BOARD OF CONSERVATION

1	SEC. 8. For the board of conservation there is hereby appropri-
2	ated for each year of the biennium beginning July 1, 1929, and end-
3	ing June 30, 1931, the sum of one hundred thirty thousand dollars

4	(\$130,000.00), or so much thereof as may be necessary, to be used	
5	in the following manner:	
6	For miscellaneous purposes:	
7	For maintenance of parks, purchase of land	
8	and improvements	\$ 90,000.00
9	For the construction, maintenance and im-	
10	provement of roads and highways in said	
11	parks	40,000.00
12		<u>\$130,000.00</u>
13	Grand total of all appropriations for all pur-	
14	poses for each year of the biennium, for the	
15	board of conservation	\$130,000.00

BOARD OF CONTROL (A)

1 SEC. 9. For the board of control there is hereby appropriated for
2 each year of the biennium beginning July 1, 1929, and ending June
3 30, 1931, the sum of ninety-two thousand three hundred dollars
4 (\$92,300.00), or so much thereof as may be necessary, to be used
5 in the following manner:

GENERAL OFFICE

6	For salaries and wages:	
7	Members of board of control (3).....	\$ 12,000.00
8	Secretary	3,000.00
9	Architect	3,600.00
10	Chief accountant	2,500.00
11	Assistant accountant	2,200.00
12	Assistant accountant	1,800.00
13	Purchasing agent	2,750.00
14	Assistant purchasing agent.....	1,320.00
15	Estimate clerk	1,600.00
16	Assistant estimate clerk.....	1,320.00
17	Statistician	1,600.00
18	Parole clerk	1,500.00
19	File clerk	1,500.00
20	Stenographers (4)	4,800.00
21	Storekeeper	1,500.00
22	State agents (8)	10,560.00
23	State agent	1,800.00
24	Inspector per diem, not to exceed.....	1,800.00
25	Chief draftsman	3,000.00
26	Draftsmen (not to exceed).....	4,000.00
27		<u>\$ 64,150.00</u>
28	For miscellaneous purposes:	
29	Traveling expenses, board members and em-	
30	ployes	\$ 5,000.00
31	Traveling expenses, state agents.....	12,700.00
32	Contingent	1,500.00
33	Publication of bulletins and blanks.....	1,800.00
34	Quarterly conference	150.00

35	Aid to friendless girls.....	2,500.00
36		<u>\$ 23,650.00</u>
37	Total general office.....	\$ 89,800.00
CHILD WELFARE DIVISION		
38	For salaries and wages:	
39	Superintendent	\$ 2,700.00
40	Stenographer	1,200.00
41		<u>\$ 3,900.00</u>
42	For miscellaneous purposes:	
43	Traveling expenses	600.00
44	Total child welfare division.....	<u>\$ 4,500.00</u>
45	Grand total of all appropriations for all pur-	
46	poses for each year of the biennium for the	
47	board of control (A).....	\$ 92,300.00

CUSTODIAN

1	SEC. 10. For the custodian there is hereby appropriated for each	
2	year of the biennium beginning July 1, 1929, and ending June 30,	
3	1931, the sum of sixty thousand three hundred eighty dollars (\$60,-	
4	380.00), or so much thereof as may be necessary, to be used in the	
5	following manner:	
6	For salaries and wages:	
7	Custodian	\$ 2,700.00
8	Assistant custodian	2,400.00
9	Assistant electrician	1,800.00
10	Mechanic	1,610.00
11	Carpenter	1,800.00
12	Painter	2,000.00
13	Nightwatchmen (4)	6,000.00
14	Chief fireman	1,610.00
15	Boiler inspector	1,800.00
16	Firemen (3)	4,500.00
17	Florist	1,610.00
18	Yardmen (6)	7,200.00
19	Janitor foreman	1,360.00
20	Janitors (12)	15,840.00
21	Matron	1,200.00
22	Machinist	1,400.00
23	Elevator tender	1,200.00
24	Guard	600.00
25	Bryant school fireman	1,500.00
26		<u>\$ 58,130.00</u>
27	For miscellaneous purposes:	
28	For washing towels	\$ 500.00
29	Extra help	1,750.00
30		<u>\$ 2,250.00</u>

31 Grand total of all appropriations for all purposes
 32 for each year of the biennium, for the de-
 33 partment of the custodian.....\$ 60,380.00

JUDGES OF THE DISTRICT COURTS

1 SEC. 11. For the judges of the district courts of Iowa there is
 2 hereby appropriated for each year of the biennium beginning July
 3 1, 1929, and ending June 30, 1931, the sum of three hundred seven-
 4 teen thousand five hundred dollars (\$317,500.00), or so much thereof
 5 as may be necessary, to be used in the following manner:
 6 For salaries:
 7 Judges of the district courts of Iowa.....\$291,500.00
 8 For miscellaneous purposes:
 9 Traveling and expenses of judges and court
 10 reporters in and out of districts..... 26,000.00
 11 Grand total of all appropriations for all purposes
 12 for each year of the biennium, for district
 13 court judges and reporters\$317,500.00

BOARD OF EDUCATION (A)

1 SEC. 12. For the board of education there is hereby appropriated
 2 for each year of the biennium beginning July 1, 1929, and ending
 3 June 30, 1931, the sum of fifty-six thousand one hundred twelve dol-
 4 lars (\$56,112.00), or so much thereof as may be necessary, to be
 5 used in the following manner:

OFFICE

6 For Salaries and Wages:
 7 Chairman, finance committee.....\$ 3,600.00
 8 Member, finance committee 3,600.00
 9 Secretary, finance committee 4,000.00
 10 Chief clerk 1,500.00
 11 State agent 1,500.00
 12 Stenographer 1,200.00
 13 Clerk 1,200.00
 14 Clerk 1,300.00
 15 \$ 17,900.00
 16 For miscellaneous purposes:
 17 Board members (9).....\$ 5,400.00
 18 Traveling expenses 8,000.00
 19 Release of mortgages..... 12.00
 20 President's office expense..... 400.00
 21 Maintenance of state roads at any or all of
 22 the state institutions under the board
 23 of education 10,000.00
 24 \$ 23,812.00
 25 Total office expense board of education.....\$ 41,712.00
 26 Aid for blind students..... 4,000.00

27	Aid for deaf students.....	10,400.00
28	Grand total of all appropriations for all purposes	
29	for each year of the biennium, for the board	
30	of education (A)	\$ 56,112.00

STATE ENTOMOLOGIST

1	SEC. 13. For the state entomologist there is hereby appropriated	
2	for each year of the biennium beginning July 1, 1929, and ending	
3	June 30, 1931, the sum of nine thousand dollars (\$9,000.00), or so	
4	much thereof as may be necessary, to be used in the following	
5	manner:	
6	For salaries and wages:	
7	Chief inspector	\$ 3,000.00
8	Stenographer	600.00
9		\$ 3,600.00
10	For miscellaneous purposes:	
11	Extra help	\$ 2,000.00
12	Traveling expenses	2,600.00
13	Printing and binding	150.00
14	Miscellaneous	650.00
15		\$ 5,400.00
16	Grand total of all appropriations for all purposes	
17	for each year of the biennium, for the depart-	
18	ment of the state entomologist.....	\$ 9,000.00

EXECUTIVE COUNCIL

1	SEC. 14. For the executive council there is hereby appropriated	
2	for each year of the biennium beginning July 1, 1929, and ending	
3	June 30, 1931, the sum of twenty-four thousand two hundred eighty	
4	dollars (\$24,280.00), or so much thereof as may be necessary, to be	
5	used in the following manner:	

GENERAL OFFICE

6	For salaries and wages:	
7	Secretary	\$ 3,000.00
8	Assistant secretary	2,000.00
9	Second assistant secretary.....	1,800.00
10	Supply room clerk	1,200.00
11	Postmaster	1,800.00
12	Store room janitor.....	1,200.00
13	Clerk	1,200.00
14	Purchasing clerk	1,680.00
15	Tax clerk	1,400.00
16	Chief clerk	1,500.00
17	Assistant chief clerk.....	1,500.00
18	Electrician	2,400.00
19	Telephone clerks (1 @ \$1,500.00, 2 @	
20	\$1,050.00)	3,600.00
21		\$ 24,280.00

22 Grand total of all appropriations for all purposes
 23 for each year of the biennium, for the office of
 24 the executive council\$ 24,280.00

EXECUTIVE COUNCIL

1 SEC. 14-a. For the executive council there is hereby appropriated
 2 for each year of the biennium beginning July 1, 1929, and ending
 3 June 30, 1931, the sum of two hundred fourteen thousand two
 4 hundred fifty dollars (\$214,250.00), or so much thereof as may be
 5 necessary, to be used in the following manner:

STATE PURPOSES

6	Equipment, supplies, fuel, repairs, telephone	
7	and telegraph	\$160,000.00
8	Express, freight and drayage.....	5,000.00
9	Governor's conference	250.00
10	Necessary expenses	3,000.00
11	Providential contingent	30,000.00
12	Traveling expenses	1,000.00
13	State cases	5,000.00
14	For the Great Lakes-St. Lawrence Tide-	
15	water Association	5,000.00
16	For the improvement of the Missouri and	
17	Mississippi Rivers	5,000.00
18	The expenditures under this item and the	
19	item next above, to be subject to the	
20	direction and approval of the executive	
21	council; and a detailed statement of	
22	said expenditures to be made to said	
23	executive council.	
		\$214,250.00
24		
25	Grand total of all appropriations for all purposes	
26	for each year of the biennium, for the execu-	
27	tive council for state purposes.....	\$214,250.00

STATE FAIR BOARD

1 SEC. 15. For the state fair board there is hereby appropriated for
 2 each year of the biennium beginning July 1, 1929, and ending June
 3 30, 1931, the sum of sixty-three thousand dollars (\$63,000.00), or
 4 so much thereof as may be necessary, to be used in the following
 5 manner:

6	For miscellaneous purposes:	
7	Insurance premiums on buildings.....\$	3,000.00
8	Maintenance of grounds and buildings....	30,000.00
9	Additional land	5,000.00
10	Provided that the total amount of this	
11	item provided for the biennium shall be	
12	available for the purpose specified	
13	July 1, 1929.	
14	Completing horse barn	25,000.00

15	Provided that the total amount of this	
16	item provided for the biennium shall be	
17	available for the purpose specified July	
18	1, 1929.	
19		\$ 63,000.00
20	Grand total of all appropriations for all purposes	
21	for each year of the biennium, for the depart-	
22	ment of the state fair board.....	\$ 63,000.00

AGRICULTURAL SOCIETIES

1	SEC. 16. For the agricultural societies there is hereby appropriated	
2	for each year of the biennium beginning July 1, 1929, and ending	
3	June 30, 1931, the sum of one hundred sixty thousand dollars	
4	(\$160,000.00), or so much thereof as may be necessary, to be used	
5	in the following manner:	
6	For state aid to county fairs.....	\$160,000.00
7	The foregoing appropriation for state aid to county fairs shall be	
8	deemed conditioned on full compliance with all other statutes which	
9	regulate and prescribe the conditions under which such aid is pay-	
10	able.	

FIRE MARSHAL

1	SEC. 17. For the department of the fire marshal there is hereby	
2	appropriated for each year of the biennium beginning July 1, 1929,	
3	and ending June 30, 1931, the sum of seventeen thousand three hun-	
4	dred dollars (\$17,300.00), or so much thereof as may be necessary,	
5	to be used in the following manner:	
6	For salaries and wages:	
7	State fire marshal.....	\$ 3,000.00
8	Deputy	2,000.00
9	Assistant deputy	1,800.00
10	Assistant deputy	1,800.00
11	Chief clerk and stenographer.....	1,500.00
12		\$ 10,100.00
13	For miscellaneous purposes:	
14	Extra help	\$ 200.00
15	Traveling expenses	3,300.00
16	Mileage and reporting fees.....	3,500.00
17	Incidentals	200.00
18		\$ 7,200.00
19	Grand total of all appropriations for all purposes	
20	for each year of the biennium, for the de-	
21	partment of fire marshal.....	\$ 17,300.00

GEOLOGICAL SURVEY

1	SEC. 18. For the geological survey there is hereby appropriated
2	for each year of the biennium beginning July 1, 1929, and ending
3	June 30, 1931, the sum of twelve thousand two hundred dollars

4	(\$12,200.00), or so much thereof as may be necessary, to be used	
5	in the following manner:	
6	For salaries and wages:	
7	Assistant state geologist.....	\$ 3,000.00
8	Director	900.00
9	Secretary	1,800.00
		<hr/>
10		\$ 5,700.00
11	For miscellaneous purposes:	
12	Topographical and geological mapping and	
13	traveling expenses	\$ 3,500.00
14	For publication of reports of biological sur-	
15	vey including treatise on Honey Plants of	
16	Iowa, all under the direction and manage-	
17	ment of Professor L. H. Pammel of Ames..	\$ 3,000.00
		<hr/>
18	Grand total of all appropriations for all purposes	
19	for each year of the biennium, for the de-	
20	partment of the geological survey.....	\$ 12,200.00

GOVERNOR

1	SEC. 19. For the department of the governor there is hereby ap-	
2	propriated for each year of the biennium beginning July 1, 1929, and	
3	ending June 30, 1931, the sum of twenty thousand seven hundred	
4	dollars (\$20,700.00), or so much thereof as may be necessary, to be	
5	used in the following manner:	
6	For salaries and wages:	
7	Governor	\$ 7,500.00
8	Secretary	3,000.00
9	Pardon clerk	1,800.00
10	Stenographer and file clerk.....	1,500.00
11	Notarial clerk	1,300.00
12	Messenger	1,500.00
		<hr/>
13		\$ 16,600.00
14	For miscellaneous purposes:	
15	Traveling expenses and extra help.....	\$ 1,350.00
16	Publication of notices	250.00
17	Rewards	1,500.00
18	Arbitration	1,000.00
		<hr/>
19		\$ 4,100.00
20	Grand total of all appropriations for all purposes	
21	for each year of the biennium, for the depart-	
22	ment of the governor.....	\$ 20,700.00

GRAND ARMY OF THE REPUBLIC

1 SEC. 20. For the Grand Army of the Republic there is hereby ap-
 2 propriated for each year of the biennium beginning July 1, 1929,
 3 and ending June 30, 1931, the sum of seven hundred fifty dollars

4 (\$750.00), or so much thereof as may be necessary, to be used in
 5 the following manner:
 6 For miscellaneous purposes\$ 750.00

DEPARTMENT OF HEALTH

1 SEC. 21. For the department of health there is hereby appro-
 2 priated for each year of the biennium beginning July 1, 1929, and
 3 ending June 30, 1931, the sum of eighty-one thousand five hundred
 4 twenty-five dollars (\$81,525.00), or so much thereof as may be neces-
 5 sary, to be used in the following manner:

GENERAL OFFICE

6	For salaries and wages:	
7	Commissioner	\$ 5,000.00
8	Deputy commissioner	4,000.00
9	Registrar of examinations.....	2,400.00
10	Director of vital statistics.....	2,000.00
11	Chief clerk	2,000.00
12	Stenographers (2)	2,400.00
13	Bookkeeper	1,200.00
14	Vital statistics clerks (3)	3,600.00
15	Janitor-clerk	1,200.00
16	Secretary to commissioner	1,500.00
17	Anti-toxin clerk	1,200.00
18	Lecturer on health.....	3,600.00
19	Director of nursing education.....	3,000.00
20	Epidemiologist	3,600.00
21	Morbidity clerk	1,500.00
22	Stenographer	1,200.00
23	Part time clerks (2)	800.00
		<hr/>
24		\$40,200.00
25	For miscellaneous purposes:	
26	Traveling expenses for department.....	\$ 2,500.00
27	Traveling expenses for lecturer	1,500.00
28	Traveling expenses for epidemiologist	1,800.00
29	Anti-toxin, vaccine and other prophylactics	5,000.00
30	Quarantine and other contingencies.....	4,000.00
31	Investigation of tuberculosis.....	4,000.00
		<hr/>
32		\$ 18,800.00
33	Total general office.....	\$ 59,000.00

SANITARY ENGINEERING AND HOUSING DIVISION

34	For salaries and wages:	
35	Engineer	\$ 3,600.00
36	Assistant engineer	2,100.00
37	Assistant engineer	2,000.00
38	Chemist	2,400.00

39	Assistant junior engineer	1,800.00
40	Stenographer	1,200.00
41	Inspectors (2)	900.00
		\$14,000.00
42		
43	For miscellaneous purposes:	
44	Traveling expenses, sanitary engineering	
45	and housing division	\$ 6,000.00
46	Equipment and laboratory (general).....	1,000.00
47	Stream pollution equipment.....	625.00
48	Replacing car	500.00
49	New car	400.00
		\$8,525.00
50		
51	Total sanitary engineering and housing division.\$	22,525.00
52	Grand total of all appropriations for all purposes	
53	for each year of the biennium, for the depart-	
54	ment of health.....	\$ 81,525.00

HISTORICAL DEPARTMENT

1 SEC. 22. For the historical department there is hereby appro-
 2 priated for each year of the biennium beginning July 1, 1929, and
 3 ending June 30, 1931, the sum of forty-nine thousand five hundred
 4 fifty dollars (\$49,550.00), or so much thereof as may be necessary,
 5 to be used in the following manner:

GENERAL DIVISION

6	For salaries and wages:	
7	Curator	\$ 3,600.00
8	Assistant curator and secretary.....	1,400.00
9	Assistant curator and general clerk.....	1,400.00
10	Research clerk	1,200.00
11	Guards (3)	1,800.00
12	Invoice and property clerk.....	1,800.00
13	Janitors (2)	2,640.00
14	Matron	1,200.00
15	Porter	1,200.00
16	Night watchman	1,500.00
17	Elevator tender	1,200.00
		\$ 18,940.00
18		
19	For miscellaneous purposes:	
20	Traveling expenses	\$ 250.00
21	Cooperative expenses	125.00
22	Portraits, U. S. senators, cabinet officers,	
23	and governors and President Hoover....	2,500.00
24	Archives printing and supplies.....	250.00
25	Museum, specimens and collections.....	500.00
26	Books and periodicals.....	900.00
27	Cuts and clippings.....	25.00
		\$ 4,550.00
28		
29	Total general division.....	\$ 23,490.00

ARCHIVES DIVISION

30	For salaries and wages:	
31	Assistant curator and superintendent....	\$ 2,400.00
32	Assistant superintendent and clerk.....	1,500.00
33	Clerk	1,500.00
34	For the purpose of completing the indexing	
35	and filing of records and for removing and storing	
36	records from the state capitol building to the	
37	archives division of the historical building. To be	
38	expended only with the approval of the governor	
39	and director of the budget.....	\$ 8,160.00
40		<u>\$ 13,560.00</u>

LIBRARY DIVISION

41	For salaries and wages:	
42	Assistant curator and librarian.....	\$ 1,700.00
43	Assistant librarian and clerk	1,500.00
44		<u>\$ 3,200.00</u>

MUSEUM DIRECTOR

45	Assistant curator and director.....	\$ 2,400.00
----	-------------------------------------	-------------

ANNALS OF IOWA DIVISION

46	For salaries and wages:	
47	Editorial assistant	\$ 2,400.00
48	Stenographer and clerk	1,500.00
49		<u>\$ 3,900.00</u>

IOWA IN WAR DIVISION

50	Director and indexer.....	\$ 1,500.00
----	---------------------------	-------------

NEWSPAPER DIVISION

51	Assistant curator and director.....	\$ 1,500.00
52	Grand total of all appropriations for all purposes	
53	for each year of the biennium, for the his-	
54	torical department	\$ 49,550.00

HISTORICAL SOCIETY OF IOWA

1	SEC. 23. For the historical society there is hereby appropriated	
2	for each year of the biennium beginning July 1, 1929, and ending	
3	June 30, 1931, the sum of forty thousand two hundred dollars	
4	(\$40,200.00), or so much thereof as may be necessary, to be used	
5	in the following manner:	
6	For salaries and services.....	\$ 22,700.00
7	For miscellaneous purposes:	
8	Publications	13,500.00
9	Printing and binding exclusive of publica-	
10	tions	1,500.00
11	General support expense	2,500.00
12		<u>\$ 17,500.00</u>

13	Grand total of all appropriations for all purposes	
14	for each year of the biennium for the his-	
15	torical society	\$ 40,200.00

INDUSTRIAL COMMISSION

1 SEC. 24. For the industrial commission there is hereby appro-
 2 priated for each year of the biennium beginning July 1, 1929, and
 3 ending June 30, 1931, the sum of thirty-six thousand seven hundred
 4 thirty dollars (\$36,730.00), or so much thereof as may be necessary,
 5 to be used in the following manner:

OFFICE

6	For salaries and wages:	
7	Commissioner	\$ 3,600.00
8	Deputy	3,000.00
9	Secretary	2,350.00
10	Chief clerk	1,400.00
11	Stenographers and clerks (4)	4,800.00
12	Medical counsel	1,500.00
		<hr/>
13		\$ 16,650.00
14	For miscellaneous purposes:	
15	Traveling expenses	\$ 1,200.00
16	Medical attention	960.00
17	Library	50.00
18	Miscellaneous	70.00
		<hr/>
19		\$ 2,280.00
20	Total general office	\$ 18,930.00

WORKMEN'S COMPENSATION

21	Death claims	\$ 3,000.00
22	Injuries	11,000.00
23	Physicians, surgeons and hospital bills.....	3,500.00
24	Burial benefits	300.00
		<hr/>
25		\$ 17,800.00
26	Grand total of all appropriations for all purposes	
27	for each year of the biennium, for the office of	
28	the industrial commission	\$ 36,730.00

DEPARTMENT OF INSURANCE

1 SEC. 25. For the insurance department there is hereby appro-
 2 priated for each year of the biennium beginning July 1, 1929, and
 3 ending June 30, 1931, the sum of fifty-five thousand five hundred
 4 ten dollars (\$55,510.00), or so much thereof as may be necessary,
 5 to be used in the following manner:

6	For salaries and wages:	
7	Commissioner	\$ 4,000.00
8	Deputy	3,400.00

9	Second deputy	2,700.00
10	Chief examiner	3,000.00
11	Actuary	4,000.00
12	Securities clerk	3,000.00
13	Assistant securities clerk	1,800.00
14	Assistant securities clerk	1,800.00
15	Complaint clerk	2,500.00
16	Policy examiner	2,500.00
17	File clerk	1,200.00
18	General clerk	1,600.00
19	Certificate clerk	1,500.00
20	Fee clerk	1,800.00
21	Stenographers (5)	6,360.00
22	Guard and messenger.....	1,200.00
		<hr/>
23		\$ 42,360.00
24	For miscellaneous purposes:	
25	Additional examiners and extra help.....	\$ 9,500.00
26	Departmental traveling expenses.....	1,000.00
27	Premium on bond for commissioner.....	150.00
28	Departmental contingent fund.....	2,500.00
		<hr/>
29		\$ 13,150.00
30	Grand total of all appropriations for all purposes	
31	for each year of the biennium, for the de-	
32	partment of insurance	\$ 55,510.00

DEPARTMENT OF JUSTICE

1	SEC. 26. For the department of justice there is hereby appro-	
2	priated for each year of the biennium beginning July 1, 1929, and	
3	ending June 30, 1931, the sum of ninety-eight thousand nine hun-	
4	dred fifty dollars (\$98,950.00), or so much thereof as may be neces-	
5	sary, to be used in the following manner:	
6	For salaries and wages:	
7	Attorney general	\$ 5,000.00
8	First assistant	4,000.00
9	Second assistant	4,000.00
10	Assistant	3,600.00
11	Assistant	3,600.00
12	Assistant	3,600.00
13	Secretary	2,000.00
14	Stenographers (2)	2,400.00
15	File clerks (3)	4,500.00
		<hr/>
16		\$ 32,700.00
17	For miscellaneous purposes:	
18	Peace officers' salaries and expenses.....	\$ 50,000.00
19	State agents' salaries and expenses.....	11,000.00
20	Traveling expenses, office of attorney gen-	
21	eral	2,750.00

22	Contingent	2,500.00
23		<u>\$ 66,250.00</u>
24	Grand total of all appropriations for all purposes	
25	for each year of the biennium, for the depart-	
26	ment of justice	\$ 98,950.00

BUREAU OF LABOR

1	SEC. 27. For the bureau of labor there is hereby appropriated for	
2	each year of the biennium beginning July 1, 1929, and ending June	
3	30, 1931, the sum of twenty-one thousand nine hundred dollars	
4	(\$21,900.00), or so much thereof as may be necessary, to be used	
5	in the following manner:	
6	For salaries and wages:	
7	Commissioner	\$ 3,000.00
8	Deputy	2,200.00
9	Factory inspectors (3)	5,400.00
10	Chief clerk	1,800.00
11	Statistician	1,800.00
12	Clerk	1,200.00
13	Stenographer	1,200.00
14	Clerk at Sioux City	1,800.00
15		<u>\$ 18,400.00</u>
16	For miscellaneous purposes:	
17	Traveling expenses	\$ 3,500.00
18	Grand total of all appropriations for all purposes	
19	for each year of the biennium, for the bureau	
20	of labor	\$ 21,900.00

LIBRARY COMMISSION

1	SEC. 28. For the library commission there is hereby appropriated	
2	for each year of the biennium beginning July 1, 1929, and ending	
3	June 30, 1931, the sum of twenty-four thousand three hundred	
4	twenty dollars (\$24,320.00), or so much thereof as may be necessary,	
5	to be used in the following manner:	
6	For salaries and wages:	
7	Secretary	\$ 2,400.00
8	Librarian	1,800.00
9	Reference librarian	1,800.00
10	Library cataloguer	1,620.00
11	Stenographers (2)	2,400.00
12	Record clerk	1,200.00
13	Library general clerk	1,200.00
14	Shipping clerk	1,200.00
15	Clerk	1,200.00
16		<u>\$ 14,820.00</u>

17	For miscellaneous purposes:	
18	Traveling expenses	\$ 500.00
19	Books	6,500.00
20	Printing and binding.....	2,300.00
21	Miscellaneous	200.00
		<hr/>
22		\$ 9,500.00
23	Grand total of all appropriations for all purposes	
24	for each year of the biennium, for the depart-	
25	ment of the library commission	\$ 24,320.00

STATE LIBRARY

1 SEC. 29. For the state library there is hereby appropriated for
 2 each year of the biennium beginning July 1, 1929, and ending June
 3 30, 1931, the sum of fifty-four thousand three hundred twenty dol-
 4 lars (\$54,320.00), or so much thereof as may be necessary, to be
 5 used in the following manner:

GENERAL DIVISION

6	For salaries and wages:	
7	State librarian	\$ 3,000.00
8	Assistant librarian	2,400.00
9	Assistant librarian	1,700.00
10	Assistant librarian	1,400.00
11	Cataloguer	1,900.00
12	Accountant and bookkeeper	1,800.00
13	Apprentices (2)	1,800.00
14	Clerk	1,800.00
15	Janitor	1,200.00
		<hr/>
16		\$ 17,000.00
17	For support	6,000.00
		<hr/>
18		\$ 23,000.00

LAW DIVISION

19	For salaries and wages:	
20	Law librarian	\$ 3,000.00
21	Assistant librarian	2,400.00
22	Assistant librarian	2,000.00
23	Assistant librarian	1,200.00
24	Stenographer	1,200.00
25	Janitor	1,320.00
		<hr/>
26		\$ 11,120.00
27	For support	6,000.00
		<hr/>
28	Total law division.....	\$ 17,120.00

MEDICAL DIVISION

29	For salaries and wages:		
30	Medical librarian	\$	2,400.00
31	Assistant librarian		1,600.00
32	Assistant librarian		1,500.00
33	Stenographer		1,200.00
			<hr/>
34		\$	6,700.00
35	For support		2,500.00
			<hr/>
36	Total medical division.....	\$	9,200.00

ECONOMICS AND SOCIOLOGY DIVISION

37	For salaries and wages:		
38	Head of department.....	\$	1,800.00
39	Assistant librarian		1,200.00
			<hr/>
40		\$	3,000.00
41	For support		2,000.00
			<hr/>
42	Total economics and sociology division.....	\$	5,000.00
43	Grand total of all appropriations for all purposes		
44	for each year of the biennium, for the state		
45	library	\$	54,320.00

BOARD OF MINE EXAMINERS

1	SEC. 30. For the board of mine examiners there is hereby appro-		
2	priated for each year of the biennium beginning July 1, 1929, and		
3	ending June 30, 1931, the sum of one thousand two hundred fifty		
4	dollars (\$1,250.00), or so much thereof as may be necessary, to be		
5	used in the following manner:		
6	For per diem and expenses.....	\$	1,250.00
7	Grand total of all appropriations for all purposes		
8	for each year of the biennium, for the board of		
9	mine examiners	\$	1,250.00

MINE INSPECTORS

1	SEC. 31. For the mine inspectors there is hereby appropriated for		
2	each year of the biennium beginning July 1, 1929, and ending June		
3	30, 1931, the sum of thirteen thousand nine hundred sixty dollars		
4	(\$13,960.00), or so much thereof as may be necessary, to be used		
5	in the following manner:		
6	For salaries and wages:		
7	Mine inspectors (3)	\$	9,000.00
8	Secretary		2,100.00
			<hr/>
9		\$	11,100.00

10	For miscellaneous purposes:	
11	Traveling expenses	\$ 2,500.00
12	Office rent and office expense.....	360.00
		<hr/>
13		\$ 2,860.00
14	Grand total of all appropriations for all purposes	
15	for each year of the biennium, for the mine	
16	inspectors	\$ 13,960.00

BOARD OF PAROLE

1	SEC. 32. For the board of parole there is hereby appropriated for	
2	each year of the biennium beginning July 1, 1929, and ending June	
3	30, 1931, the sum of thirty-three thousand five hundred dollars	
4	(\$33,500.00) or so much thereof as may be necessary, to be used in	
5	the following manner:	
6	For salaries and wages:	
7	Board members (3)	\$ 9,600.00
8	Secretary	3,000.00
9	Parole agents (3)	6,000.00
10	File clerk and reporter.....	1,500.00
11	Stenographers (2)	2,400.00
		<hr/>
12		\$ 22,500.00
13	For miscellaneous purposes:	
14	Traveling expenses and return of parole	
15	violators	\$ 11,000.00
		<hr/>
16		\$ 33,500.00
17	Grand total of all appropriations for all purposes	
18	for each year of the biennium, for the board	
19	of parole	\$ 33,500.00

PHARMACY EXAMINERS

1	SEC. 33. For the pharmacy examiners there is hereby appro-	
2	priated for each year of the biennium beginning July 1, 1929, and	
3	ending June 30, 1931, the sum of eight thousand nine hundred dol-	
4	lars (\$8,900.00), or so much thereof as may be necessary, to be used	
5	in the following manner:	
6	For salaries and wages:	
7	Commissioners (3)	\$ 3,600.00
8	Secretary	2,400.00
9	Stenographer and clerk.....	1,200.00
		<hr/>
10		\$ 7,200.00
11	For miscellaneous purposes:	
12	Traveling expenses	\$ 1,500.00
13	Miscellaneous	100.00
14	Laboratory equipment and supplies.....	100.00
		<hr/>
15		\$ 1,700.00

16 Grand total of all appropriations for all purposes
 17 for each year of the biennium, for the phar-
 18 macy examiners\$ 8,900.00

STATE PRINTING BOARD

1 SEC. 34. For the printing board there is hereby appropriated for
 2 each year of the biennium beginning July 1, 1929, and ending June
 3 30, 1931, the sum of seventeen thousand nine hundred fifty dollars
 4 (\$17,950.00), or so much thereof as may be necessary, to be used
 5 in the following manner:

OFFICE

6	For salaries and wages:	
7	Superintendent	\$ 3,600.00
8	Assistant superintendent	2,400.00
9	Assistant superintendent	2,000.00
10	Clerk, duplicating department	1,300.00
11	Document shipping clerk.....	1,600.00
12	Assistant shipping clerk	1,300.00
13	Clerk, typist	1,200.00
14	Compiler journal index	225.00
15	General assembly indexer.....	225.00
16	Compiler of official register.....	1,000.00
17	Clerk	1,500.00
		<hr/>
18		\$ 16,350.00
19	For miscellaneous purposes:	
20	Members (2)	\$ 600.00
21	Traveling expenses	900.00
22	Refunds	100.00
		<hr/>
23		\$ 1,600.00
24	Grand total of all appropriations for all purposes	
25	for each year of the biennium, for the print-	
26	ing board, office	\$ 17,950.00

STATE PRINTING BOARD

1 SEC. 35. For the printing board there is hereby appropriated for
 2 each year of the biennium beginning July 1, 1929, and ending June
 3 30, 1931, the sum of one hundred forty-two thousand twenty dol-
 4 lars (\$142,020.00), or so much thereof as may be necessary, to be
 5 used in the following manner:

STATE PURPOSES

6	For the necessary printing and binding	
7	authorized by law for the general assembly	
8	and for all state departments that have not	
9	been provided for in departmental appropria-	
10	tions	\$142,020.00

13	For miscellaneous purposes:	
14	Traveling expenses	\$ 5,000.00
15	Contingent, compiling annual report, etc...	3,500.00
		<hr/>
16		\$ 8,500.00
17	Grand total of all appropriations for all purposes	
18	for each year of the biennium, for the superin-	
19	tendent of public instruction.....	\$ 32,300.00

SUPERINTENDENT OF PUBLIC INSTRUCTION

1 SEC. 37. For the superintendent of public instruction there is
 2 hereby appropriated for each year of the biennium beginning July
 3 1, 1929, and ending June 30, 1931, the sum of four hundred eighty-
 4 four thousand nine hundred fifty dollars (\$484,950.00), or so much
 5 thereof as may be necessary, to be used in the following manner:

STATE AID TO PUBLIC SCHOOLS

6	For state aid to public schools:	
7	Normal training schools.....	\$150,000.00
8	Consolidated schools	150,000.00
9	Standard schools (for use of rural schools	
10	only)	100,000.00
11	Mining camp schools	50,000.00
12	Mining camp schools emergency fund.....	30,000.00
13	Normal institutes	4,950.00
		<hr/>
14		\$484,950.00

15 The appropriation for mining camp schools shall be disbursed by
 16 the superintendent of public instruction as follows:

17 (a) There is hereby set aside thirty thousand dollars
 18 (\$30,000.00) per year as an emergency fund to be disbursed by the
 19 superintendent of public instruction by and with the consent of the
 20 executive council and upon the application of mining camp schools
 21 wherein an emergency arises requiring an expenditure greater than
 22 that provided for in the succeeding subdivision. Any unexpended
 23 portion remaining in the emergency fund after April first of each
 24 year shall be allocated by the superintendent of public instruction
 25 as provided in the succeeding subdivision.

26 (b) The remainder of the appropriation for mining camp schools,
 27 after deducting the sum provided for in subdivision (a) hereof, shall
 28 be used by the superintendent of public instruction, with the ap-
 29 proval of the executive council and under its direction, but not until
 30 there is submitted to the executive council by the superintendent of
 31 public instruction a comprehensive program showing the entire pro-
 32 posed expenditure of the appropriation for the year under consid-
 33 eration, and not until all of the mining camp schools applying for
 34 funds from said appropriation have been notified of said contem-
 35 plated division and of the time and place when the proposed division
 36 of such funds is to be passed upon by the executive council. Notice
 37 of the hearing by the executive council shall be given by registered

38 mail addressed to the secretary of said mining camp school boards
 39 and mailed at least ten (10) days prior to the time fixed for the
 40 hearing.
 41 Grand total of all appropriations for all purposes
 42 for each year of the biennium, for the super-
 43 intendent of public instruction, state aid to
 44 public schools\$484,950.00

RELIEF

1 SEC. 38. For relief there is hereby appropriated for each year of
 2 the biennium beginning July 1, 1929, and ending June 30, 1931, the
 3 sum of six hundred dollars (\$600.00), or so much thereof as may
 4 be necessary, to be used in the following manner:
 5 For relief purposes:
 6 Relief of Frederick M. Hull.....\$ 360.00
 7 Mitchell's cavalry
 8 Martha Harris (widow of member)..... 240.00
 9 Grand total of all appropriations for all purposes
 10 for each year of the biennium, for relief.....\$ 600.00

BOARD OF RAILROAD COMMISSIONERS

1 SEC. 39. For the board of railroad commissioners there is hereby
 2 appropriated for each year of the biennium beginning July 1, 1929,
 3 and ending June 30, 1931, the sum of eighty-two thousand four hun-
 4 dred sixty-five dollars (\$82,465.00), or so much thereof as may be
 5 necessary, to be used in the following manner:

RAILROAD COMMISSION

6 For salaries and wages:
 7 Commissioners (3)\$ 10,800.00
 8 Secretary 3,000.00
 9 Reporter 2,400.00
 10 Chief clerk 2,400.00
 11 File clerk 1,320.00
 12 Chief rate clerk..... 2,750.00
 13 Assistant rate clerk..... 1,920.00
 14 Assistant rate clerk 1,800.00
 15 Tariff clerk and stenographer 1,300.00
 16 Statistician 2,500.00
 17 Signal engineer 2,500.00
 18 Electrical engineer 2,700.00
 19 Stenographers (2) 2,400.00
 20 Assistant electrical engineer 1,600.00
 21 Assistant signal engineer..... 1,600.00
 22 Rate clerk 2,400.00
 23 Assistant statistician 1,800.00
 24 Assistant reporter 1,800.00
 25 \$ 46,990.00
 26 For miscellaneous purposes:
 27 Traveling expenses\$ 6,000.00
 28 General support 1,275.00

29	Membership, national association of railway	
30	commissioners	1,050.00
31	Rate cases, Iowa interstate cooperation..	1,000.00
32		<u>\$ 9,325.00</u>

OFFICE

33	Total railroad commission.....	\$ 56,315.00
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COMMERCE COUNSEL

34	For salaries and wages:	
35	Chief counsel	\$ 5,000.00
36	Assistant counsel	2,700.00
37	Assistant counsel	2,400.00
38	Clerk	1,500.00
39	Stenographer	1,200.00
40		<u>\$ 12,800.00</u>

41	For miscellaneous purposes:	
42	Traveling expenses	\$ 2,000.00
43	Transcript and reporting.....	400.00
44	Periodicals	25.00
45	Law books	75.00
46		<u>\$ 2,500.00</u>

47	Total commerce counsel	\$ 15,300.00
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VALUATION DEPARTMENT

48	Agent	\$ 3,600.00
49	Agent	2,400.00
50	Stenographer	1,200.00
51	Traveling expenses	3,000.00
52	Miscellaneous expenses	650.00
53		<u>\$ 10,850.00</u>

54	Grand total of all appropriations for all purposes	
55	for each year of the biennium, for the board	
56	of railroad commissioners	\$ 82,465.00

SECRETARY OF STATE

1 SEC. 40. For the secretary of state there is hereby appropriated
 2 for each year of the biennium beginning July 1, 1929, and ending
 3 June 30, 1931, the sum of forty-eight thousand one hundred dollars
 4 (\$48,100.00), or so much thereof as may be necessary, to be used
 5 in the following manner:

6	For salaries and wages:	
7	Secretary of state.....	\$ 4,000.00
8	Deputy	3,300.00
9	Chief clerk	2,000.00
10	Law clerk	1,500.00
11	Corporation clerk	1,500.00
12	Recording clerks (2)	2,400.00
13	Stenographers (2)	2,400.00
14		<u>\$ 17,100.00</u>

SECURITIES DEPARTMENT

15	Superintendent	\$ 4,000.00
16	Deputy superintendent	3,000.00
17	Chief clerk	1,800.00
18	For such examiners, investigators, clerks,	
19	stenographers, bookkeeper, supplies, traveling	
20	expenses, and incidentals as are found neces-	
21	sary for the purpose of administering the se-	
22	curities department as provided in H.F. 201..	
23	\$ 21,200.00	
24	The number of such employees other than superintendent, deputy	
25	superintendent, and chief clerk, and their salaries to be fixed by the	
26	committee on retrenchment and reform. The total amount expended	
27	in administering the securities department in any year, however,	
28	shall not exceed the revenue derived from such administration.	
28	For miscellaneous purposes:	
29	Contingent fund	\$ 1,000.00
30		<u>\$ 31,000.00</u>
31	Grand total of all appropriations for all purposes	
32	for each year of the biennium, for the secre-	
33	tary of state	
		\$ 48,100.00

CLERK OF THE SUPREME COURT

1	SEC. 41. For the clerk of the supreme court there is hereby ap-	
2	propriated for each year of the biennium beginning July 1, 1929, and	
3	ending June 30, 1931, the sum of ten thousand nine hundred dollars	
4	(\$10,900.00), or so much thereof as may be necessary, to be used in	
5	the following manner:	
6	For salaries and wages:	
7	Clerk	\$ 3,600.00
8	Deputy	2,500.00
9	Brief and file clerk	1,600.00
10	General clerk	1,500.00
11	Messenger	1,200.00
12		<u>\$ 10,400.00</u>
13	For miscellaneous purposes:	
14	Contingent	\$ 500.00
15		<u>\$ 10,900.00</u>
16	Grand total of all appropriations for all purposes	
17	for each year of the biennium, for the clerk of	
18	the supreme court	
		\$ 10,900.00

SUPREME COURT

1	SEC. 42. For the supreme court there is hereby appropriated for	
2	each year of the biennium beginning July 1, 1929, and ending June	
3	30, 1931, the sum of eighty-five thousand three hundred seventy-five	
4	dollars (\$85,375.00), or so much thereof as may be necessary, to be	
5	used in the following manner:	
6	For salaries and wages:	
7	Judges (8)	\$ 60,000.00
8	Judge	6,000.00

9	Secretaries (9)	16,200.00
10	Bailiff	1,800.00
11	Additional salary for judge for second year	
12	of biennium	375.00
		<hr/>
13		\$ 84,375.00
14	For miscellaneous purposes:	
15	Books and periodicals.....	\$ 1,000.00
		<hr/>
16		\$ 85,375.00
17	Grand total of all appropriations for all purposes	
18	for each year of the biennium, for the	
19	supreme court	\$ 85,375.00

REPORTER OF THE SUPREME COURT AND CODE EDITOR

1 SEC. 43. For the reporter of the supreme court and code editor
2 there is hereby appropriated for each year of the biennium begin-
3 ning July 1, 1929, and ending June 30, 1931, the sum of fourteen
4 thousand three hundred fifty dollars (\$14,350.00), or so much thereof
5 as may be necessary, to be used in the following manner:

6	For salaries and wages:	
7	Reporter	\$ 4,500.00
8	Deputy	2,400.00
9	Secretary	1,500.00
10	Law clerk	1,500.00
11	Proof reader	1,800.00
12	Assistant code editor.....	2,400.00
		<hr/>
13		\$ 14,100.00
14	For miscellaneous purposes:	
15	Contingent fund	\$ 250.00
		<hr/>
16		\$ 14,350.00
17	Grand total of all appropriations except as pro-	
18	vided by section 177 of the code, for all pur-	
19	poses for each year of the biennium, for the	
20	reporter of the supreme court and code edi-	
21	tor	\$ 14,350.00

TREASURER OF STATE

1 SEC. 44. For the treasurer of state there is hereby appropriated
2 for each year of the biennium beginning July 1, 1929, and ending
3 June 30, 1931, the sum of ninety thousand four hundred forty-five
4 dollars (\$90,445.00), or so much thereof as may be necessary, to be
5 used in the following manner:

OFFICE

6	For salaries and wages:	
7	Treasurer	\$ 4,000.00
8	Deputy	3,000.00
9	Cashier	2,400.00
10	Bonus clerk	1,400.00
11	Collateral clerk	1,500.00

12	Bookkeeper	2,400.00
13	General clerk	1,500.00
14	Stenographer-clerk	1,200.00
15	Watchman	1,320.00
16	Warrant clerk	1,500.00
17	Assistant warrant clerk.....	1,200.00
		<hr/>
18		\$ 21,420.00
19	For miscellaneous purposes:	
20	Traveling and contingent expenses.....	\$ 4,000.00
21	Bonds of treasurer and deputy.....	2,000.00
22	Cashier's bond	125.00
		<hr/>
23		\$ 6,125.00
24	Total general office.....	\$ 27,545.00

CIGARETTE DIVISION

25	For salaries and wages:	
26	Superintendent	\$ 2,400.00
27	Chief clerk	1,200.00
28	Order clerk and cashier.....	1,500.00
29	Shipping clerk	1,500.00
30	General clerk	1,200.00
31	Stenographers (2)	2,400.00
32	Inspectors (8)	14,400.00
33	Auditor	1,500.00
34	Assistant auditor	1,200.00
35	Assistant order clerks (2).....	2,400.00
		<hr/>
36		\$ 29,700.00
37	For miscellaneous purposes:	
38	Traveling expenses and car replacements..	\$ 14,000.00
		<hr/>
39	Total cigarette division.....	\$ 43,700.00

INHERITANCE TAX DIVISION

40	For salaries and wages:	
41	Chief examiner	\$ 2,700.00
42	Chief clerk	1,500.00
43	File clerk	1,500.00
44	Traveling examiners (3).....	5,400.00
45	Stenographers (3)	3,600.00
		<hr/>
46		\$ 14,700.00
47	For miscellaneous purposes:	
48	Traveling expenses	\$ 4,000.00
49	Additional help	500.00
		<hr/>
50		\$ 4,500.00
51	Total inheritance tax division.....	\$ 19,200.00
52	Grand total of all appropriations for all pur-	
53	poses for each year of the biennium, for the	
54	treasurer of state.....	\$ 90,445.00

BOARD OF VOCATIONAL EDUCATION

1 SEC. 45. For the board of vocational education there is hereby
 2 appropriated for each year of the biennium beginning July 1, 1929,
 3 and ending June 30, 1931, the sum of thirty-seven thousand two
 4 hundred eighty-six dollars and forty-five cents (\$37,286.45), or so
 5 much thereof as may be necessary, to be used in the following man-
 6 ner:

VOCATIONAL EDUCATION DIVISION

7	For salaries and wages:		
8	Director	\$	2,160.00
9	Supervisor of agriculture.....		1,500.00
10	Assistant supervisor of agriculture.....		1,350.00
11	Supervisor of trades and industries.....		1,500.00
12	Supervisor of home making.....		1,250.00
13	Stenographers (2)		1,200.00
14	Bookkeeper		450.00
			<hr/>
15		\$	9,410.00
16	For miscellaneous purposes:		
17	General support	\$	3,500.00
			<hr/>
18	Total vocational education division.....	\$	12,910.00

CIVILIAN REHABILITATION DIVISION

19	For salaries and wages:		
20	Director	\$	1,440.00
21	Supervisor of rehabilitation		1,600.00
22	Rehabilitation assistant		1,200.00
23	Rehabilitation assistant		1,200.00
24	Rehabilitation assistant		1,200.00
25	Stenographer		600.00
26	Bookkeeper		300.00
			<hr/>
27		\$	7,540.00
28	For miscellaneous purposes:		
29	General support	\$	16,836.45
			<hr/>
30	Total civilian rehabilitation division.....	\$	24,376.45
31	Grand total of all appropriations for all pur-		
32	poses for each year of the biennium, for the		
33	board of vocational education.....	\$	37,286.45

BOARD OF CONTROL OF STATE INSTITUTIONS (B)

1 SEC. 46. For the board of control of state institutions, for the
 2 support, maintenance, operation, additions and betterments of all
 3 state institutions under the control of the said board, namely:
 4 State hospital and colony for epileptics and feeble-minded, Wood-
 5 ward
 6 Institution for feeble-minded children, Glenwood
 7 State hospital for insane, Cherokee
 8 State hospital for insane, Clarinda

9 State hospital for insane, Independence
 10 State hospital for insane, Mount Pleasant
 11 State juvenile home, Toledo
 12 Penitentiary, Fort Madison
 13 Men's reformatory, Anamosa
 14 Women's reformatory, Rockwell City
 15 State sanatorium, Oakdale
 16 Iowa soldiers' home, Marshalltown
 17 Iowa soldiers' orphans' home, Davenport
 18 Training school for boys, Eldora
 19 Training school for girls, Mitchellville,
 20 there is hereby appropriated the sum of nine million, seventy-five
 21 thousand, seven hundred ninety-nine dollars and forty-eight cents
 22 (\$9,075,799.48), or so much thereof as may be necessary, for the
 23 biennium beginning July 1, 1929, and ending June 30, 1931, to be
 24 used at the respective institutions in the following manner and for
 25 the following purposes:

STATE HOSPITAL AND COLONY FOR EPILEPTICS
 AND FEEBLE-MINDED, WOODWARD

26 (1) For the state hospital and colony for epileptics and feeble-
 27 minded, for the said biennium the sum of eight hundred forty-four
 28 thousand, three hundred nineteen dollars and forty-eight cents
 29 (\$844,319.48), or so much thereof as may be necessary, to be used
 30 for the following purposes:

31 For salaries, support and maintenance.....\$546,919.48

32 For special purposes:

33	Administration and school building with	
34	equipment	\$110,000.00
35	Cottage with equipment.....	160,000.00
36	Greenhouse addition	5,000.00
37	Root cellar	4,000.00
38	Washer and steam press.....	1,600.00
39	Play ground equipment.....	1,500.00
40	Dairy barn addition and equipment.....	8,000.00
41	Outside lighting for buildings and grounds	2,500.00
42	Musical instruments and radio equipment..	600.00
43	Canning equipment	1,200.00
44	Repairs to farm cottages.....	3,000.00

45 \$297,400.00

46 \$844,319.48

47 The amounts appropriated for administration and school building,
 48 cottage with equipment, greenhouse addition, washer and steam
 49 press, dairy barn addition, outside lighting for buildings and grounds,
 50 are available after July 1, 1930.

INSTITUTION FOR FEEBLE-MINDED CHILDREN, GLENWOOD

51 (2) For the institution for feeble-minded children, for the said
 52 biennium, the amount of eight hundred thirty-seven thousand, three
 53 hundred sixty dollars (\$837,360.00), or so much thereof as may be
 54 necessary, to be used for the following purposes:

55 For salaries, support and maintenance.....\$767,360.00

56	For special purposes:	
57	New storeroom and cold storage.....	\$ 45,000.00
58	Completing of juvenile cottage.....	15,000.00
59	Repair to steam heat and water plant.....	10,000.00
60		<u>\$ 70,000.00</u>
61		\$837,360.00
62	All appropriations for special purposes are not available until after	
63	July 1, 1930.	

STATE HOSPITAL FOR INSANE, CHEROKEE

64	(3) For the state hospital for the insane, Cherokee, for the said	
65	biennium, the sum of seven hundred ninety-three thousand dollars	
66	(\$793,000.00), or so much thereof as may be necessary, to be used	
67	for the following purposes:	
68	For salaries, support and maintenance.....	\$700,000.00
69	For special purposes:	
70	Fencing	1,000.00
71	Library books and pictures.....	1,000.00
72	Remodeling main kitchen.....	25,000.00
73	Laundry building and equipment.....	35,000.00
74	Replacement dumb waiter and equipment	
75	and elevator	5,000.00
76	Remodeling old laundry for storeroom and	
77	bakery	10,000.00
78	Engine and generator.....	16,000.00
79		<u>\$ 93,000.00</u>
80		\$793,000.00
81	The amounts appropriated for fencing, laundry building and equip-	
82	ment, engine and generator and remodeling old laundry for store-	
83	room and bakery, are available after July 1, 1930.	

STATE HOSPITAL FOR INSANE, CLARINDA

84	(4) For the state hospital for the insane, Clarinda, for the	
85	said biennium, the sum of seven hundred twenty-one thousand, one	
86	hundred thirty dollars (\$721,130.00), or so much thereof as may be	
87	necessary, to be used for the following purposes:	
88	For salaries, support and maintenance.....	\$711,130.00
89	For special purposes:	
90	Hope hall equipment.....	10,000.00
91		<u>\$721,130.00</u>

STATE HOSPITAL FOR INSANE, INDEPENDENCE

92	(5) For the state hospital for the insane, Independence, for the	
93	said biennium, the sum of eight hundred thirty-eight thousand dol-	

94	lars (\$838,000.00), or so much thereof as may be necessary, to be	
95	used for the following purposes:	
96	For salaries, support and maintenance.....	\$763,750.00
97	For special purposes:	
98	Passenger elevator	\$ 6,000.00
99	Root cellar	4,000.00
100	Remodeling old dairy barn.....	6,500.00
101	New fences	1,000.00
102	Rugs, nurses' home.....	800.00
103	Installation of new boiler.....	11,450.00
104	Sewage disposal plant.....	32,500.00
105	New cold storage, ice making plant.....	12,000.00
		<hr/>
106		\$ 74,250.00
		<hr/>
107		\$838,000.00
108	The amounts appropriated for passenger elevator, root cellar, re-	
109	modeling old dairy barn, new fences, rugs, nurses' home, and in-	
110	stallation of new boiler are available after July 1, 1930.	

STATE HOSPITAL FOR INSANE, MT. PLEASANT

111	(6) For the state hospital for the insane, Mt. Pleasant, for the	
112	said biennium, the sum of eight hundred sixty-nine thousand three	
113	hundred forty dollars (\$869,340.00), or so much thereof as may be	
114	necessary, to be used for the following purposes:	
115	For salaries, support and maintenance.....	\$701,840.00
116	For special purposes:	
117	Water supply	\$ 95,000.00
118	Additional for completing power house....	20,000.00
119	Greenhouse	8,000.00
120	Remodeling and equipping farm house on	
121	Willetts farm for patients.....	12,000.00
122	Sewage treatment plant.....	32,500.00
		<hr/>
123		\$167,500.00
		<hr/>
124		\$869,340.00
125	The amount appropriated for greenhouse is available after July 1,	
126	1930.	

STATE JUVENILE HOME, TOLEDO

127	(7) For the state juvenile home, Toledo, for the said biennium,	
128	the sum of two hundred eighty-five thousand seven hundred ninety	
129	dollars (\$285,790.00), or so much thereof as may be necessary, to	
130	be used for the following purposes:	
131	For salaries, support and maintenance.....	\$222,290.00
132	For special purposes:	
133	Cottages and equipment assembly hall and	
134	remodeling old school building.....	\$ 60,000.00

135	For the erection of a new smoke stack....	3,000.00
136	Farm implements	500.00
		<hr/>
137		\$ 63,500.00
		<hr/>
138		\$285,790.00
139	Of the amount appropriated for cottages and remodeling old school	
140	building, \$30,000.00 of same is not available until July 1, 1930.	

PENITENTIARY, FORT MADISON

141 (8) For the penitentiary, for the said biennium, the sum of eight
 142 hundred twelve thousand seven hundred sixty dollars (\$812,760.00),
 143 or so much thereof as may be necessary, to be used for the following
 144 purposes:
 145 For salaries, support and maintenance.....\$812,760.00
 146 (8-a) The board of control is hereby authorized to use from the
 147 "maintaining and establishing of industries" fund, twenty-four thou-
 148 sand six hundred (\$24,600.00), or so much thereof as may be neces-
 149 sary, for change in prison wall, \$10,000.00; new dairy barn,
 150 \$10,000.00; new silo, \$600.00; new chicken house, \$2,000.00; and new
 151 greenhouse, \$2,000.00.

MEN'S REFORMATORY, ANAMOSA

152 (9) For the men's reformatory, for the said biennium, the sum of
 153 seven hundred forty-nine thousand dollars (\$749,000.00), or so much
 154 thereof as may be necessary, to be used for the following purposes:
 155 For salaries, support and maintenance.....\$716,400.00
 156 For special purposes:
 157 Addition to office..... 5,000.00
 158 Colony chicken house..... 600.00
 159 New roof for hospital building..... 5,000.00
 160 Modernizing hospital building..... 10,000.00
 161 Coal bunkers

12,000.00
<hr/>
\$ 32,600.00
<hr/>
\$749,000.00

162
 163
 164 (9-a) The board of control is hereby authorized to use from the
 165 "maintaining and establishing of industries" fund, one hundred sev-
 166 enty thousand dollars (\$170,000.00), or so much thereof as may be
 167 necessary, for enlarging cell houses, one hundred fifty thousand dol-
 168 lars (\$150,000.00), new cheese factory building five thousand dollars
 169 (\$5,000.00), creamery at Clive farm five thousand dollars
 170 (\$5,000.00), and completion of dairy barn ten thousand dollars
 171 (\$10,000.00).

WOMEN'S REFORMATORY, ROCKWELL CITY

172 (10) For the women's reformatory, for the said biennium, the
 173 sum of one hundred forty-two thousand dollars (\$142,000.00), or so
 174 much thereof as may be necessary, to be used for the following
 175 purposes:
 176 For salaries, support and maintenance.....\$110,000.00

177	For special purposes:	
178	Chapel and furnishings.....	\$ 25,000.00
179	Industrial fund	5,000.00
180	Repairs to cottages.....	2,000.00
		<hr/>
181		\$ 32,000.00
		<hr/>
182		\$142,000.00
183	The amounts appropriated for the chapel and furnishings and for	
184	repairs to cottages, are not available until July 1, 1930.	

STATE SANATORIUM, OAKDALE

185	(11) For the state sanatorium, for the said biennium, the sum	
186	of five hundred twenty-eight thousand three hundred fifty dollars	
187	(\$528,350.00), or so much thereof as may be necessary, to be used	
188	for the following purposes:	
189	For salaries, support and maintenance.....	\$490,350.00
190	For special purposes:	
191	Greenhouse	\$ 3,000.00
192	Replacing heating and water connections in	
193	porches and in cottages.....	15,000.00
194	Coal bunkers	10,000.00
195	Diet kitchen	10,000.00
		<hr/>
196		\$ 38,000.00
		<hr/>
197		\$528,350.00
198	The appropriations for special purposes are not available until	
199	July 1, 1930.	

IOWA SOLDIERS' HOME, MARSHALLTOWN

200	(12) For the Iowa soldiers' home, for the said biennium, the sum	
201	of five hundred one thousand six hundred dollars (\$501,600.00), or	
202	so much thereof as may be necessary, to be used for the following	
203	purposes:	
204	For salaries, support and maintenance.....	\$493,600.00
205	For special purposes:	
206	Farm machinery	\$ 500.00
207	Coal bunkers	\$ 7,500.00
		<hr/>
208		\$ 8,000.00
		<hr/>
209		\$501,600.00

IOWA SOLDIERS' ORPHANS' HOME, DAVENPORT

210	(13) For the Iowa soldiers' orphans' home, for the said biennium,	
211	the sum of four hundred sixty-six thousand five hundred dollars	
212	(\$466,500.00), or so much thereof as may be necessary, to be used	
213	for the following purposes:	
214	For salaries, support and maintenance.....	\$370,000.00

215	For special purposes:	
216	New machinery	\$ 1,000.00
217	New hospital and equipment, including	
218	steam, sewer, water and light connections	40,000.00
219	New boilers and remodeling power house..	40,000.00
220	Bakery building and equipment.....	10,000.00
221	Redecorating and repairing chapel.....	2,000.00
222	Hog house	1,500.00
223	Chicken house and equipment.....	1,000.00
224	Roads and driveways	500.00
225	Fruit trees, small fruit and berries.....	500.00
		<hr/>
226		\$ 96,500.00
		<hr/>
227		\$466,500.00

228 The amounts appropriated for new machinery, new hospital, etc.,
 229 redecorating and repairing chapel, hog house, garages, chicken
 230 houses, roads and driveways and fruit trees, etc., are not available
 231 until July 1, 1930.

TRAINING SCHOOL FOR BOYS, ELDORA

232	(14) For the training school for boys, for the said biennium, the	
233	sum of three hundred ninety-nine thousand seven hundred eighty	
234	dollars (\$399,780.00), or so much thereof as may be necessary, to be	
235	used for the following purposes:	
236	For salaries, support and maintenance.....	\$383,780.00
237	For special purposes:	
238	Automobile and machine shed.....	\$ 5,000.00
239	Chicken house	1,000.00
240	Engine and generator.....	10,000.00
		<hr/>
241		\$ 16,000.00
		<hr/>
242		\$399,780.00

TRAINING SCHOOL FOR GIRLS, MITCHELLVILLE

243	(15) For the training school for girls, for the said biennium, the	
244	sum of one hundred ninety-six thousand eight hundred seventy dol-	
245	lars (\$196,870.00), or so much thereof as may be necessary, to be	
246	used for the following purposes:	
247	For salaries, support and maintenance.....	\$196,870.00

EMERGENCY FUND

248	(16) For emergency purposes, for the said biennium, the sum	
249	of fifty thousand dollars (\$50,000.00), or so much thereof as may	
250	be necessary, to be available as required during the biennium, for	
251	the following purposes:	
252	For emergencies and unforeseen expenses at any	
253	or all institutions under the control of said	
254	board	\$ 50,000.00

255 (17) The sum of forty thousand dollars (\$40,000.00), or so much
 256 thereof as may be necessary, to be available as required during the
 257 biennium, for the following purposes:
 258 For construction, maintenance and repair of
 259 state roads at the various state institutions
 260 under the control of said board.....\$ 40,000.00
 261 Grand total of all appropriations for all purposes
 262 for the biennium for all institutions under the
 263 board of control (B).....\$9,075,799.48

STATE BOARD OF EDUCATION (B)

1 SEC. 47. For the state board of education, for the administration,
 2 maintenance, operation, additions and betterments of the state uni-
 3 versity of Iowa, at Iowa City; the Iowa state college of agriculture
 4 and mechanic arts, at Ames; the Iowa state teachers' college, at
 5 Cedar Falls; the Iowa school for the deaf, at Council Bluffs; the
 6 Iowa school for the blind, at Vinton; the university hospital, at Iowa
 7 City; the psychopathic hospital, at Iowa City; and the bacteriological
 8 laboratory, at Iowa City;

9 There is hereby appropriated the sum of fifteen million two hun-
 10 dred thirteen thousand one hundred thirteen dollars and twenty
 11 cents (\$15,213,113.20), or so much thereof as may be necessary, for
 12 the biennium beginning July 1, 1929, and ending June 30, 1931, to be
 13 used in the following manner and for the following purposes, to-wit:

STATE UNIVERSITY OF IOWA

14 (1) For the state university of Iowa, at Iowa City, for the said
 15 biennium, the sum of five million three hundred ninety-six thou-
 16 and three dollars and twenty cents (\$5,396,003.20), or so much
 17 thereof as may be necessary, to be expended as follows:

18 Administration and general expenses.....\$200,000.00
 19 Physical plant operation1,010,076.00
 20 Educational purposes3,300,000.00
 21 Extension 127,500.00
 22 Maternity and infant hygiene..... 42,427.20
 23 Hygiene and preventative medicine..... 34,500.00
 24 Child welfare 81,500.00
 25 For special purposes:
 26 Equipment for all departments.....\$100,000.00
 27 For general improvements, special capital
 28 purposes 500,000.00

29 \$5,396,003.20

IOWA STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS

30 (2) For the Iowa state college of agriculture and mechanic arts
 31 at Ames, for the said biennium, five million one hundred twenty-two
 32 thousand dollars (\$5,122,000.00), or so much thereof as may be nec-
 33 essary, to be expended as follows:

34 Administration and general expenses.....\$259,000.00
 35 Library operation 160,000.00
 36 Physical plant operation..... 630,000.00
 37 Educational purposes2,541,000.00

38	Agricultural and home economics extension	440,000.00
39	Apiary inspection	6,000.00
40	Engineering extension	70,000.00
41	Agricultural experiment	490,000.00
42	Engineering experiment station.....	114,000.00
43	Veterinary investigation	80,000.00
44	Industrial research	60,000.00
45	Marketing in extension department.....	60,000.00
46	Research for poultry disease control.....	20,000.00
47	Research for onion, sugar beet, nursery,	
48	propagation, cultural problems and dis-	
49	ease control; melon disease control and	
50	vegetable crops for melon district.....	30,000.00
51	Research for reduction of fat in buttermilk	
52	and for standardization of fat in butter	
53	and cheese manufacturing.....	12,000.00
54	For special purposes:	
55	General improvements	\$ 75,000.00
56	Equipment for all departments.....	75,000.00
57		<u>\$5,122,000.00</u>

IOWA STATE TEACHERS' COLLEGE

58	(3) For the Iowa state teachers' college, at Cedar Falls, for said	
59	biennium, the sum of one million five hundred eighteen thousand	
60	dollars (\$1,518,000.00), or so much thereof as may be necessary, to	
61	be expended as follows:	
62	Administration and general expenses.....	\$140,000.00
63	Physical plant operation.....	181,000.00
64	Educational purposes	887,000.00
65	Extension work	80,000.00
66	Summer school extension.....	30,000.00
67	General improvements	30,000.00
68	New heating and power plant, available	
69	July 1, 1929.....	80,000.00
70	Available July 1 each of the three succeed-	
71	ing years	90,000.00
72		<u>\$1,518,000.00</u>

IOWA SCHOOL FOR THE DEAF

73	(4) For the Iowa school for the deaf, at Council Bluffs, for the	
74	said biennium, the sum of seven hundred eleven thousand dollars	
75	(\$711,000.00), or so much thereof as may be necessary, to be ex-	
76	pended as follows:	
77	For salaries, support and maintenance.....	\$431,000.00
78	For special purposes:	
79	Equipment	40,000.00
80	Addition to cottage for small children.....	50,000.00
81	School building and extension of water mains	190,000.00
82		<u>\$711,000.00</u>

IOWA SCHOOL FOR THE BLIND

83 (5) For the Iowa school for the blind at Vinton, for the said
84 biennium, the sum of two hundred one thousand dollars (\$201,-
85 000.00), or so much thereof as may be necessary, to be expended
86 as follows:

87	For salaries, support and maintenance.....	\$180,000.00
88	For special purposes:	
89	For furniture and fixtures.....	4,000.00
90	Equipment	4,000.00
91	General improvements	6,000.00
92	Reconstruction of coal bunkers.....	4,000.00
93	New boilers	3,000.00
94		<u>\$201,000.00</u>

MEDICAL AND SURGICAL TREATMENT OF INDIGENT PERSONS,
UNIVERSITY HOSPITAL

95 (6) For the purpose of carrying out the provisions of chapter
96 199, code, 1927, for the biennium beginning July 1, 1929, and end-
97 ing June 30, 1931, the sum of two million dollars (\$2,000,000.00),
98 or so much thereof as may be necessary, to be expended in the man-
99 ner and under the authority provided in said chapter, fifty per cent
100 (50%) of the amount appropriated shall not be available until July
101 1, 1930. No funds shall be expended under the provisions of section
102 4028 of the code of 1927 in excess of the amount herein appropri-
103 ated.

PSYCHOPATHIC HOSPITAL

104 (7) For the psychopathic hospital, at Iowa City, the sum of two
105 hundred sixteen thousand dollars (\$216,000.00), or so much thereof
106 as may be necessary, for the biennium beginning July 1, 1929, and
107 ending June 30, 1931, to be used in the manner and under the author-
108 ity provided in chapter 197, code of 1927; provided, however, that
109 said amount shall be available in monthly installments, not exceed-
110 ing nine thousand dollars (\$9,000.00), and that said installments
111 shall be expended only upon the submission of bills in the manner
112 provided in section 3984 of said chapter.

BACTERIOLOGICAL LABORATORY

113 For the bacteriological laboratory, at Iowa City, for the biennium
114 beginning July 1, 1929, and ending June 30, 1931, the sum of twenty-
115 nine thousand one hundred ten dollars (\$29,110.00), or so much
116 thereof as may be necessary, to be used in the manner and under
117 the authority provided in chapter 196, code of 1927.

SOLDIER TUITION

118 (9) The sum of twenty thousand dollars (\$20,000.00), or so
119 much thereof as may be necessary, for the biennium beginning July
120 1, 1929, and ending June 30, 1931, for the payment of tuition for
121 honorably discharged soldiers or sailors of the United States who
122 are citizens of Iowa, who enroll in any division of the state univer-
123 sity, at Iowa City, or the college of agriculture and mechanic arts,
124 at Ames, said payment being fixed at twenty dollars (\$20.00) for

125 each such student for each semester and each summer school.
 126 Grand total of all appropriations for all purposes
 127 for the biennium, for all institutions under
 128 the board of education.....\$15,213,113.20

COMMISSION ON UNIFORM LAWS

1 SEC. 48. For the commission on uniform laws there is hereby
 2 appropriated for each year of the biennium beginning July 1, 1929,
 3 and ending June 30, 1931, the sum of five hundred dollars (\$500.00),
 4 or so much thereof as may be necessary, to be used in the following
 5 manner:
 6 For actual and necessary expenses as provided
 7 in chapter 5 of the code of 1927.....\$ 500.00

GENERAL CONTINGENT FUND

1 SEC. 49. For the purpose of establishing a general contingent fund
 2 for the state, there is hereby appropriated for each year of the
 3 biennium beginning July 1, 1929, and ending June 30, 1931, the sum
 4 of twenty thousand dollars (\$20,000.00), or so much thereof as may
 5 be necessary, to be administered by the retrenchment and reform
 6 committee, for contingencies arising during the biennium, which are
 7 legally payable from the general fund of the state; provided, how-
 8 ever, that no part of said fund shall be available to the state board
 9 of education or the board of control of state institutions.

INSURANCE DEPARTMENT

1 SEC. 50. The insurance commissioner is hereby authorized to em-
 2 ploy not to exceed eighteen (18) insurance examiners, of which
 3 examiners the commissioner may designate two examiners in charge
 4 at per diem not to exceed \$15.00 each and expenses as herein pro-
 5 vided, all other examiners at per diem not exceeding \$12.50 each,
 6 and their actual and necessary expenses while engaged in the per-
 7 formance of their duties, said per diem and expenses to be paid from
 8 funds in the state treasury upon presentation of proper vouchers
 9 and warrants; provided, however, that the state treasurer shall be
 10 reimbursed in the manner and under the authority provided in sec-
 11 tions 8632 and 8633, code of 1927.

COUNTY AND MUNICIPAL EXAMINERS

1 SEC. 51. The auditor of state is hereby authorized to employ
 2 county and municipal examiners and assistants, at a per diem not
 3 exceeding seven dollars (\$7.00) each, and their actual and necessary
 4 expenses while engaged in the performance of their duties, to be
 5 paid in the manner provided in sections 125 and 126, code of 1927.

FISH AND GAME DEPARTMENT

1 SEC. 52. On and after July 1, 1929, and until June 30, 1931, the
 2 number of employes in the fish and game department and their
 3 compensation shall not exceed the following specified number and
 4 amounts:
 5 One game warden\$3,300.00 annually

6	One assistant game warden.....	1,800.00	annually
7	One assistant game warden.....	1,800.00	annually
8	One assistant game warden.....	1,600.00	annually
9	One secretary	1,800.00	annually
10	One stenographer	1,200.00	annually
11	Forty deputy wardens, each not to exceed five dollars (\$5.00) per		
12	day		
13	Provided that no part of said compensation or expenses of such		
14	employes which have been provided for by law, shall be paid from		
15	the general fund of the state, but shall be paid from the fish and		
16	game protection fund, in accordance with the provisions of section		
17	1717, code of 1927.		

BANKING DEPARTMENT

1	SEC. 53. On and after July 1, 1929, and until June 30, 1931, the		
2	number of employes in the banking department, and their compen-		
3	sation shall not exceed the following specified number and amounts:		
4	One superintendent of banking.....	\$5,000.00	annually
5	One deputy superintendent.....	4,400.00	annually
6	Four stenographers, each.....	1,500.00	annually
7	One clerk	2,000.00	annually
8	One legal clerk.....	2,400.00	annually
9	One chief clerk and special examiner...	2,700.00	annually
10	Two chief examiners, each.....	4,400.00	annually
11	Two examiners, each.....	4,200.00	annually
12	Two examiners, each.....	4,000.00	annually
13	Twenty-four examiners, each \$1,200.00 to	4,000.00	annually
14	Examiner	2,700.00	annually
15	Provided, that no part of such compensation, nor the expenses of		
16	such employes which have been provided for by law shall be paid		
17	from the general fund of the state, but shall be paid from the exami-		
18	nation fees and other receipts of said department in the manner and		
19	under the authority provided in sections 9144 and 9145, code of 1927;		
20	and, provided further, that the foregoing provisions as to the num-		
21	ber of employes in said department, and their compensation, shall		
22	not be so construed as to repeal or affect the provisions of sections		
23	9136 and 9137, code of 1927.		

BOARD OF ENGINEERING EXAMINERS

1	SEC. 54. The board of engineering examiners is hereby author-		
2	ized to pay its secretary a salary of six hundred dollars (\$600.00)		
3	per year to be paid out of funds belonging to the board of engineer-		
4	ing examiners.		

EDUCATIONAL EXAMINERS

1	SEC. 55. On and after July 1, 1929, and until June 30, 1931, the		
2	number of employes in the department of educational examiners,		
3	and their compensation, shall not exceed the following number and		
4	amounts:		
5	One secretary	\$2,000.00	annually
6	Stenographers (2), each.....	1,200.00	annually

- 7 One clerk 1,200.00 annually
 8 Chief clerk 1,800.00 annually
 9 Such other clerical assistance as shall be deemed advisable and
 10 necessary to properly conduct the routine of the examination work
 11 of said board, at not to exceed fifty cents (50c) per hour per em-
 12 ploye for the time they are actually engaged in said work in the
 13 office of the secretary of the board.
 14 Such examiners as shall be deemed advisable and necessary to
 15 properly examine and grade examination papers, at not to exceed
 16 seventy-five cents (75c) per hour per examiner, for the time they
 17 are actually engaged in said work in the office of the secretary of
 18 the board.
 19 The members of said board other than those receiving a salary
 20 from the state shall receive a per diem of not to exceed four dollars
 21 (\$4.00) and their actual and necessary expenses.
 22 Provided, however, that no part of the salaries, wages, per diem
 23 or expenses above provided for in this section shall be paid from
 24 the general fund but shall be paid from the fees derived from con-
 25 ducting examinations and the issuance of certificates and diplomas.

PIONEER LAW MAKERS

- 1 SEC. 56. For the pioneer law makers of Iowa, there is hereby ap-
 2 propriated for the biennium beginning July 1, 1929, and ending June
 3 30, 1931, the sum of one hundred fifty dollars (\$150.00), or so much
 4 thereof as may be necessary, to be available as required during the
 5 biennium.

GENERAL PROVISIONS

- 1 SEC. 57. The governing board of any state department, institution,
 2 or agency, or, if there be no governing board, the head of any de-
 3 partment, institution or agency, in the interest of economy and effi-
 4 ciency, may, with the written consent and approval of the governor
 5 and director of the budget, first obtained, at any time during the
 6 biennium, partially or wholly use its unexpended appropriations for
 7 purposes properly within the scope of such department, institution
 8 or agency.

- 1 SEC. 58. Nothing in this act shall be construed to require the
 2 auditor of state to keep a separate account for each specific item in
 3 an appropriation made to any department, but such account may
 4 be kept in an aggregate amount of the appropriation.

- 1 SEC. 59. No state department, institution, or agency receiving
 2 appropriations under the provisions of this act shall expend funds
 3 or approve claims in excess of its appropriations, except as other-
 4 wise provided in this act. If the expenditures of any state depart-
 5 ment, institution, or agency, shall in any other manner exceed the
 6 amounts of its appropriations, the members of the governing board
 7 of any such state department, institution or agency who shall have
 8 voted for such excessive expenditure, or, if there be no governing
 9 board, the head of any such state department, institution or agency
 10 making excessive expenditure or approving excessive claims shall
 11 be personally liable for the full amount of the unauthorized deficit
 12 thus created.

13 When the appropriation of any department, institution or agency
14 is insufficient to properly meet the legitimate expense of such depart-
15 ment, institution or agency of the state, the executive council, with
16 the approval of the director of the budget, is authorized to transfer
17 from any other department, institution or agency of the state having
18 an appropriation in excess of its necessity, sufficient funds to meet
19 that deficiency.

1 SEC. 60. No obligation of any kind, whatsoever, shall be incurred
2 or created subsequent to June 30, 1931, against any appropriation
3 made by this act, unless otherwise specifically provided by law, and,
4 on June 30, 1931, it shall be the duty of the head of each department,
5 board or commission, receiving appropriations under the provisions
6 of this act, to file with the auditor of state a list of all expenditures
7 for which warrants have not been drawn.

1 SEC. 61. Except where otherwise specifically provided by law, all
2 appropriations made by this act, remaining unexpended or unobli-
3 gated, at the close of business on June 30, 1931, shall revert to and
4 become a part of the general fund in the state treasury.

1 SEC. 62. The secretary of state is hereby authorized to appoint
2 and discharge employees, and the executive council to fix the sal-
3 aries thereof, as shall be needed, in the motor vehicle department
4 of the office of the secretary of state, to carry out the provisions of
5 the motor vehicle law of Iowa; provided, however, that no portion
6 of the salaries of such employes or the other expenses of such de-
7 partment which are provided for by law shall be paid from the
8 general fund of the state of Iowa, but shall be paid from that por-
9 tion of the motor vehicle fees which are credited to the maintenance
10 fund of the motor vehicle department as provided in section 4999,
11 of the code, to be expended as provided in section 5000 of the code.

1 SEC. 63. All salaries provided for by this act are in lieu of all
2 existing statutory salaries, for the positions provided herein, and
3 shall be payable in equal monthly or semi-monthly installments, and
4 shall be in full compensation for all services except as otherwise
5 expressly provided.

6 In all cases the amount of the salary or per diem which has been
7 fixed by the various appropriations, shall be considered the maxi-
8 mum amount available for the respective position and it shall be the
9 duty of the heads of the various departments to use discretion in
10 the matter of compensating employes, within the limits provided
11 by this act.

1 SEC. 64. All clerks, janitors and other employes provided for by
2 this act, shall be under the control of the head of the department
3 and may, by him, be temporarily assigned to such other work or
4 duties within the department as he shall direct and shall be sub-
5 ject to dismissal by him.

Senate File No. 10. Approved April 24, A. D. 1929.

CHAPTER 288

REPAIRS, CAPITOL AND HISTORICAL BUILDINGS

AN ACT making an appropriation to pay for repairs and improvements upon the state capitol and historical buildings, and the grounds thereof.

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

1	SECTION 1. There is hereby appropriated out of any funds in the	
2	state treasury not otherwise appropriated the sum of eighty thousand	
3	fifty dollars (\$80,050.00), or so much thereof as may be necessary	
4	for the payment of expense of repairing the state capitol, historical	
5	buildings and grounds under the supervision and direction of the	
6	executive council, such money to be expended as follows to-wit:	
7	New water cooling system—state house and his-	
8	torical building	\$ 6,550.00
9	Trees and shrubs at seat of government.....	1,000.00
10	Repairs to tile floor—main floor capitol building.	500.00
11	Weather stripping—all windows capitol build-	
12	ing	5,000.00
13	Water proofing basement walls historical building	1,000.00
14	Painting historical building and capitol.....	19,500.00
15	Repairs to plumbing and heating system for all	
16	buildings	7,500.00
17	Repairs to all sidewalks.....	2,500.00
18	Repairs to all pavement.....	25,000.00
19	Electrical repairs	6,000.00
20	Repairs to boilers, new walls, grates for No. 1	
21	and No. 2, and for Bryant school.....	3,000.00
22	Lawn mower equipment.....	750.00
23	Repairs to all sky lights, down spouts and roof	
24	maintenance	1,000.00
25	Repairs to paintings under jurisdiction of cura-	
26	tor of state of Iowa.....	750.00
27	Total	\$ 80,050.00

1 SEC. 2. This act being deemed of immediate importance shall be in
 2 full force and effect from and after its publication in the Sioux City
 3 Tribune, a newspaper published at Sioux City, Iowa, and the Newton
 4 Daily News, a newspaper published at Newton, Iowa.

Senate File No. 488. Approved April 16, A. D. 1929.

I hereby certify that the foregoing act was published in the Sioux City Tribune April 20, 1929, and the Newton Daily News April 20, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 289

INAUGURAL EXPENSES

AN ACT making appropriation to defray the expense of the inaugural ceremonies.

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

1 SECTION 1. There is hereby appropriated out of the funds in the
2 state treasury, not otherwise appropriated, the sum of five hundred
3 seventy-seven dollars (\$577.00), or so much thereof as may be neces-
4 sary, to pay the expenses incurred on account of the inaugural cere-
5 monies and reception. Warrants shall be drawn upon the treasurer
6 for the sum herein appropriated in favor of the adjutant general upon
7 the filing of vouchers therefor with the auditor of state.

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in force from and after its passage and publication in
3 Movable Mail, a newspaper published at Movable, Iowa, and the Onawa
4 Democrat, a newspaper published at Onawa, Iowa.

Senate File No. 128. Approved February 19, A. D. 1929.

I hereby certify that the foregoing act was published in the Movable Mail February 28, 1929, and the Onawa Democrat February 28, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 290

ELECTION CONTEST EXPENSE

AN ACT to make an appropriation for the payment of the expenses incurred in the election contest of Ditto vs. Hattendorf.

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

1 SECTION 1. There is hereby appropriated out of any moneys in
2 the state treasury not otherwise appropriated, the sum of six hundred
3 forty-one dollars and eighty-one cents (\$641.81), or so much as may
4 be necessary to pay the expenses of the election contest wherein
5 O. J. Ditto was the contestant and H. C. Hattendorf, incumbent.
6 Warrants shall be drawn for the sums herein appropriated in favor
7 of the following persons in amounts as follows:

8	O. J. Ditto, mileage.....	\$ 22.70
9	Benj. J. Gibson, attorney fees.....	200.00
10	J. M. Parsons, attorney fees.....	200.00
11	F. W. Folkers, county auditor, expense.....	82.31
12	F. W. Folkers, county auditor, witness fees.....	12.00
13	Kathryn Miller, reporter.....	34.15
14	A. C. Gustafson, telephone, express and drayage	15.65
15	Savery Hotel, committee room.....	75.00

16 Total expense\$ 641.81

17 The amount appropriated for witness fees to be paid to the witness

18 entitled to the same upon certification by the chairman of the contest
19 committee and the chief clerk of the house of representatives.

1 SEC. 2. This act being deemed of immediate importance shall be in
2 full force and effect from and after publication in the Oakland Acorn,
3 a newspaper published at Oakland, Iowa, and the Carson Critic, a
4 newspaper published at Carson, Iowa.

House File No. 327. Approved April 13, A. D. 1929.

I hereby certify that the foregoing act was published in the Oakland Acorn April 18,
1929, and the Carson Critic April 18, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 291

MISCELLANEOUS EXPENSES. GENERAL ASSEMBLY

AN ACT making an appropriation for the payment of typewriter rental, fees of legislative chaplains and other expenses of the general assembly.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
2 state treasury not otherwise appropriated the following sums, or so
3 much thereof as may be necessary to pay the claims and expenses
4 indicated.

1 SEC. 2. To the several typewriter agencies for rental of machines
2 for the general assembly a sum equal to ten dollars (\$10.00) for each
3 machine of standard size and twelve dollars (\$12.00) for each machine
4 larger than standard size for the period of the session.

1 SEC. 3. To the several ministers of the state for their services as
2 chaplains of the senate and house of representatives of the forty-
3 third general assembly, the sum of five dollars (\$5.00) for each such
4 service.

1 SEC. 4. To the Des Moines Rubber Stamp Works, Des Moines,
2 Iowa, for badges for the general assembly, the sum of fifty-two dollars
3 fifteen cents (\$52.15).

1 SEC. 5. To S. Davidson & Brothers, Des Moines, Iowa, for one chair
2 each for the president of the senate and the speaker of the house,
3 the sum of two hundred thirty dollars and twenty cents (\$230.20).

1 SEC. 6. In addition to the amount provided for in chapter 4, acts
2 of the special session of the 42nd general assembly, there is hereby
3 appropriated the sum of seven hundred fifty dollars (\$750.00), or so
4 much thereof as may be necessary for the purpose of carrying out
5 provisions of said chapter.

1 SEC. 7. To the Fred R. Shaw Flower Shop, Council Bluffs, Iowa,
2 for spray purchased for the funeral of Lieutenant Governor Kimball,
3 the sum of ten dollars (\$10.00).

1 SEC. 8. To Don D. Donnan, sergeant-at-arms of the senate and

2 Oley Nelson, sergeant-at-arms of the house, for coats for pages, the
3 sum of one hundred dollars (\$100.00).

1 SEC. 9. To reimburse the executive council for payment of expense
2 of Senator J. R. Frailey in attending the funeral of Lieutenant Gov-
3 ernor Kimball, the sum of forty-four dollars and seventeen cents
4 (\$44.17).

1 SEC. 10. To Howard A. Mathews, for expense in attending the
2 funeral of Lieutenant Governor Kimball, the sum of twenty four
3 dollars and fifty-four cents (\$24.54).

1 SEC. 11. To Senator B. M. Stoddard, for expense in attending the
2 funeral of Lieutenant Governor Kimball, the sum of five dollars forty
3 cents (\$5.40).

1 SEC. 12. To Senator J. G. Merritt, for expense in attending the
2 funeral of Senator A. J. Shinn, the sum of four dollars fifteen cents
3 (\$4.15).

1 SEC. 13. To Senator C. D. Booth, for expense in attending the
2 funeral of Lieutenant Governor Kimball, the sum of five dollars
3 eighty-six cents (\$5.86).

1 SEC. 14. To Senator C. D. Booth, for expense in attending the
2 funeral of Senator A. J. Shinn, the sum of three dollars thirty-four
3 cents (\$3.34).

1 SEC. 15. To W. T. Frame, in addition to salary otherwise provided,
2 the sum of two dollars (\$2.00) per day for each day of the session
3 of the forty-third general assembly.

1 SEC. 16. To Senators J. O. Shaff, twenty-one dollars seventy-two
2 cents (\$21.72); H. B. Carroll, nineteen dollars forty-one cents
3 (\$19.41); L. H. Doran, twelve dollars (\$12.00); F. C. Gilchrist, thirty-
4 three dollars thirty-seven cents (\$33.37); Geo. M. Clearman, twenty
5 dollars sixty-one cents (\$20.61); Chas. T. Rogers, nineteen dollars
6 ninety-five cents (\$19.95); for expense visiting state institutions as
7 provided in senate concurrent resolution No. 9.

1 SEC. 17. To Representatives D. M. Griswold, fourteen dollars forty-
2 seven cents (\$14.47); Ralph R. Hunt, nineteen dollars twenty cents
3 (\$19.20); W. Walter Wilson, twelve dollars ninety-seven cents
4 (\$12.97); Benj. Jaycox, nine dollars five cents (\$9.05); Fred W. Nel-
5 son, eleven dollars ninety-two cents (\$11.92); C. H. Nelson, ten dollars
6 fifty-six cents (\$10.56); Frank C. Byers, five dollars eighty-five cents
7 (\$5.85); Homer Hush, fourteen dollars seven cents (\$14.07); G. W.
8 Smith, two dollars five cents (\$2.05), for expense visiting state insti-
9 tutions as provided in senate concurrent resolution No. 9.

1 SEC. 18. The auditor of state is hereby authorized and directed to
2 pay the sums herein appropriated upon the certification of the presi-
3 dent and secretary of the senate for senate expense and the speaker
4 and chief clerk of the house for house expense.

1 SEC. 19. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Sioux

- 3 City Journal, a newspaper published at Sioux City, Iowa, and the
4 Anthon Herald, a newspaper published at Anthon, Iowa.

Senate File No. 494. Approved April 18, A. D. 1929.

I hereby certify that the foregoing act was published in the Sioux City Journal April 23, 1929, and the Anthon Herald May 1, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 292

MISCELLANEOUS EXPENSE. GENERAL ASSEMBLY

AN ACT making appropriation for miscellaneous expenses of the general assembly.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
2 state treasury not otherwise appropriated, the following sums, or so
3 much as may be necessary, to pay the claims and expenses indicated.

1 SEC. 2. To U. G. Whitney, code editor, for special services during
2 the forty-first, forty-second and forty-third general assemblies, the
3 sum of seven hundred and fifty dollars (\$750.00).

1 SEC. 3. For the payment of the publication of emergency laws en-
2 acted by the forty-third general assembly the sum of fifteen hundred
3 dollars (\$1,500.00), to be paid by the auditor of state upon requisition
4 by the secretary of state.

1 SEC. 4. For the payment of towel supply for the forty-third general
2 assembly the sum of four hundred dollars (\$400.00) and as a legis-
3 lative emergency fund the sum of two thousand dollars (\$2,000.00),
4 all to be expended under the direction of the executive council.

1 SEC. 5. To the Savery Hotel for committee rooms for the forty-
2 third general assembly, a sum not exceeding two hundred twenty-five
3 dollars (\$225.00), to be paid upon the certificate of the presiding offi-
4 cers of the senate and house and the secretary of the senate and
5 chief clerk of the house.

1 SEC. 6. To the Des Moines Rubber Stamp Works for supplies for
2 the house the sum of eighty-two dollars and ten cents (\$82.10).

1 SEC. 7. To the Anderson Furniture Company for framing picture
2 of President Hoover, the sum of three dollars (\$3.00).

1 SEC. 8. To A. C. Gustafson, chief clerk of the house, for preliminary
2 expenses, including extra stenographic assistance prior to the con-
3 vening of the general assembly, postage, telephone and telegraph ex-
4 pense, supplies and cartage, the sum of seventy-six dollars (\$76.00).

1 SEC. 9. To Walter H. Beam, secretary of the senate, postage for
2 session, the sum of fifteen dollars (\$15.00).

1 SEC. 10. As additional compensation for the following officers and
2 employees of the general assembly:

3 Walter H. Beam, secretary of the senate, and A. C. Gustafson,

4 chief clerk of the house, the sum of three hundred dollars (\$300.00)
5 each.

6 H. S. Dugan, index clerk; Edna Gillespie, appropriation clerk of the
7 senate; Hertha Duncan, appropriation clerk of the house; Rita Bren-
8 nan, judiciary clerk of the house; Harriet K. Card, enrolled bills com-
9 mittee clerk of the senate; Maxine Schuette, enrolled bills committee
10 clerk of the house, the sum of one hundred dollars (\$100.00) each.

11 Hilda Moran, clerk of sifting committee of the senate, the sum of
12 seventy-five dollars (\$75.00).

13 Alice Moen, clerk of the claims committee of the senate, Mina
14 Harsch, clerk of the sifting committee of the house, the sum of fifty
15 dollars (\$50.00) each.

1 SEC. 11. There is also appropriated a sum sufficient to pay the per
2 diem compensation made necessary by senate concurrent resolution
3 No. 15, and a sum sufficient to pay the per diem compensation of the
4 additional employees of the 43rd general assembly, authorized by
5 senate joint resolution No. 1, for services required of them after the
6 twelfth day of April, 1929, to be paid upon the certificate of the pre-
7 siding officers of the senate and house, the secretary of the senate
8 and chief clerk of the house.

1 SEC. 12. To Otto Albert, a member of the visiting committee in-
2 specting the institutions under the board of control, the sum of nine
3 dollars and fifteen cents (\$9.15).

1 SEC. 13. There is hereby authorized to be paid out of the funds
2 now on hand in the office of the treasurer of state for the payment
3 and retirement of Iowa soldiers' bonus bonds and coupons to the Old
4 Colony Corporation of Boston, Massachusetts, for the payment of
5 coupons (number 12) from said bonds numbered 6341, 6342, 6344,
6 6345 and 6346, which said coupons have been lost and which, if found,
7 shall be surrendered to the treasurer of state and by him cancelled,
8 the sum of one hundred six dollars and twenty-five cents (\$106.25).

1 SEC. 14. There is hereby appropriated out of any funds in the state
2 treasury not otherwise appropriated, to the treasurer of state, the
3 sum of three thousand dollars (\$3,000.00) for the biennium ending
4 June 30, 1929, for the payment of traveling expenses of cigarette
5 revenue inspectors.

1 SEC. 15. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the *Newton*
3 *Daily News*, a newspaper published at Newton, Iowa, and *Plain Talk*,
4 a newspaper published at Des Moines, Iowa.

House File No. 544. Approved April 16, A. D. 1929.

I hereby certify that the foregoing act was published in the *Newton Daily News*
April 20, 1929, and the *Des Moines Plain Talk* April 25, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 293

EXPENSE. GENERAL ASSEMBLY

AN ACT to make appropriation for the expenses of members of the general assembly, including the lieutenant governor.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
2 state treasury, not otherwise appropriated, a sufficient amount to pay
3 the expenses of the members of the general assembly, including the
4 lieutenant governor, as provided in house file two hundred forty-eight
5 (248), acts of the forty-third general assembly of the state of Iowa.

1 SEC. 2. This act being deemed of immediate importance shall be in
2 full force and effect from and after its publication in the Telegraph-
3 Herald and Times-Journal, a newspaper published at Dubuque, Iowa,
4 and the Sioux City Journal, a newspaper published at Sioux City,
5 Iowa.

Senate File No. 500. Approved May 11, A. D. 1929.

I hereby certify that the foregoing act was published in the Dubuque Telegraph-Herald and Times-Journal May 14, 1929, and the Sioux City Journal May 15, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 294

SALARY AND EXPENSE

AN ACT to amend house file No. 544 of the forty-third general assembly, relating to appropriations for miscellaneous expense of the general assembly, and providing an appropriation for reconstructing the voting machine of the house and for salary increases of certain state offices.

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

1 SECTION 1. House file No. 544, acts of the forty-third general
2 assembly is hereby amended by adding thereto the following:

3 "There is also appropriated the sum of seven thousand dollars
4 (\$7,000.00), or so much thereof as may be needed, from the general
5 fund of the state to reconstruct the house voting machine, to be
6 expended under the direction of the executive council.

7 There is also appropriated the sum of ten thousand dollars
8 (\$10,000.00) to pay the increase in salaries under senate file No. 456,
9 acts of the forty-third general assembly."

House File No. 546. Approved May 11, A. D. 1929.

See Chapter 292.

CHAPTER 295

EDGAR A. MORLING

AN ACT to make an appropriation to Judge Edgar A. Morling as compensation for services from January 1, 1927, to March 1, 1929.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
2 state treasury not otherwise appropriated, to Judge Edgar A. Morling,
3 the sum of three thousand two hundred fifty dollars (\$3,250.00), as
4 compensation for services from January 1, 1927, to March 1, 1929;
5 and the auditor of state is hereby authorized to draw his warrant for
6 said amount in favor of the said Judge Edgar A. Morling, and the
7 treasurer of state is hereby authorized and directed to pay the same
8 as aforesaid.

1 SEC. 2. The receipt of said sum by the said Judge Edgar A. Morling
2 shall be in full settlement of any and all claims against the state of
3 Iowa on account of said services.

1 SEC. 3. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Palo
3 Alto Reporter, a newspaper published in Emmetsburg, Iowa, and the
4 Sheldon News, a newspaper published in Sheldon, Iowa.

Senate File No. 444. Approved May 11, A. D. 1929.

I hereby certify that the foregoing act was published in the Palo Alto Reporter May 16, 1929, and the Sheldon News May 22, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 296

SUPREME COURT

AN ACT making an appropriation for the payment of the salary of the judge of the supreme court and his secretary, authorized by house file No. 67 of the acts of the forty-third general assembly.

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

1 SECTION 1. There is hereby appropriated out of the funds in the
2 state treasury not otherwise appropriated, for the payment of the
3 salary of the additional judge of the supreme court, as provided by
4 house file No. 67 of the acts of the forty-third general assembly,
5 together with the salary of his secretary, from the 18th day of Febru-
6 ary, 1929, until July 1, 1929, the sum of three thousand three hundred
7 forty-nine dollars and fifty-six cents (\$3,349.56).

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Sioux
3 City Journal, a newspaper published in the city of Sioux City, Iowa,

4 and the Evening Gazette and Republican, a newspaper published at
5 Cedar Rapids, Iowa.

Senate File No. 224. Approved March 16, A. D. 1929.

I hereby certify that the foregoing act was published in the Sioux City Journal March 21, 1929, and the Cedar Rapids Evening Gazette and Republican March 20, 1929.
ED. M. SMITH, *Secretary of State.*

CHAPTER 297

PEACE OFFICERS

AN ACT to make an emergency appropriation for salaries and expenses of peace officers.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
2 state treasury not otherwise appropriated, to the department of
3 justice, the sum of five thousand dollars (\$5,000.00) for the biennium
4 ending June 30, 1929, for the payment of salaries and expenses of
5 peace officers appointed by said department.

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Mapleton
3 Press, a newspaper published at Mapleton, Iowa, and the Hornick
4 Index, a newspaper published at Hornick, Iowa.

Senate File No. 489. Approved May 11, A. D. 1929.

I hereby certify that the foregoing act was published in the Mapleton Press May 16, 1929, and the Hornick Index May 16, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 298

CAPITOL EXTENSION FUNDS

AN ACT to make an appropriation to reimburse the capitol extension fund of the state, for the amount of money paid for boilers which were delivered to the board of control of state institutions for use at certain state institutions.

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

1 SECTION 1. That in order to reimburse the capitol extension fund
2 of the state for the cost of boilers purchased out of said fund and
3 turned over to the board of control of state institutions for use in the
4 state institutions at Independence, and the state institution at Chero-
5 kee, there is hereby appropriated out of any funds in the state treas-
6 ury not otherwise appropriated, the sum of twenty-one thousand nine
7 dollars and seventy-four cents (\$21,009.74), to be transferred and
8 paid into the capitol extension fund of the state.

1 SEC. 2. This act being deemed of immediate importance, shall be
2 in full force and effect from and after its passage and publication in

- 3 the Newton Daily News, a newspaper published at Newton, Iowa, and
 4 the Sioux City Journal, a newspaper published at Sioux City, Iowa.

Senate File No. 54. Approved February 20, A. D. 1929.

I hereby certify that the foregoing act was published in the Newton Daily News February 21, 1929, and the Sioux City Journal February 22, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 299

STATE UNIVERSITY

AN ACT to make an emergency appropriation to reimburse the state university of Iowa for money expended during the biennial period that ended June 30, 1927, for the treatment, care, and hospitalization of patients who had been committed to the hospital of the college of medicine, under the provisions of chapter 199 of the code, 1924.

WHEREAS, chapter 199 of the code, 1924, provides that any legal resident of Iowa, who is suffering from some malady or deformity that can probably be remedied or cured by medical or surgical treatment or hospital care, but who is unable to pay for such treatment and care, may be committed by the court to the hospital of the college of medicine of the state university for proper medical and surgical treatment and hospital care; and

WHEREAS, section 4027, chapter 199 of the code, 1924, entitled *Audit of accounts of hospital for basis of payment*, is as follows:

"To arrive at a proper basis for the payment of said bills for treatment, care, and maintenance, the state board of education shall cause to be made annually an audit of the accounts of the university hospital, and determine the average cost per day for the care and maintenance of each patient therein, exclusive of the salaries of the members of the faculty of said university college of medicine, and said bills shall be allowed at such average cost. All accounts shall be so adjusted and paid as to reimburse the funds of the hospital used for the purposes of this chapter."; and

WHEREAS, section 4028 of the aforesaid chapter, entitled *Expenses—how paid*, is as follows:

"Warrants issued under the preceding section shall be promptly drawn on the treasurer of state and forwarded by the auditor to the treasurer of the state university, and the same shall be by him placed to the credit of the funds which are set aside for the support of said hospital. Said warrants shall be paid by the treasurer of state from the general funds of the state not otherwise appropriated."; and

WHEREAS, during all of the years that the law relating to medical and surgical treatment of indigent persons had been in effect, the state university had been reimbursed for the cost of treatment, care and maintenance of committed patients out of the unexpended funds of the state treasury; and

WHEREAS, because the director of the budget did not request the state university or the Iowa state board of education to submit an estimate of the cost of the service for the biennial period that began July 1, 1925, for

publication in the report which he made to the 41st general assembly, the said state university and the Iowa state board of education assumed that the service would be paid for in accordance with the statute; and

WHEREAS, the 41st general assembly, at the request of the director of the budget, made an appropriation of \$1,800,000.00 for the biennial period; and

WHEREAS, at the close of the biennial period, June 30, 1927, the unpaid claims of the state university for the treatment and hospitalization of committed patients amounted to \$238,198.26; and

WHEREAS, according to a ruling of the attorney general, the aforesaid claims could not be paid out of the unexpended revenues of the state treasury but they might be paid out of the appropriation of \$1,850,000.00 that had been made by the 42nd general assembly for the biennial period that began July 1, 1927; and

WHEREAS, after the aforesaid amount was paid out of the appropriation that had been provided for the biennial period, the state university and the Iowa state board of education found themselves facing the dilemma of accepting patients with a reduced amount of money available; and

WHEREAS, according to the provisions of chapter 199 of the code, 1924, the authorities of the hospital of the college of medicine were compelled to accept patients that were committed by the court; and

WHEREAS, the appropriation that was made by the 42nd general assembly for the biennial period, when reduced by the amount \$238,198.26, will be practically expended on or about April 15, 1929; therefore,

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

1 SECTION 1. There is hereby appropriated, out of any money in the
2 state treasury not otherwise appropriated, the sum of two hundred
3 thirty-eight thousand one hundred ninety-eight dollars and twenty-
4 six cents (\$238,198.26), as an emergency appropriation for the pur-
5 pose of carrying out the provisions of chapter 199, code 1924, for the
6 biennial period that will end June 30, 1929, or so much thereof as
7 may be deemed necessary to be expended in the manner and under
8 the authority provided in said chapter.

1 SEC. 2. The appropriation provided for in section one (1) of this
2 act shall be available on April 1, 1929.

1 SEC. 3. This act, being deemed of immediate importance, shall
2 take effect and be in force from and after its publication in the Des
3 Moines Register and the Iowa City Press-Citizen, newspapers pub-
4 lished in Des Moines, Iowa, and Iowa City, Iowa, respectively.

Senate File No. 106. Approved March 16, A. D. 1929.

I hereby certify that the foregoing act was published in the Pioneer Record March 21, 1929, and the Iowa City Press-Citizen March 21, 1929.

ED. M. SMITH, *Secretary of State.*

(One of the above newspapers selected by secretary of state under section 55 of the code.)

CHAPTER 300

AID FOR THE BLIND

AN ACT to make an emergency appropriation for the purpose of paying the necessary expenses of worthy and deserving blind students, who are residents of the state, and who attend institutions of higher learning.

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

1 SECTION 1. There is hereby appropriated out of any money in the
2 state treasury not otherwise appropriated, the sum of two thousand
3 dollars (\$2,000.00) as an emergency appropriation, or so much thereof
4 as may be necessary for the purpose of aiding worthy and needy
5 blind students, who are residents of the state of Iowa, and who are
6 regularly enrolled in institutions of higher learning, and to assist
7 them in defraying their necessary expenses, including the cost of a
8 reader or assistant.

1 SEC. 2. The aid provided in section one (1) of this act shall be
2 granted only to worthy persons who are not able or whose parents
3 are not able to provide the means for continuing their study in a col-
4 lege or university.

1 SEC. 3. The appropriation provided for in section one (1) shall
2 be expended under the direction of the Iowa state board of education,
3 and shall be paid out only on warrants drawn by the auditor of state
4 upon the treasurer of state, certified by the officers of the said Iowa
5 state board of education.

1 SEC. 4. The emergency appropriation provided for in section one
2 (1) of this act shall be available on February 1, 1929, or at any time
3 thereafter.

1 SEC. 5. This act, being deemed of immediate importance, shall take
2 effect and be in force from and after its publication in the Des Moines
3 Register and the Keokuk County News, newspapers published in Des
4 Moines, Iowa, and Sigourney, Iowa, respectively.

House File No. 95. Approved March 11, A. D. 1929.

I hereby certify that the foregoing act was published in the Keokuk County News March 14, 1929, and the Emmetsburg Democrat March 14, 1929.

ED. M. SMITH, *Secretary of State.*

(One of the above newspapers selected by secretary of state under section 55 of the code.)

CHAPTER 301

EXPENSES NATIONAL ENCAMPMENT

AN ACT making an appropriation for the purpose of aiding in defraying the expenses of a national encampment of the grand army of the republic to be held in this state.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
2 state treasury not otherwise appropriated the sum of fifteen thousand
3 dollars (\$15,000), or so much thereof as may be necessary to be used
4 in defraying the expenses of a national encampment of the grand
5 army of the republic to be held in Iowa, during the years nineteen
6 hundred thirty (1930) or nineteen hundred thirty-one (1931), such
7 funds to be paid out upon order of the executive council upon the
8 filing with the executive council of itemized claims showing the ex-
9 pense has been incurred, such claims to be approved by the state
10 commander and quartermaster of the grand army of the republic.

Senate File No. 503. Approved April 16, A. D. 1929.

CHAPTER 302

CORN BORER

AN ACT to make an appropriation for the prevention, control, and eradication of the European corn borer, including incidental and miscellaneous expenses connected therewith.

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

1 SECTION 1. There is hereby appropriated for the period ending
2 July first (1st), nineteen hundred thirty-one (1931), from any funds
3 in the state treasury not otherwise appropriated, the sum of one
4 hundred thousand dollars (\$100,000.00) or so much thereof as may
5 be necessary for the purpose of preventing the introducing into this
6 state of the European corn borer, for the purpose of controlling and
7 eradicating said pest, for the purpose of defraying the necessary
8 expense of printing, supplies, salaries and expenses of assistants to
9 the state entomologist, and for any other purpose necessarily con-
10 nected with said activities. Said appropriation shall be wholly avail-
11 able immediately upon the taking effect of this act and may be ex-
12 pended, if necessary by and under the direction of the secretary of
13 agriculture of this state with the approval of the executive council
14 and the director of the budget.

Senate File No. 436. Approved April 16, A. D. 1929.

CHAPTER 303

IOWA ACADEMY OF SCIENCE

AN ACT to make an appropriation for the Iowa academy of science to be used by it to defray in part the expenses of the eighty-sixth (86th) annual meeting of the American Association for the Advancement of Science to be held in Des Moines, December 27, 1929 to January 2, 1930.

WHEREAS, the American Association for the Advancement of Science is the largest organization of scientists and those interested in science in North America, is composed of eighteen thousand (18,000) members, and includes fifteen (15) different branches of learning: mathematics, physics, chemistry, astronomy, geology and geography, zoological sciences, botanical sciences, anthropology, psychology, social and economic sciences, historical and philological sciences, engineering, medical sciences, agriculture, and education: and

WHEREAS, the Iowa academy of science, which consists of more than five hundred (500) scientific workers, teachers of science, and citizens of Iowa interested in science, located in every part of the state of Iowa, has invited the American Association for the Advancement of Science to hold its annual meeting in Iowa, and

WHEREAS, the American Association for the Advancement of Science, which has seldom held meetings outside the larger centers of population, has signally honored the state of Iowa by electing to hold its eighty-sixth (86th) annual meeting in Iowa, at which three thousand (3000) delegates are expected, including the most noted research workers and leaders in every branch of organized knowledge, and

WHEREAS, the necessary expense incident to this meeting, for providing meeting-places, printing, public lectures, etc., will exceed seven thousand dollars, (\$7000), and

WHEREAS, the state of Iowa will receive inestimable benefit from this meeting because the scientific staffs of the various state departments, the teachers in the state educational institutions, the professional men of the state, and the citizens of the state generally, will have the opportunity of hearing the most eminent scientists in the above mentioned fifteen sections of learning report their latest technical discoveries and results of research; and the public may, without cost, attend non-technical public lectures in which scientific subjects of popular interest are discussed; and the citizens of the state may listen to radio addresses broadcast in Iowa by eminent scientists of North America, now therefore

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

- 1 SECTION 1. Appropriation. There is hereby appropriated to the
- 2 Iowa academy of science out of any funds in the state treasury not
- 3 otherwise appropriated the sum of two thousand dollars (\$2000),
- 4 said two thousand dollars (\$2000) to be used by said Iowa academy
- 5 of science to defray in part the expenses of the eighty-sixth (86th)
- 6 annual meeting of the American Association for the Advancement of
- 7 Science to be held in Des Moines, December 27, 1929 to January 2,
- 8 1930. Any balance remaining unexpended shall be returned to the

9 state treasury. An itemized report of all the expenditures made by
 10 the Iowa academy of science out of the two thousand dollars (\$2000)
 11 appropriated by this act shall be made to the auditor of state by the
 12 treasurer of the Iowa academy of science.

1 SEC. 2. The auditor of state is hereby authorized to draw a warrant
 2 for the above sum payable to the Iowa academy of science and the
 3 treasurer of state is hereby authorized to pay said sum out of any
 4 funds in the state treasury not otherwise appropriated.

Senate File No. 190. Approved April 16, A. D. 1929.

CHAPTER 304

MONROE COUNTY AGRICULTURAL SOCIETY

AN ACT to reimburse the Monroe County Agricultural Society for fees erroneously paid for recording articles of incorporation, May 19, 1927.

WHEREAS, the Monroe County Agricultural Society of Albia, Iowa, upon its organization filed its articles of incorporation for recording with the secretary of state in May, 1927, and

WHEREAS, the said Monroe County Agricultural Society paid a recording fee of twenty-six dollars (\$26.00), and

WHEREAS, section eighty-five hundred eighty-two (8582) of the code, 1927, the laws of the state of Iowa, provide that articles of incorporation of agricultural societies shall be recorded with the county recorder of the county where the principal place of business is to be located, and such articles are not required under chapter three hundred ninety-four (394), of the code, 1927, to be filed and recorded in the office of the secretary of state but only with the county recorder as herein-above indicated, therefore,

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

1 SECTION 1. There is hereby appropriated out of any money in the
 2 state treasury not otherwise appropriated, the sum of twenty-six dol-
 3 lars (\$26.00) to reimburse the Monroe County Agricultural Society
 4 for fees erroneously paid to the secretary of state for the recording
 5 of articles of incorporation.

House File No. 356. Approved April 16, A. D. 1929.

CHAPTER 305

IOWA NATIONAL GUARD

AN ACT to make appropriation to the 133rd infantry, 168th infantry and the 113th cavalry of the Iowa national guard to reimburse said organizations for monies invested in permanent buildings at Camp Dodge, Iowa.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
2 state treasury not otherwise appropriated, five hundred sixty-three
3 dollars and forty-seven cents (\$563.47) to the 133rd infantry, Iowa
4 national guard; the sum of six hundred thirteen dollars and eight
5 cents (\$613.08) to the 168th infantry, Iowa national guard; and the
6 sum of five hundred fourteen dollars and fifty cents (\$514.50) to the
7 113th cavalry, Iowa national guard, to reimburse said organizations
8 for monies used by them to build permanent buildings on lands owned
9 by the state at Camp Dodge, Iowa; and the auditor of state is hereby
10 authorized and directed to draw said warrants to the commanding
11 officer of each of said units, and the treasurer of state is hereby
12 authorized to pay the same as aforesaid.

1 SEC. 2. The receipt of said sums by the 133rd infantry, 168th
2 infantry and 113th cavalry of the Iowa national guard shall be in
3 full settlement of any and all claims against the state of Iowa on
4 account of said expenditures.

1 SEC. 3. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in Plain Talk,
3 a newspaper published in Des Moines, Iowa, and Newton Daily News,
4 a newspaper published in Newton, Iowa.

House File No. 495. Approved April 13, A. D. 1929.

I hereby certify that the foregoing act was published in the Des Moines Plain Talk April 18, 1929, and the Newton Daily News April 17, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 306

TWIN LAKES PROTECTIVE ASSOCIATION

AN ACT to make an appropriation to the Twin Lakes Protective Association for labor performed at East Twin Lake.

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

1 SECTION 1. There is hereby appropriated out of the fish and game
2 fund of the state of Iowa, the sum of one hundred thirty-seven and
3 08/100 (\$137.08) dollars, to the Twin Lakes Protective Association,
4 for labor performed at East Twin Lake, Goodell, Iowa; and the auditor
5 of state is hereby authorized to draw his warrant for said amount in
6 favor of the said Twin Lakes Protective Association, and the treasurer
7 of state is hereby authorized and directed to pay the same out of the
8 state fish and game fund of the state of Iowa.

1 SEC. 2. The receipt of said sum by the said Twin Lakes Protective
2 Association shall be in full settlement of any and all claims against
3 the state of Iowa or the state fish and game department of the state
4 of Iowa on account of said labor performed.

Senate File No. 427. Approved April 12, A. D. 1929.

CHAPTER 307

EMMET COUNTY

AN ACT to make an appropriation to Emmet county, Iowa, for special assessment, drainage, and graveling taxes on state owned land.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
2 state treasury not otherwise appropriated, to Emmet county, Iowa,
3 the sum of seventeen hundred fifty-five and 63/100 dollars (\$1755.63),
4 to pay graveling assessments and drainage assessments on state
5 owned lands in Emmet county, Iowa, in drainage ditches Nos. 63,
6 118, 119, and special assessment secondary road districts Nos. 25, 37,
7 38, and 39, in said county; and the auditor of state is hereby author-
8 ized to draw his warrant for said amount to Emmet county, Iowa,
9 and the treasurer of state is hereby authorized and directed to pay
10 the same as aforesaid.

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in Estherville
3 News, a newspaper published in Estherville, Iowa, and Ringsted Dis-
4 patch, a newspaper published in Ringsted, Iowa.

House File No. 540. Approved April 13, A. D. 1929.

I hereby certify that the foregoing act was published in the Estherville News April 18, 1929, and the Ringsted Dispatch April 18, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 308

MUSCATINE AND LOUISA COUNTIES

AN ACT to appropriate sufficient funds to pay the maintenance tax against state lands in drainage district No. 13, located in Muscatine and Louisa counties, Iowa.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
2 state treasury, not otherwise appropriated, the sum of forty-seven
3 hundred eight and 53/100 dollars (\$4708.53) to Muscatine county,
4 Iowa, for the payment of drainage taxes against state owned lands
5 located in Muscatine county, Iowa, for the maintenance of drainage
6 district No. 13 in said county, for the years 1927 and 1928; and the
7 sum of eighteen hundred sixty-five and 64/100 dollars (\$1865.64) to

8 Louisa county, Iowa, for drainage taxes assessed against state owned
 9 lands located in Louisa county, Iowa, for maintenance of drainage
 10 district No. 13 in Louisa county for the years 1927 and 1928; and
 11 the auditor of state is hereby directed to draw his warrants to the
 12 county treasurer of Muscatine county, Iowa, and to the county treas-
 13 urer of Louisa county, Iowa, for these amounts respectively, and the
 14 treasurer of state is hereby authorized and directed to pay the same
 15 as aforesaid.

House File No. 258. Approved March 27, A. D. 1929.

CHAPTER 309

POLK COUNTY

AN ACT to make appropriation to Polk county, Iowa, for special assessment for oiling of Dean avenue, city of Des Moines, Iowa.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
 2 state treasury, not otherwise appropriated, the sum of three hundred
 3 fifty-four and 56/100 dollars (\$354.56) to Polk county, Iowa, for
 4 special assessment on oiling of streets, on Dean avenue in the city
 5 of Des Moines, Iowa, assessed against an official plat of the north
 6 half (N $\frac{1}{2}$) of the southwest quarter (SW $\frac{1}{4}$) of section six (6),
 7 township seventy-eight (78), north, range twenty-three (23), west
 8 of the fifth P. M., being lands owned by the state of Iowa; and the
 9 auditor of state is hereby authorized to draw his warrant in favor
 10 of said Polk county, Iowa, for said sum, and the treasurer of state
 11 is hereby authorized and directed to pay said warrant as aforesaid.

1 SEC. 2. The receipt by Polk county, Iowa, of such sum shall be in
 2 full settlement and satisfaction of all claim growing out of said assess-
 3 ment.

1 SEC. 3. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its publication in the Sloan
 3 Star, a newspaper published in the city of Sloan, Iowa, and the Col-
 4 fax Tribune, a newspaper published in the city of Colfax, Iowa, with-
 5 out expense to the state.

Senate File No. 430. Approved April 15, A. D. 1929.

I hereby certify that the foregoing act was published in the Sloan Star May 16, 1929, and the Colfax Tribune, April 25, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 310

JOHN W. HAXBY, ET AL.

AN ACT to make an appropriation to various veterinarians for services rendered to the state.

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

1 SECTION 1. There is hereby appropriated out of the appropriation
2 made to the department of agriculture for the control and eradication
3 of contagious and infectious diseases, the following sums to the follow-
4 ing persons for services rendered to the state under order of said
5 department:

6	John W. Haxby	\$39.24
7	E. L. Fitch	13.50
8	H. B. Treman	15.04
9	R. H. Schrecengost	13.22
10	J. J. Moore	11.26
11	Thos. W. Gidley	12.10
12	L. W. Karlem	5.95
13	H. J. Van de Waa	10.70
14	J. E. Frank	52.32
15	P. G. Button.....	12.80
16	N. J. Deiling	161.36
17	J. M. Vernon	16.30
18	Carl Olson	107.02
19	F. L. Buck	72.00

20 and the auditor of state is hereby authorized to draw his warrant for
21 said amounts to said persons, and the treasurer of state is hereby
22 authorized and directed to pay the sums as aforesaid.

1 SEC. 2. The receipt of the said sums by the said claimants shall
2 be in full settlement of any and all claims by said persons against the
3 state of Iowa on account thereof.

House File No. 537. Approved April 16, A. D. 1929.

CHAPTER 311

COMPENSATION FOR ANIMALS SLAUGHTERED

AN ACT to make an appropriation to various claimants for animals slaughtered on account of bovine tuberculosis.

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

1 SECTION 1. There is hereby appropriated out of the funds appro-
2 priated and set apart to the department of agriculture for the control
3 and eradication of contagious and infectious livestock diseases, the
4 following sums to the following named persons to compensate them
5 for breeding cattle slaughtered on account of bovine tuberculosis:

6	Grant Enlow	\$100.00
7	Dale Heard	25.85
8	Ira Pfander	461.93

9	John Struyk	168.19
10	Carl Appelman	17.87
11	Ernest Giffrow	43.06
12	Henry Kettleson	1.07
13	Oliver Speas	14.43
14	Ed Stock	20.20
15	Dan P. Donohoe	7.54
16	J. W. Canby & Sons.....	70.73

17 and the auditor of state is hereby authorized to draw his warrant for
 18 said amounts to said persons, and the treasurer of state is hereby
 19 authorized and directed to pay the said sums as aforesaid.

1 SEC. 2. The receipt of the said sums by the said claimants shall
 2 be in full settlement of any and all claims by said persons against
 3 the state of Iowa on account thereof.

House File No. 538. Approved April 16, A. D. 1929.

CHAPTER 312

PAYMENT FOR ANIMALS SLAUGHTERED

AN ACT to make an appropriation to compensate William Sexton, Stewart Baker, William Lynch, William Brown, and William Drew, for horses slaughtered under the authority and direction of the secretary of agriculture because of glanders infection.

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

1 SECTION 1. There is hereby appropriated to the following persons
 2 the following amounts as set opposite their names for horses
 3 slaughtered under authority and direction of the secretary of agri-
 4 culture because of glanders infection:

- 5 William Sexton—two hundred seventy-five dollars (\$275.00)
- 6 Stewart Baker—two hundred dollars (\$200.00)
- 7 William Lynch—three hundred seventy-five dollars (\$375.00)
- 8 William Brown—one hundred twenty-five dollars (\$125.00)
- 9 William Drew—one hundred twenty-five dollars (\$125.00)

10 and the auditor of state is hereby authorized to draw his warrant for
 11 said amounts to said parties, and the treasurer of state is hereby
 12 authorized and directed to pay the same out of the funds appropriated
 13 to the department of agriculture for the division of animal industry
 14 for the eradication of contagious and infectious diseases among the
 15 livestock of the state of Iowa.

1 SEC. 2. The receipt of the said sums by the said parties shall be
 2 in full settlement of any claims against the state of Iowa by said
 3 claimants.

1 SEC. 3. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its publication in Newton Daily
 3 News, a newspaper published in Newton, Iowa, and in Grinnell Herald,
 4 a newspaper published in Grinnell, Iowa, without expense to the state.

House File No. 317. Approved April 2, A. D. 1929.

I hereby certify that the foregoing act was published in the Newton Daily News April 10, 1929, and the Grinnell Herald April 9, 1929.

ED. M. SMITH, Secretary of State.

CHAPTER 313

JAMES L. ARMSTRONG

AN ACT to make an appropriation to James L. Armstrong.

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

1 SECTION 1. That there is hereby appropriated out of any funds in
 2 the state treasury not otherwise appropriated, the sum of three hun-
 3 dred fifteen dollars (\$315.00) to James L. Armstrong, to compensate
 4 him for services rendered in the world war for which he did not re-
 5 ceive the bonus paid other men in said service; and the auditor of
 6 state is hereby authorized to draw his warrant to the said James L.
 7 Armstrong for said amount, and the treasurer of state is hereby
 8 authorized and directed to pay the same as aforesaid.

1 SEC. 2. The receipt of said sum by the said James L. Armstrong,
 2 shall be in full settlement of any and all claims against the state of
 3 Iowa on account of said bonus.

Senate File No. 472. Approved April 16, A. D. 1929.

CHAPTER 314

MARJORIE BALL

AN ACT to make an appropriation for the relief of Marjorie Ball and to pay doctor's bill and attorney fees in connection with her injury and claim against the state of Iowa.

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

1 SECTION 1. That there is hereby appropriated out of any funds in
 2 the state treasury not otherwise appropriated, the sum of two hun-
 3 dred dollars (\$200.00) per annum for the relief of Marjorie Ball of
 4 Des Moines, Iowa, a minor, on account of injuries received while the
 5 amphitheater at the fairgrounds was under construction on June 11,
 6 1927; and the auditor of state is hereby authorized to draw his war-
 7 rant quarterly in favor of Mrs. Matilda Ball, her mother, or a guar-
 8 dian, if one is appointed, for the education, use and benefit of the said
 9 Marjorie Ball, for fifty dollars (\$50.00) quarterly, on account of said
 10 appropriation for a period not to exceed ten (10) years; and the
 11 treasurer of state is hereby authorized and directed to pay the same
 12 as aforesaid.

1 SEC. 2. That there is hereby appropriated out of any funds in the
 2 state treasury not otherwise appropriated, the sum of one hundred
 3 dollars (\$100.00) to Dr. A. E. Shaw, in full settlement of services
 4 rendered to Marjorie Ball on account of said injury; and the auditor
 5 of state is hereby authorized to draw his warrant to the said Dr. A. E.
 6 Shaw for said amount, and the treasurer of state is hereby authorized
 7 and directed to pay the same as aforesaid; and the receipt of said
 8 sum by the said Dr. A. E. Shaw shall be in full settlement of any and

9 all claims against the said Marjorie Ball or her mother, Mrs. Matilda
10 Ball, on account of said services.

1 SEC. 3. That there is hereby appropriated out of any funds in the
2 state treasury not otherwise appropriated, the sum of one hundred
3 dollars (\$100.00) to George A. Kern, as attorney's fees for submitting
4 the claim of Marjorie Ball to the legislature of the state of Iowa; and
5 the auditor of state is hereby authorized to draw his warrant for said
6 sum to George A. Kern, and the treasurer of state is hereby author-
7 ized and directed to pay the same as aforesaid; and the receipt of the
8 said sum by the said George A. Kern shall be in full settlement of
9 any and all claims against the said Marjorie Ball or her mother, Mrs.
10 Matilda Ball, for services rendered as aforesaid.

1 SEC. 4. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Winterset
3 Madisonian, a newspaper published at Winterset, Iowa, and the Moul-
4 ton Weekly Tribune, a newspaper published at Moulton, Iowa.

Senate File No. 460. Approved April 16, A. D. 1929.

I hereby certify that the foregoing act was published in the Winterset Madisonian
April 25, 1929, and the Moulton Tribune April 29, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 315

LILLIAN BANDY

AN ACT to make an appropriation to Miss Lillian Bandy for injuries received while
an employee of the Iowa soldiers' orphans' home, Davenport, Iowa.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
2 state treasury not otherwise appropriated, the sum of five hundred
3 ninety-five and 20/100 dollars (\$595.20) to Miss Lillian Bandy, to pay
4 hospital bill and doctor bill for injuries received while an employee
5 of the Iowa soldiers' orphans' home, Davenport, Iowa; and the audi-
6 tor of state is hereby authorized to draw his warrant for said amount
7 in favor of the said Miss Lillian Bandy, and the treasurer of state is
8 hereby authorized and directed to pay the same as aforesaid.

1 SEC. 2. The receipt of said sum by the said Miss Lillian Bandy
2 shall be in full settlement of any and all claims against the state of
3 Iowa on account of said injuries.

Senate File No. 431. Approved April 12, A. D. 1929.

CHAPTER 316

JULIUS BOECKH

AN ACT to make an appropriation to Julius Boeckh for expenses and services as a member of the commission to ascertain and report the facts relative to the feasibility of constructing interstate bridges across the Mississippi river joining the state of Iowa with the state of Wisconsin, under the provisions of chapter two hundred nine (209) acts of the forty-first general assembly as amended.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
2 state treasury not otherwise appropriated, to Julius Boeckh, the sum
3 of fifty-five dollars and eighty-seven cents (\$55.87), as compensation
4 for expenses and services as a member of the commission to ascertain
5 and report the facts relative to the feasibility of constructing inter-
6 state bridges across the Mississippi river joining the state of Iowa
7 with the state of Wisconsin under the provisions of chapter two hun-
8 dred nine (209) acts of the forty-first general assembly as amended;
9 and the auditor of state is hereby authorized to draw his warrant for
10 said amount in favor of the said Julius Boeckh, and the treasurer of
11 state is hereby authorized and directed to pay the same as aforesaid.

1 SEC. 2. The receipt of said sum by the said Julius Boeckh shall
2 be in full settlement of any and all claims against the state of Iowa
3 on account of said services.

House File No. 496. Approved April 13, A. D. 1929.

CHAPTER 317

GERALD L. BOLEN

AN ACT to make an appropriation to Gerald L. Bolen to compensate him for injuries received while an employee and working under the direction of the Iowa state highway commission on or about June 14, 1923, on federal highway No. 30 about four miles east of State Center, Iowa.

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

1 SECTION 1. There is hereby appropriated to Gerald L. Bolen the
2 sum of fifteen thousand dollars (\$15,000.00) to compensate him for
3 moneys expended in medical attendance, hospital care, and nursing,
4 for loss of time and for permanent injury growing out of an injury
5 received while driving a truck owned by the state of Iowa under the
6 direction of the Iowa state highway commission on federal highway
7 No. 30 at a point four miles east of State Center, Iowa; and the au-
8 ditor of state is hereby authorized to draw his warrant for said sum
9 to the said Gerald L. Bolen, and the treasurer of state is hereby
10 authorized and directed to pay the same out of the primary road fund
11 of the state of Iowa.

1 SEC. 2. The receipt of the said sum by the said Gerald L. Bolen
2 shall be in full settlement of all claims growing out of said injury
3 against the state of Iowa or the Iowa state highway commission.

1 SEC. 3. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its publication in Deep River
 3 Record, a newspaper published in Deep River, Iowa, and in Slater
 4 News, a newspaper published in Slater, Iowa, without expense to the
 5 state.

House File No. 325. Approved April 6, A. D. 1929.

I hereby certify that the foregoing act was published in the Deep River Record April 11, 1929, and the Slater News April 10, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 318

DR. THOMAS P. BRENNAN

AN ACT to reimburse Dr. Thomas P. Brennan for money paid by him for legal services required in defending an action brought against him as acting director of the state psychopathic hospital, Iowa City, Iowa.

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

1 SECTION 1. There is hereby appropriated out of any money in the
 2 state treasury not otherwise appropriated, the sum of two hundred
 3 dollars (\$200.00) to be paid to Dr. Thomas P. Brennan of Iowa City,
 4 Iowa, to reimburse him for money paid for legal services necessitated
 5 on account of a certain action brought against him as acting director
 6 of the state psychopathic hospital, Iowa City, Iowa.

1 SEC. 2. This act being deemed of immediate importance shall be in
 2 full force and effect from and after its publication in Plain Talk, a
 3 newspaper published in the city of Des Moines, Iowa, and the News,
 4 a newspaper published in the town of Aplington, Iowa.

House File No. 254. Approved March 28, A. D. 1929.

I hereby certify that the foregoing act was published in the Des Moines Plain Talk April 4, 1929, and the Aplington News April 3, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 319

GEORGE BURGER

AN ACT to make an appropriation to George Burger.

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

1 SECTION 1. That there is hereby appropriated out of any funds in
 2 the state treasury not otherwise appropriated, to George Burger, the
 3 sum of nine hundred dollars (\$900.00), to compensate him for injuries
 4 received through the loss of his thumb and first and second fingers
 5 on the left hand, in an automobile license plate stamping press in
 6 the men's reformatory at Anamosa, Iowa, on June 6, 1928; and the
 7 auditor of state is hereby authorized to draw his warrant to the said

8 George Burger for the said amount, and the treasurer of state is
9 hereby authorized and directed to pay the same as aforesaid.

1 SEC. 2. The receipt of said sum by George Burger shall be in full
2 settlement of any and all claims against the state of Iowa for said
3 injuries received.

Senate File No. 469. Approved April 16, A. D. 1929.

CHAPTER 320

CLEAR LAKE LIGHT & POWER COMPANY

AN ACT to make an appropriation to the Clear Lake Electric Light and Power Com-
pany, Clear Lake, Iowa.

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

1 SECTION 1. There is hereby appropriated to the Clear Lake Elec-
2 tric Light and Power Company, Clear Lake, Iowa, the sum of twenty-
3 nine and 40/100 dollars (\$29.40) for current and wiring furnished
4 to the Clear Lake fish hatchery owned by the state of Iowa, from
5 May 3, 1926, to June 4, 1927; and the auditor of state is hereby
6 authorized to draw his warrant to said company for said amount,
7 and the treasurer of state is hereby authorized and directed to pay
8 the same out of the fish and game protection fund.

1 SEC. 2. The receipt by the said company of the said amount shall
2 be in full settlement of any and all claims against the state of Iowa on
3 account thereof.

House File No. 539. Approved April 16, A. D. 1929.

CHAPTER 321

JOSEPH ROY COLLINS

AN ACT to make an appropriation to Joseph Roy Collins.

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

1 SECTION 1. That there is hereby appropriated out of any funds
2 in the state treasury not otherwise appropriated to Joseph Roy Collins,
3 the sum of one hundred twenty-seven and 74/100 dollars (\$127.74)
4 to reimburse him for expenses incurred for treatment for injury re-
5 ceived while an employee of the Iowa state training school for boys,
6 at Eldora, Iowa, on April 28, 1927; and the auditor of state is hereby
7 authorized to draw his warrant to said claimant for said amount, and
8 the treasurer of state is hereby authorized and directed to pay the
9 same as aforesaid.

Senate File No. 473. Approved April 16, A. D. 1929.

CHAPTER 322

DES MOINES COLISEUM COMPANY

AN ACT to make an appropriation to the Des Moines Coliseum Company for armory rental.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
2 state treasury, not otherwise appropriated, the sum of three hundred
3 fifty dollars (\$350.00) to the Des Moines Coliseum Company for
4 armory rental as balance due under a lease to company B, supply com-
5 pany and sanitary detachment, 4th Iowa infantry Iowa national guard,
6 dated January 25, 1919; and the auditor of state is hereby authorized
7 to draw his warrant for said amount in favor of the Des Moines
8 Coliseum Company, and the treasurer of state is hereby authorized
9 and directed to pay the same as aforesaid.

1 SEC. 2. The receipt of said sum by the said Des Moines Coliseum
2 Company shall be in full settlement of any and all claims against the
3 state of Iowa on account of said lease.

Senate File No. 429. Approved April 12, A. D. 1929.

CHAPTER 323

JAMES A. DEVITT

AN ACT to make an appropriation to James A. Devitt for legal services rendered in the case of city of Washington vs. Leach, superintendent of banking.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
2 state treasury not otherwise appropriated, to James A. Devitt, the
3 sum of two hundred fifty dollars (\$250.00) as a balance due for legal
4 services rendered in the case of city of Washington vs. Robert E.
5 Leach, superintendent of banking; and the auditor of state is hereby
6 authorized to draw his warrant for said amount in favor of said James
7 A. Devitt, and the treasurer of state is hereby authorized and directed
8 to pay the same as aforesaid.

1 SEC. 2. The receipt of the said sum by the said James A. Devitt
2 shall be in full settlement of any and all claims against the state of
3 Iowa on account of said services.

Senate File No. 443. Approved April 16, A. D. 1929.

CHAPTER 324

CHARLES M. DUTCHER AND W. E. MITCHELL

AN ACT to make an appropriation to Charles M. Dutcher and W. E. Mitchell.

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

1 SECTION 1. That there is hereby appropriated out of any funds in
 2 the state treasury not otherwise appropriated, to Charles M. Dutcher,
 3 the sum of seven hundred forty-seven and 45/100 dollars (\$747.45),
 4 and to W. E. Mitchell, the sum of five hundred sixteen and 13/100
 5 dollars (\$516.13), for legal services rendered in the case of city of
 6 Washington vs. Robert E. Leach, superintendent of banking; and the
 7 auditor of state is hereby authorized to draw his warrant for said
 8 amounts in favor of said parties, and the treasurer of state is hereby
 9 authorized and directed to pay the same as aforesaid.

1 SEC. 2. The receipt of the said sum by the said Charles M. Dutcher
 2 and W. E. Mitchell shall be in full settlement of any and all claims
 3 against the state of Iowa or said Robert L. Leach on account of
 4 said services.

Senate File No. 497. Approved April 16, A. D. 1929.

CHAPTER 325

FARMERS MUTUAL HAIL INSURANCE ASSOCIATION

AN ACT to make an appropriation to the Farmers Mutual Hail Insurance Association, Des Moines, Iowa, for over-payment of taxes to the treasurer of state.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
 2 state treasury not otherwise appropriated, to the Farmers Mutual Hail
 3 Insurance Association, Des Moines, Iowa, the sum of one thousand
 4 fifty-one and 29/100 dollars (\$1,051.29), for overpayment of taxes
 5 to the treasurer of state for the year 1928; and the auditor of state
 6 is hereby authorized to draw his warrant for said amount in favor
 7 of the Farmers Mutual Hail Insurance Association, and the treasurer
 8 of state is hereby authorized and directed to pay the same as afore-
 9 said.

1 SEC. 2. The receipt of said sum by the said Farmers Mutual Hail
 2 Insurance Association shall be in full settlement of any and all claims
 3 against the state of Iowa on account of said refund.

Senate File No. 445. Approved April 16, A. D. 1929.

CHAPTER 326

GRANT CENTRAL CHURCH

AN ACT to make an appropriation to the Grant Central Lutheran Church of Iowa Falls, Iowa, for damage to the church building caused by construction work on project P-538, Franklin county, Iowa.

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

1 SECTION 1. There is hereby appropriated to the Grant Central
 2 Lutheran Church of Iowa Falls, Iowa, the sum of sixteen and 30/100
 3 dollars (\$16.30), for damage to the church building by the Harrison
 4 Engineering & Construction Corporation, while doing extra work on
 5 project P-538, Franklin county, Iowa; and the auditor of state is
 6 hereby authorized to draw his warrant to the said Grant Central
 7 Lutheran Church of Iowa Falls, Iowa, and the treasurer of state is
 8 hereby authorized and directed to pay the same out of the primary
 9 road fund of the state of Iowa.

1 SEC. 2. The receipt of the said sum by the said Grant Central
 2 Lutheran Church of Iowa Falls, Iowa, shall be in full settlement of all
 3 claims growing out of said damage against the state of Iowa, or the
 4 Iowa state highway commission.

Senate File No. 442. Approved April 16, A. D. 1929.

CHAPTER 327

W. L. HALL

AN ACT to make an appropriation to compensate W. L. Hall for apprehension of paroled prisoners.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
 2 state treasury, not otherwise appropriated, the sum of fifty dollars
 3 (\$50.00) to W. L. Hall for the apprehension of one, Walter Jacobs, a
 4 paroled prisoner from the men's reformatory at Anamosa, Iowa, and
 5 the auditor of state is hereby authorized to draw his warrant in favor
 6 of the said W. L. Hall for the said sum and the treasurer of state is
 7 hereby authorized and directed to pay the said warrant as aforesaid.

House File No. 257. Approved March 19, A. D. 1929.

CHAPTER 328

HOPPER FURNITURE COMPANY

AN ACT to make an appropriation to the C. T. Hopper Furniture Company for damages to an automobile in collision with a truck operated by the Iowa state highway commission.

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

1 SECTION 1. There is hereby appropriated to the C. T. Hopper Furni-
2 ture Company of Sioux City, Iowa, the sum of sixty-seven and 20/100
3 (\$67.20) for damages to an automobile as a result of a collision with
4 a truck operated by the Iowa state highway commission on the Lin-
5 coln highway between Arion and Dow City on January 11, 1929; and
6 the auditor of state is hereby authorized to draw his warrant to the
7 said company for said amount, and the treasurer of state is hereby
8 authorized and directed to pay the same out of the primary road fund
9 of the state of Iowa.

1 SEC. 2. The receipt of the said sum by the said C. T. Hopper Furni-
2 ture Company shall be in full settlement of any and all claims against
3 the state of Iowa on account of said damages.

House File No. 527. Approved April 16, A. D. 1929.

CHAPTER 329

WILLIAM J. HUDGEL

AN ACT to make an appropriation to William J. Hudgel.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
2 state treasury not otherwise appropriated, to William J. Hudgel, the
3 sum of four hundred eighty-five dollars (\$485.00), for damages grow-
4 ing out of injury at the Iowa State Fair grounds on August 26, 1927;
5 and the auditor of state is hereby authorized to draw his warrant
6 for said amount in favor of the said William J. Hudgel, and the treas-
7 urer of state is hereby authorized and directed to pay the same as
8 aforesaid.

1 SEC. 2. The receipt of the said sum by the said William J. Hudgel
2 shall be in full settlement of any and all claims against the state of
3 Iowa on account of said injury.

House File No. 529. Approved April 16, A. D. 1929.

CHAPTER 330

FREDERICK M. HULL

AN ACT to amend chapter one hundred twenty-nine (129), laws of the twenty-fifth general assembly, providing relief for one, Frederick M. Hull.

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

1 SECTION 1. That chapter one hundred twenty-nine (129), laws of
2 the twenty-fifth general assembly, be and the same is hereby amended
3 by striking from line five (5) thereof the word "quarterly" and in-
4 serting in lieu thereof the word "monthly".

1 SEC. 2. That chapter one hundred twenty-nine (129), laws of the
2 twenty-fifth general assembly, be and the same is hereby amended
3 by striking from line six (6) thereof the word "sixty (60)" and in-
4 serting in lieu thereof the word "twenty (20)".

1 SEC. 3. That chapter one hundred twenty-nine (129), laws of the
2 twenty-fifth general assembly, be and the same is hereby amended
3 by adding thereto the following:

4 "There is hereby appropriated out of any moneys in the state treas-
5 ury, not otherwise appropriated, the sum of one hundred twenty dol-
6 lars (\$120.00) per annum, in addition to funds heretofore appropri-
7 ated, for the benefit of Frederick M. Hull for a period of two (2)
8 years from the effective date of this act; and the auditor of state is
9 hereby authorized to draw his warrant monthly in favor of said Fred-
10 erick M. Hull for the said sum of ten dollars (\$10.00) on account of
11 said appropriation and the treasurer of state is hereby authorized to
12 pay the same."

1 SEC. 4. This act being deemed of immediate importance shall be in
2 full force and effect from and after its publication in Denison Bulletin,
3 a newspaper published at Denison, Iowa, and Stanton Call, a news-
4 paper published in Stanton, Iowa.

House File No. 264. Approved March 28, A. D. 1929.

I hereby certify that the foregoing act was published in the Denison Bulletin April 10, 1929, and the Stanton Call April 4, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 331

JAEGER MANUFACTURING COMPANY

AN ACT to make an appropriation to the Jaeger Manufacturing Company.

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

1 SECTION 1. There is hereby appropriated to the Jaeger Manufac-
2 turing Company, Des Moines, Iowa, the sum of two hundred fifteen
3 and 25/100 dollars (\$215.25), for refinishing furniture donated to the
4 Iowa historical, memorial and art department of the state of Iowa;
5 and the auditor of state is hereby authorized and directed to draw

6 his warrant for said sum to said claimant, and the treasurer of state
7 is hereby authorized and directed to pay the same out of the appro-
8 priation heretofore made to the historical department of the state of
9 Iowa for the purpose of refinishing and redecorating memorial rooms.

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in Plain Talk,
3 a newspaper published in Des Moines, Iowa, and Legionaire, a news-
4 paper published in Des Moines, Iowa.

Senate File No. 492. Approved April 16, A. D. 1929.

I hereby certify that the foregoing act was published in the Des Moines Plain Talk
April 26, 1929, and the Iowa Legionaire May 3, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 332

JOHNSON AND McNULTY

AN ACT to make an appropriation to Minnie E. Johnson and Emma McNulty.

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

1 SECTION 1. There is hereby appropriated out of the primary road
2 fund of the state of Iowa, to Minnie E. Johnson and Emma McNulty,
3 the sum of thirty-five hundred dollars (\$3,500.00) as compensation for
4 and in full settlement of a claim for damages to their property, being
5 out-lot four (4) in the city of Corning, Iowa, by reason of the straight-
6 ening of Nodaway River by the Iowa state highway commission; and
7 the auditor of state is hereby authorized to draw his warrant, and
8 the treasurer of state is hereby authorized and directed to pay the
9 same as aforesaid.

1 SEC. 2. The receipt of the said sum by said Minnie E. Johnson
2 and Emma McNulty shall be in full settlement of all damages growing
3 out of said project.

1 SEC. 3. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in The Adams
3 County Free Press, a newspaper published in Corning, Iowa, and
4 Lenox Time-Table, a newspaper published in Lenox, Iowa, without
5 expense to the state.

House File No. 541. Approved April 16, A. D. 1929.

I hereby certify that the foregoing act was published in the Adams County Free
Press April 26, 1929, and the Lenox Time-Table April 25, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 333

PATRICIA JONES

AN ACT to make an appropriation to Patricia Jones, a minor.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
 2 state treasury not otherwise appropriated, to Patricia Jones, a minor,
 3 the sum of fifteen hundred dollars (\$1,500.00), to compensate her for
 4 injuries received when struck by an automobile owned by the state of
 5 Iowa on the campus at the Iowa State College, Ames, Iowa; and the
 6 auditor of state is hereby authorized to draw his warrant for said
 7 amount in favor of said Patricia Jones, a minor, and the treasurer of
 8 state is hereby authorized and directed to pay the same as aforesaid.

1 SEC. 2. The receipt of the said sum by the guardian of the said
 2 Patricia Jones, a minor, shall be in full settlement of any and all claims
 3 against the state of Iowa on account of said injuries.

House File No. 526. Approved April 16, A. D. 1929.

CHAPTER 334

LASKEWITZ AND LYON

AN ACT to make appropriation to Mrs. John Laskewitz for one hundred seventy-two
 and 31/100 dollars (\$172.31) and G. V. Lyon for forty-one and 45/100 dollars (\$41.45).

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

1 SECTION 1. There is hereby appropriated to Mrs. John Laskewitz
 2 the sum of one hundred seventy-two and 31/100 dollars (\$172.31)
 3 and to G. V. Lyon the sum of forty-one and 45/100 dollars (\$41.45),
 4 to compensate them for damages arising from snow and ice being
 5 thrown at and into the home of Mrs. John Laskewitz, Newton, Iowa,
 6 on the night of January 10, 1929, by employees of the Iowa state high-
 7 way commission while opening the road with a snowplow; and the
 8 auditor of state is hereby authorized to draw his warrant to said
 9 parties for said sums respectively, and the treasurer of state is hereby
 10 authorized and directed to pay the same out of the primary road
 11 fund of the state of Iowa.

1 SEC. 2. The receipt of the said sums by the said claimants shall be
 2 in full settlement of all claims growing out of said injury against the
 3 state of Iowa or the Iowa state highway commission.

House File No. 319. Approved April 3, A. D. 1929.

CHAPTER 335

CHARLES LINDWALL

AN ACT to make an appropriation to the Iowa industrial commissioner for the purpose of paying for medical attention and hospitalization of Charles Lindwall, an employee of the Iowa state highway commission.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
2 state treasury not otherwise appropriated, the sum of one hundred
3 forty-nine dollars (\$149.00) to the Iowa industrial commissioner, for
4 the purpose of paying the balance due on doctor bills and hospitaliza-
5 tion of Charles Lindwall, an employee of the Iowa state highway com-
6 mission, after the maximum allowed by statute has been paid; the
7 same to be paid by the Iowa industrial commissioner, as follows:

8	To Iowa Methodist hospital.....	\$ 63.60
9	To Dr. E. J. Harnagel.....	42.70
10	To O. W. Okerlin.....	42.70

11 and the auditor of state is hereby authorized to draw his warrant to
12 the Iowa industrial commissioner for the above amount, and the treas-
13 urer of state is hereby authorized and directed to pay the same as
14 aforesaid.

1 SEC. 2. The receipt of said sum by the said Iowa industrial com-
2 missioner shall be in full settlement of any and all claims against the
3 state of Iowa on account of said injuries.

House File No. 490. Approved April 13, A. D. 1929.

CHAPTER 336

FRANK MELKA

AN ACT to make an appropriation to Frank Melka for injuries received as an employee of the Iowa state hospital for the insane at Independence, Iowa.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
2 state treasury, not otherwise appropriated, the sum of two hundred
3 eighty-three and 50/100 dollars (\$283.50) to Frank Melka as com-
4 pensation for injury received while employed at the Iowa state hos-
5 pital for the insane, Independence, Iowa, on July 5, 1928; and the
6 auditor of state is hereby authorized to draw his warrant for said
7 amount to said Frank Melka and the treasurer of state is hereby
8 authorized and directed to pay the same as aforesaid.

1 SEC. 2. The receipt of the said sum by the said Frank Melka shall
2 be in full settlement of his claim against the state for said injury.

Senate File No. 321. Approved April 12, A. D. 1929.

CHAPTER 337

MUTUAL OLD LINE INSURANCE COMPANY

AN ACT to make an appropriation to the Mutual Old Line Insurance Company of Des Moines, Iowa.

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

1 SECTION 1. That there is hereby appropriated out of any funds in
2 the state treasury not otherwise appropriated, to the Mutual Old Line
3 Insurance Company of Des Moines, Iowa, the sum of thirty and
4 20/100 dollars (\$30.20) to compensate the said company for expenses
5 incurred by incorporation under the name "Reserve Mutual Insurance
6 Company", which corporation was accepted and thereafter rejected
7 because of the statute of the United States prohibiting the use of the
8 word "reserve" in the name of an insurance company; and the auditor
9 of state is hereby authorized and directed to draw his warrant for
10 said amount to the said Mutual Old Line Insurance Company, and the
11 treasurer of state is hereby authorized and directed to pay the same
12 as aforesaid.

1 SEC. 2. The receipt of the said sum by the said Mutual Old Line
2 Insurance Company shall be in full settlement of any and all claims
3 against the state of Iowa on account of said expenditures.

Senate File No. 459. Approved April 16, A. D. 1929.

CHAPTER 338

NATIONAL GUARDIAN LIFE INSURANCE COMPANY

AN ACT to reimburse the National Guardian Life Insurance Company of Madison, Wisconsin, for overpayment of taxes for the year 1927.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
2 state treasury, not otherwise appropriated, the sum of two hundred
3 twenty-two and 78/100 dollars (\$222.78), to the National Guardian
4 Life Insurance Company of Madison, Wisconsin, for refund of taxes
5 paid into the state treasury for the year 1927 in excess of the amount
6 due from said company to the state of Iowa; and the auditor of state
7 is hereby authorized and directed to draw his warrant in favor of said
8 company for said amount, and the treasurer of state is hereby author-
9 ized and directed to pay the same as aforesaid.

House File No. 255. Approved March 27, A. D. 1929.

CHAPTER 339

CARL N. NEIDERMAN

AN ACT to make an appropriation to Carl N. Neiderman, for injuries received while in service of the state at the annual encampment of the Iowa national guard at the August, 1928, encampment.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
2 state treasury, not otherwise appropriated, the sum of nine hundred
3 forty-five dollars (\$945.00) to Carl N. Neiderman for injury received
4 while a member of the Iowa National Guard in service at the August,
5 1928, encampment, on or about August 18, 1928, and for the subse-
6 quent amputation of the index finger of his right hand; and the
7 auditor of state is hereby authorized to draw his warrant for said
8 sum to said Carl N. Neiderman, and the treasurer of state is hereby
9 authorized and directed to pay the same as aforesaid.

1 SEC. 2. The receipt of the said sum by the said Carl N. Neiderman,
2 shall be in full settlement of all claims growing out of said injury
3 against the state of Iowa.

1 SEC. 3. This act being deemed of immediate importance shall be in
2 full force and effect from and after its publication in Plain Talk, a
3 newspaper published in Des Moines, Iowa, and in Iowa Legionaire, a
4 newspaper published in Des Moines, Iowa, without expense to the
5 state.

House File No. 320. Approved April 2, A. D. 1929.

I hereby certify that the foregoing act was published in the Des Moines Plain Talk April 11, 1929, and the Iowa Legionaire May 3, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 340

RALPH W. PABST AND LESLIE E. WILLIAMS

AN ACT to make an appropriation to Ralph W. Pabst and Leslie E. Williams, for injuries received while under orders at regular drill as members of the Iowa national guard.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
2 state treasury, not otherwise appropriated, the sum of one hundred
3 nineteen dollars (\$119.00), to Ralph W. Pabst, for injuries received
4 on May 20, 1926, while under orders at regular drill as a member of
5 the Iowa national guard; and the sum of fifty-three dollars (\$53.00),
6 to Leslie E. Williams, for injuries received on June 27, 1926, while
7 under orders at regular drill as a member of the Iowa national guard;
8 and the auditor of state is hereby authorized to draw his warrants
9 for said amounts in favor of the said Ralph W. Pabst and Leslie E.

10 Williams, and the treasurer of state is hereby authorized and directed
11 to pay the same as aforesaid.

1 SEC. 2. The receipt of said sums by the said Ralph W. Pabst and
2 Leslie E. Williams shall be in full settlement of any and all claims
3 against the state of Iowa on account of said injuries.

Senate File No. 428. Approved April 12, A. D. 1929.

CHAPTER 341

E. L. RIEMSCHEIDER

AN ACT to make appropriation to E. L. Riemschneider for the sum of six dollars (\$6.00)
and to the Sunny Side school district for the sum of fourteen and 50/100 dollars
(\$14.50).

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

1 SECTION 1. There is hereby appropriated to E. L. Riemschneider
2 the sum of six dollars (\$6.00) and to the Sunny Side school district
3 the sum of fourteen and 50/100 dollars (\$14.50), to compensate them
4 for damages by employees of the Iowa state highway commission
5 while opening the road with a snowplow; and the auditor of state is
6 hereby authorized to draw his warrant to said parties for said sums
7 respectively, and the treasurer of state is hereby authorized and
8 directed to pay the same out of the primary road fund of the state
9 of Iowa.

1 SEC. 2. The receipt of the said sums by the said claimants shall be
2 in full settlement of all claims growing out of said injuries against
3 the state of Iowa or the Iowa state highway commission.

Senate File No. 425. Approved April 12, A. D. 1929.

CHAPTER 342

MRS. GEORGE ROBINSON

AN ACT to make an appropriation to Mrs. George Robinson.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
2 state treasury not otherwise appropriated, to Mrs. George Robinson,
3 the sum of eighty-eight and 50/100 dollars (\$88.50), for injuries
4 received and damages to automobile on account of a collision with an
5 automobile owned by the state of Iowa and operated by the board of
6 railroad commissioners, on January 20, 1928, at the intersection of
7 York and East Washington streets, Des Moines, Iowa; and the auditor
8 of state is hereby authorized to draw his warrant for said amount in

9 favor of said Mrs. George Robinson, and the treasurer of state is
10 hereby authorized and directed to pay the same as aforesaid.

1 SEC. 2. The receipt of the said sum by the said Mrs. George Robin-
2 son shall be in full settlement of any and all claims against the state
3 of Iowa on account of said damages and injuries.

House File No. 528. Approved April 16, A. D. 1929.

CHAPTER 343

HENRY SCHWARCK

AN ACT to make appropriation to Henry Schwarck for loss of a horse as a result of
injury when struck by a state owned truck.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
2 state treasury not otherwise appropriated, to Henry Schwarck, the
3 sum of one hundred twenty-five dollars (\$125.00), for compensation
4 for a horse struck by a truck owned by the Iowa training school for
5 boys, Eldora, Iowa, and driven by an employee of said institution;
6 and the auditor of state is hereby authorized to draw his warrant to
7 said Henry Schwarck for said amount, and the treasurer of state is
8 hereby authorized and directed to pay the same as aforesaid.

1 SEC. 2. The receipt of said sum by said Henry Schwarck shall be
2 in full settlement of his claim against the state of Iowa on account
3 thereof.

House File No. 316. Approved March 28, A. D. 1929.

CHAPTER 344

ALBERT SHARP

AN ACT to make an appropriation to Albert Sharp for the care and policing of Spirit
Lake monument property for the seasons of 1927 and 1928.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
2 state treasury, not otherwise appropriated, the sum of one hundred
3 thirty-six dollars (\$136.00) to Albert Sharp for the care and policing
4 of property known as the Spirit Lake monument and grounds at
5 Arnolds Park, Iowa, for the seasons of 1927 and 1928; and the auditor
6 of state is hereby authorized to draw his warrant for said sum to
7 said claimant and the treasurer of state is hereby authorized and
8 directed to pay the same as aforesaid.

1 SEC. 2. The receipt of the said sum by the said Albert Sharp shall
2 be in full settlement of any and all claims against the state by reason
3 of said services.

1 SEC. 3. This act being deemed of immediate importance shall be
 2 in full force and effective from and after its passage and publication
 3 in the Spirit Lake Beacon, a newspaper published at Spirit Lake,
 4 Iowa, and in the Milford Mail, a newspaper published at Milford, Iowa.

House File No. 321. Approved March 28, A. D. 1929.

I hereby certify that the foregoing act was published in the Spirit Lake Beacon
 April 4, 1929, and the Milford Mail April 4, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 345

RALPH J. SHAW

AN ACT to make an appropriation to Ralph J. Shaw.

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

1 SECTION 1. That there is hereby appropriated to Ralph J. Shaw,
 2 the sum of thirty and 50/100 dollars (\$30.50) for damages done to
 3 his residence by a snow plow operated by the Iowa state highway
 4 commission on January 9, 1929, at Victor, Iowa; and the auditor of
 5 state is hereby authorized to draw his warrant to Ralph J. Shaw for
 6 said amount, and the treasurer of state is hereby authorized and
 7 directed to pay the same out of the primary road fund of the state
 8 of Iowa.

1 SEC. 2. The receipt of said sum by Ralph J. Shaw, shall be in full
 2 settlement of any and all claims against the state of Iowa on account
 3 of said damages.

Senate File No. 471. Approved April 16, A. D. 1929.

CHAPTER 346

KAI SOMMER

AN ACT to make an appropriation to compensate Kai Sommer for injury resulting
 from a collision with a tractor driven by an employee of the Iowa state highway
 commission on or about November 5, 1928, on primary highway No. 61, at or near
 Key West, Iowa.

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

1 SECTION 1. There is hereby appropriated to Kai Sommer the sum
 2 of fifteen hundred dollars (\$1,500.00) as compensation for personal
 3 injury and property damage received by him as a result of a collision
 4 with a tractor driven by an employee of the Iowa state highway com-
 5 mission on primary road No. 61 at or near Key West, Iowa, on Novem-
 6 ber 5, 1928; and the auditor of state is hereby authorized to draw his
 7 warrant for said sum to said claimant, and the treasurer of state is
 8 hereby authorized and directed to pay the same out of the primary
 9 road fund of the state of Iowa.

1 SEC. 2. The receipt of the said sum by the said Kai Sommer shall
2 be in full settlement of all claims growing out of said collision against
3 the state of Iowa or the Iowa state highway commission.

1 SEC. 3. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Bystander,
3 a newspaper published in Des Moines, Iowa, and in Gowrie News, a
4 newspaper published in Gowrie, Iowa, without expense to the state.

House File No. 322. Approved April 12, A. D. 1929.

I hereby certify that the foregoing act was published in the Des Moines Bystander
April 20, 1929, and the Gowrie News April 18, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 347

JOHN A. STEWART

AN ACT to make appropriation to John A. Stewart for compensation and traveling
expenses while in the service of the Iowa national guard.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
2 state treasury not otherwise appropriated, the sum of five hundred
3 thirty-five and 32/100 dollars (\$535.32), to John A. Stewart, for com-
4 pensation and traveling expenses while in the service of the Iowa
5 national guard on assignment to the federal government, but which
6 the federal government refused to pay for the reason that the organi-
7 zation did not provide for such officer; and the auditor of state is
8 hereby authorized to draw his warrant for said amount in favor of
9 the said John A. Stewart, and the treasurer of state is hereby author-
10 ized and directed to pay the same as aforesaid.

1 SEC. 2. The receipt of the said sum by the said John A. Stewart
2 shall be in full settlement of any and all claims against the state of
3 Iowa on account of said claim for military service.

Senate File No. 426. Approved April 12, A. D. 1929.

CHAPTER 348

STIPP, ET AL.

AN ACT to make an appropriation to Stipp, Perry, Bannister & Starzinger, and Senneff,
Bliss, Witwer & Senneff, for legal services.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
2 state treasury not otherwise appropriated, to Stipp, Perry, Bannister
3 & Starzinger, of Des Moines, Iowa, the sum of six thousand dollars
4 (\$6,000.00), for legal services and expenses as attorneys for the

5 defendants in the case of State of Iowa ex rel John Fletcher, attorney
6 general, et al vs. Executive Council of the State of Iowa, et al.

1 SEC. 2. There is hereby appropriated out of any funds in the state
2 treasury not otherwise appropriated, to Senneff, Bliss, Witwer &
3 Senneff, of Mason City, Iowa, the sum of four thousand one hundred
4 forty-one and 05/100 dollars (\$4,141.05) for legal services as attor-
5 neys for the defendants in the case of State of Iowa ex rel John
6 Fletcher, attorney general et al vs. Executive Council of the State
7 of Iowa, et al.

1 SEC. 3. The auditor of state is hereby authorized and directed to
2 draw his warrant to said firms for said sums respectively as above
3 set out, and the treasurer of state is hereby authorized and directed
4 to pay the same as aforesaid.

1 SEC. 4. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Mason
3 City Globe Gazette of Mason City, Iowa, and the Council Bluffs Non-
4 pareil of Council Bluffs, Iowa.

Senate File No. 506. Approved April 17, A. D. 1929.

I hereby certify that the foregoing act was published in the Mason City Globe-
Gazette April 22, 1929, and the Council Bluffs Nonpareil April 22, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 349

WICKES ENGINEERING AND CONSTRUCTION COMPANY

AN ACT to make an appropriation to the Wickes Engineering and Construction Com-
pany for claims arising out of construction work in project B-30, Boone county, Iowa.

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

1 SECTION 1. There is hereby appropriated to the Wickes Engineer-
2 ing and Construction Company, Des Moines, Iowa, the sum of thirty-
3 nine hundred ten and 72/100 dollars (\$3,910.72), in full settlement
4 of its claim against the state of Iowa or the Iowa state highway com-
5 mission for damages resulting to said company in the construction
6 of project B-30, Boone county, Iowa; and the auditor of state is
7 hereby authorized to draw his warrant to said company for said
8 amount and the treasurer of state is hereby authorized and directed
9 to pay the same out of the primary road fund of the state of Iowa.

1 SEC. 2. The receipt of the said sum by the said company shall be
2 in full settlement of all claims growing out of the said project in
3 favor of said company and against the state of Iowa or the Iowa state
4 highway commission.

1 SEC. 3. This act being deemed of immediate importance shall be in
2 full force and effect from and after its publication in Plain Talk, a

3 newspaper published in Des Moines, Iowa, and Colfax Tribune, a news-
4 paper published in Colfax, Iowa, without expense to the state.

House File No. 260. Approved March 28, A. D. 1929.

I hereby certify that the foregoing act was published in the Des Moines Plain Talk
April 4, 1929, and the Colfax Tribune April 4, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 350

CRAIG M. WORK

AN ACT to make an appropriation to Dr. Craig M. Work.

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

1 SECTION 1. There is hereby appropriated out of any funds in the
2 state treasury not otherwise appropriated, to Dr. Craig M. Work,
3 the sum of eight hundred fifty-five and 17/100 dollars (\$855.17) to
4 compensate him for services rendered as a member of the Iowa state
5 board of dental examiners for the years 1922, 1923, and 1924; and
6 the auditor of state is hereby authorized to draw his warrant to said
7 claimant, and the treasurer of state is hereby authorized and directed
8 to pay the same as aforesaid.

1 SEC. 2. The receipt of said sum by Dr. Craig M. Work shall be in
2 full settlement of any and all claims against the state of Iowa for said
3 services rendered.

Senate File No. 470. Approved April 16, A. D. 1929.

LEGALIZING ACTS

CHAPTER 351

ALLAMAKEE COUNTY

AN ACT to legalize the proceedings of the board of supervisors of Allamakee county, Iowa, in transferring to the county general fund certain moneys from divers other funds, and to relieve said county and its board of supervisors from the obligation to return said moneys to the funds from which they were transferred.

WHEREAS, the board of supervisors of Allamakee county, Iowa, did on the various dates hereinafter named cause to be transferred to the county general fund of said county moneys from divers other funds, as follows:

September 17, 1925, \$10,000 from the county insane fund,
 October 14, 1925, \$5,000 from the county insane fund,
 November 14, 1925, \$1,430 from the court expense fund,
 January 22, 1926, \$1,700 from the domestic animal fund,
 December 31, 1926, \$5,078 from the court expense fund,
 June 25, 1927, \$5,000 from the emergency fund,
 August 31, 1927, \$3,988.95 from the anticipation road fund,
 June 30, 1928, \$5,000 from the emergency fund,
 December 31, 1928, \$4,000 from the emergency fund, and

WHEREAS, all said transfers to the county general fund were made in pursuance of prior orders of said board, and

WHEREAS, said transfers were made without securing the approval of the director of the budget, and

WHEREAS, the condition of the various funds of the said county renders inadvisable the return of said transferred funds to the various funds from which the transfers were made, now, therefore,

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

1 SECTION 1. That the acts of the board of supervisors of Allamakee
 2 county, Iowa, in transferring to the county general fund moneys from
 3 the following funds, and in the following amounts, to wit:
 4 \$15,000 in the aggregate from the county insane fund, transferred
 5 to the county general fund on September 17, 1925, and October 14,
 6 1925.
 7 \$6,508 in the aggregate from the court expense fund, transferred to
 8 the county general fund on November 14, 1925, and December 31,
 9 1926.
 10 \$1,700 from the domestic animal fund, transferred to the county
 11 general fund on January 22, 1926.
 12 \$14,000 in the aggregate from the emergency fund, transferred to
 13 the county general fund on June 25, 1927, June 30, 1928, and Decem-
 14 ber 31, 1928.

15 \$3,988.95 from the anticipation road fund, transferred to the county
 16 general fund on August 30, 1928.
 17 are hereby legalized and validated to the same extent as though said
 18 acts had been done and performed in full compliance with law, and
 19 said county and the board of supervisors thereof are hereby per-
 20 manently relieved of the obligation and duty to return to the county
 21 insane fund, the court expense fund, the domestic animal fund, the
 22 emergency fund, and the anticipation road fund, the said moneys
 23 transferred therefrom.

Senate File No. 396. Approved April 6, A. D. 1929.

CHAPTER 352

APPANOOSE COUNTY

AN ACT to legalize a transfer of funds by Appanoose county, Iowa, from the insane fund to the court expense fund.

WHEREAS, the county board of supervisors of Appanoose county, Iowa, did on the 6th day of February, 1929, transfer, by resolution duly adopted, the sum of fifteen thousand dollars (\$15,000.00) from the insane fund of said county to the court expense fund of said county; and

WHEREAS, the said sum is not needed in the insane fund; and

WHEREAS, the financial condition of the court expense fund is such that the said court expense fund cannot be drawn upon to refund the said fund; and

WHEREAS, the said board of supervisors of said Appanoose county, Iowa, did on March 4, 1929, make said transfer permanent; now therefore

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

1 SECTION 1. That the proceedings and acts of the said board of
 2 supervisors of said county of Appanoose in the state of Iowa in trans-
 3 ferring the said fifteen thousand dollars (\$15,000.00) from the insane
 4 fund to the court expense fund is hereby legalized and made valid.

1 SEC. 2. This act being deemed of immediate importance shall be in
 2 full force and effect from and after its publication in the Mystic
 3 Sentinel, a newspaper published in Mystic, Iowa, and the Moulton
 4 Tribune, a newspaper published in Moulton, Iowa, without expense
 5 to the state.

House File No. 376. Approved March 28, A. D. 1929.

I hereby certify that the foregoing act was published in the Moulton Tribune April 4, 1929. Publication incomplete by reason of the failure of the Mystic Sentinel to make publication. Act effective July 4, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 353

AUDUBON COUNTY

AN ACT to make permanent the temporary transfer of certain moneys from the county general fund to the county bridge fund of Audubon county, Iowa.

WHEREAS, on the 8th day of July, 1927, the board of supervisors of Audubon county, Iowa, secured approval, under section three hundred eighty-eight (388) of the code, from the director of the budget, of their action in making a temporary transfer of ten thousand dollars (\$10,000.00) from the county general fund to the county bridge fund of said county; and

WHEREAS, said temporary transfer has been renewed in accordance with the requirements of the director of the budget; and

WHEREAS, the revenues of the county bridge fund of Audubon county will not be sufficient to provide funds for the repayment of the said moneys to the county general fund, because of the extraordinary expenditures out of the county general fund whose maximum levy is limited by law; and

WHEREAS, it is desirable and necessary that said transfer be made permanent; therefore,

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

1 SECTION 1. The temporary transfer of ten thousand dollars
2 (\$10,000.00) made by the board of supervisors of Audubon county,
3 Iowa, on July 5th, 1927, and approved by the director of the budget
4 on July 8th, 1927, under section three hundred eighty-eight (388)
5 of the code, 1927, is hereby made permanent, and said board of super-
6 visors shall not be required to restore said funds to the county general
7 fund as provided in the terms of the temporary transfer.

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Audubon
3 County Journal, a newspaper published in Exira, Iowa, and the Ad-
4 vocate-Republican, a newspaper published in Audubon, Iowa, without
5 expense to the state.

House File No. 213. Approved April 11, A. D. 1929.

I hereby certify that the foregoing act was published in the Audubon County Journal April 18, 1929, and the Audubon Advocate-Republican April 18, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 354

CLARKE COUNTY

AN ACT to make permanent the temporary transfer of money from the bond interest fund to the general county fund of Clarke county, Iowa.

WHEREAS, the board of supervisors of Clarke county, Iowa, on December 13th, 1928, applied to the director of the budget for approval of a temporary transfer of three thousand dollars (\$3000.00) from the bond interest fund to the general county fund of said county, and said temporary transfer was approved by the director of the budget on December 17th, 1928, under section three hundred eighty-eight (388) of the code; and

WHEREAS, at the time of said transfer there was a balance in the bond interest fund of ten thousand two hundred twenty-nine dollars (\$10,229.00) while the county general fund was overdrawn more than six thousand dollars (\$6000.00) on account of the fact that the six mill general county levy, as fixed by law, will not produce enough revenue to pay the running expenses of the county; and

WHEREAS, this depletion of the resources of the general county fund is continuous while the surplus in the bond interest fund is not required by the demands on that fund and probably will continue instead of diminish; and

WHEREAS, it is impossible to reimburse the bond interest fund out of the general county fund for the reason stated; therefore,

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

1 SECTION 1. The temporary transfer of three thousand dollars
2 (\$3000.00) from the bond interest fund to the general county fund
3 of Clarke county, proposed by the board of supervisors of that county
4 on the 13th day of December, 1928, and approved by the director of
5 the budget on the 17th day of December, 1928, under section three
6 hundred eighty-eight (388) of the code, is hereby made permanent
7 and the said board of supervisors are relieved of the necessity of
8 returning the said three thousand dollars (\$3000.00) from the gen-
9 eral county fund to the bond interest fund.

1 SEC. 2. This act is deemed of immediate importance and shall be
2 in force and effect from and after its publication in the Osceola
3 Tribune and Osceola Sentinel, two newspapers published in Osceola,
4 Iowa, without expense to the state.

House File No. 335. Approved March 27, A. D. 1929.

I hereby certify that the foregoing act was published in the Osceola Tribune April 4, 1929, and the Osceola Sentinel April 4, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 355

CLINTON COUNTY

AN ACT to make permanent the temporary transfer of money from the court fund to general county fund of Clinton county, Iowa.

WHEREAS, the board of supervisors of Clinton county, Iowa, on October 4th, 1926, made application to the director of the budget for approval of a temporary transfer of ten thousand dollars (\$10,000.00) from the court fund to the general county fund, and said transfer was approved by the director of the budget on the 6th day of October, 1926, under section three hundred eighty-eight (388) of the code, and

WHEREAS, at the time said transfer was made there was a balance of ten thousand dollars (\$10,000.00) in the court fund, while the county fund was being exhausted, on account of the fact that the six mill general levy, as fixed by law, would not produce enough revenue to pay running expenses of the county, and

WHEREAS, this depletion of the resources of the general county fund is continuous, while the surplus in the court expense fund is not required by the demands on that fund and probably will continue instead of diminish, and

WHEREAS, the temporary transfer has been extended from year to year by approval of the director of the budget, and

WHEREAS, it is impossible to reimburse the court fund out of the general county fund for reasons stated, therefore,

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

1 SECTION 1. The temporary transfer of ten thousand dollars
2 (\$10,000.00) from the court fund to the general county fund of Clin-
3 ton county, Iowa, proposed by the board of supervisors of that county
4 on the 4th day of October, 1926, and approved by the director of the
5 budget on the 6th day of October, 1926, under section three hundred
6 eighty-eight (388) of the code, is hereby made permanent and the
7 said board of supervisors are relieved of the necessity of returning
8 the said ten thousand dollars (\$10,000.00) from the general county
9 fund to the court fund.

1 SEC. 2. This act, being deemed of immediate importance, shall take
2 effect and be in force from and after its publication in the Wheatland
3 Gazette, a newspaper published in Wheatland, Iowa, and the Clinton
4 Herald, a newspaper published in Clinton, Iowa, without expense to
5 the state.

House File No. 171. Approved March 11, A. D. 1929.

I hereby certify that the foregoing act was published in the Wheatland Gazette March 20, 1929, and the Clinton Herald March 14, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 356

DALLAS COUNTY

AN ACT to make permanent the temporary transfer of certain moneys from the county insane fund to the general county fund of Dallas county, Iowa.

WHEREAS, on December 29, 1926, the board of supervisors of Dallas county, Iowa, secured approval, under section three hundred eighty-eight (388) of the code, from the director of the budget, of their action in making a temporary transfer of twelve thousand dollars (\$12,000.00) from the county insane fund to the general county fund of said county; and

WHEREAS, said temporary transfer has been renewed in accordance with the requirements of the director of the budget; and

WHEREAS, the revenues and resources of the general county fund of Dallas county will not be sufficient to provide funds for the repayment of the said moneys to the county insane fund, because of extraordinary necessary expenditures out of the general county fund whose maximum levy is limited by law; and

WHEREAS, it is desirable and necessary that said transfer be made permanent; and

WHEREAS, the county insane fund does not require the return of said money; therefore,

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

1 SECTION 1. The temporary transfer of twelve thousand dollars
2 (\$12,000.00) made by the board of supervisors of Dallas county, Iowa,
3 on December 20, 1926, and approved under section three hundred
4 eighty-eight (388) code, 1927, by the director of the budget on
5 December 29, 1926, is hereby made permanent, and the said board
6 of supervisors shall not be required to restore said funds to the county
7 insane fund as provided in the terms of the said temporary transfer.

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in The Dallas
3 County News, a newspaper published at Adel, Iowa, and the Perry
4 Daily Chief, a newspaper published at Perry, Iowa, without expense
5 to the state.

Senate File No. 122. Approved March 9, A. D. 1929.

I hereby certify that the foregoing act was published in The Dallas County News March 13, 1929, and the Perry Daily Chief, March 14, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 357

DAVIS COUNTY

AN ACT to make permanent the temporary transfer of money from the county bond fund to the county general fund of Davis county, Iowa.

WHEREAS, the board of supervisors of Davis county, Iowa, on the fourth (4) day of December, 1928, applied to the director of the budget, state of Iowa, for approval of a temporary transfer of eight thousand dollars (\$8,000) from the bond fund of the county to the county general fund, and said temporary transfer was approved by the director of the budget on the tenth (10) day of December, 1928, and in accordance with section (388) three hundred and eighty-eight of the code, and

WHEREAS, at the time said transfer was made there was a balance in the county bond fund of eight thousand nine hundred and thirty-nine dollars and seventy-two cents (\$8,939.72), while the county general fund was overdrawn more than eighteen thousand dollars (\$18,000), on account that the six mill general county fund levy, as fixed by law, will not produce sufficient funds to pay the running expenses of the county; and

WHEREAS, it is impossible to reimburse the bond fund from the general county fund for the reason as stated; therefore

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

1 SECTION 1. The temporary transfer of eight thousand dollars
2 (\$8,000) from the county bond fund to the general county fund of
3 Davis county proposed by the board of supervisors of that county on
4 December fourth (4), 1928, and approved by the director of the
5 budget on December tenth (10), 1928, under section (388) three
6 hundred and eighty-eight of the code, is hereby made permanent and
7 the said supervisors are relieved of the necessity of returning the
8 said \$8,000 from the general county fund to the said bond fund.

1 SEC. 2. This act is deemed of immediate importance and shall take
2 effect and be in force from and after its publication in the Bloomfield
3 Democrat, a newspaper published at Bloomfield, Iowa, and the Davis
4 County Republican, a newspaper published in Bloomfield, Iowa, with-
5 out expense to the state.

House File No. 449. Approved March 28, A. D. 1929.

I hereby certify that the foregoing act was published in the Bloomfield Democrat April 4, 1929, and the Davis County Republican April 2, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 358

DECATUR COUNTY

AN ACT to make permanent the temporary transfer of money from the court expense fund to the general county fund of Decatur county, Iowa.

WHEREAS, the board of supervisors of Decatur county, Iowa, on August 7th, 1928, applied to the director of the budget for approval of a temporary transfer of four thousand dollars, (\$4,000.00) from the court expense fund to the general county fund of said county and said temporary transfer was approved by the director of the budget on August 9th, 1928, under section 388 (three hundred eighty-eight) of the code; and

WHEREAS, at the time of said transfer there was a balance in the court expense fund of seven thousand dollars (\$7,000.00) while the county general fund was overdrawn more than six thousand dollars, (\$6,000.00) on account of the fact that the six mill general county levy, as fixed by law, will not produce enough revenue to pay the running expenses of the county; and

WHEREAS, this depletion of the resources of the general county fund is continuous while the surplus in the court expense fund is not required by the demands on that fund and probably will continue instead of diminish; and

WHEREAS, it is impossible to reimburse the court expense fund out of the general county fund for the reasons stated; therefore,

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

1 SECTION 1. The temporary transfer of four thousand dollars
2 (\$4,000.00) from the court expense fund to the general county fund
3 of Decatur county, proposed by the board of supervisors of that
4 county, on the 7th day of August, 1928, and approved by the director
5 of the budget on the 9th day of August, 1928, under section 388
6 (three hundred eighty-eight) of the code, is hereby made permanent
7 and the said board of supervisors are relieved of the necessity of
8 returning the said four thousand dollars (\$4,000.00) from the gen-
9 eral county fund to the court expense fund.

1 SEC. 2. This act is deemed of immediate importance and shall be
2 in force and effect from and after its publication in the Decatur
3 County Journal, a newspaper published in Leon, Iowa, and the Lamoni
4 Chronicle, a newspaper published in Lamoni, Iowa, without expense
5 to the state.

Senate File No. 25. Approved March 9, A. D. 1929.

I hereby certify that the foregoing act was published in the Decatur County Journal March 14, 1929, and the Lamoni Chronicle March 21, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 359

DECATUR COUNTY

AN ACT to make permanent the temporary transfer of money from the state insane fund to the general county fund of Decatur county, Iowa.

WHEREAS, the board of supervisors of Decatur county, Iowa, on November 14th, 1927, applied to the director of the budget for approval of a temporary transfer of four thousand five hundred dollars (\$4,500.00) from the state insane fund to the general county fund of said county and said temporary transfer was approved by the director of the budget on November 16th, 1927, under section 388 (three hundred eighty eight) of the code; and

WHEREAS, at the time of said transfer there was a balance in the state insane fund of six thousand dollars (\$6,000.00) while the county general fund was overdrawn more than five thousand dollars, (\$5,000.00) on account of the fact that the six mill general county levy, as fixed by law, will not produce enough revenue to pay the running expenses of the county; and

WHEREAS, this depletion of the resources of the general county fund is continuous while the surplus in the state insane fund is not required by the demands on that fund and probably will continue instead of diminish; and

WHEREAS, it is impossible to reimburse the state insane fund out of the general county fund for the reasons stated; therefore,

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

1 SECTION 1. The temporary transfer of four thousand five hundred
2 dollars (\$4,500.00) from the state insane fund to the general county
3 fund of Decatur county, proposed by the board of supervisors of that
4 county, on the 14th day of November, 1927, and approved by the
5 director of the budget on the 16th day of November, 1927, under
6 section 388 (three hundred eighty-eight) of the code, is hereby made
7 permanent and the said board of supervisors are relieved of the neces-
8 sity of returning the said four thousand five hundred dollars
9 (\$4,500.00) from the general county fund to the state insane fund.

1 SEC. 2. This act is deemed of immediate importance and shall be
2 in force and effect from and after its publication, in the Decatur
3 County Journal, a newspaper published in Leon, Iowa, and the Lamoni
4 Chronicle, a newspaper published in Lamoni, Iowa, without expense
5 to the state.

Senate File No. 24. Approved March 13, A. D. 1929.

I hereby certify that the foregoing act was published in the Decatur County Journal March 21, 1929, and the Lamoni Chronicle March 21, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 360

DUBUQUE COUNTY

AN ACT to legalize the transfer by the board of supervisors of Dubuque county, of fifteen thousand seven hundred fifty-six dollars and seventy-nine cents (\$15,756.79) from the county general fund to the widows' pension fund of said county, said transfer being made by the said board of supervisors at a meeting held on February 28, 1928.

WHEREAS, on the 28th day of February, 1928, the board of supervisors of Dubuque county, did by resolution, authorize the transfer and did transfer from the county general fund to the county widows' pension fund, the sum of fifteen thousand seven hundred fifty-six dollars and seventy-nine cents (\$15,756.79); and

WHEREAS, the financial condition of said county and of the widows' pension fund is such that the amount so transferred cannot be returned to the general fund because of the unusual requirements and demands upon the widows' pension fund of the county; and

WHEREAS, there is no law authorizing such a transfer from the general fund to the widows' pension fund of the county; now therefore

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

1 SECTION 1. That the transfer by the board of supervisors of Du-
 2 buque county, of fifteen thousand seven hundred fifty-six dollars and
 3 seventy-nine cents (\$15,756.79) from the general fund to the widows'
 4 pension fund, said transfer being made pursuant to and under a
 5 resolution adopted by the board of supervisors of Dubuque county at
 6 a regular session held on February 28, 1928, is hereby legalized and
 7 declared valid, the same as though said transfer had been made under
 8 and pursuant to a valid provision of law, and it shall not be necessary
 9 for the board of supervisors to re-transfer said sum from the widows'
 10 pension fund to the county general fund.

House File No. 180. Approved March 27, A. D. 1929.

CHAPTER 361

KEOKUK COUNTY

AN ACT to legalize and make permanent the transfer of money from certain funds to other funds by the board of supervisors of Keokuk county, Iowa.

WHEREAS, the board of supervisors of Keokuk county, Iowa, by resolutions passed in the years 1924 to 1928, provided for the temporary transfer of \$19,000.00 from the court expense fund to the general county fund, of \$21,000.00 from the county insane fund to the general county fund, and of \$10,000.00 from the state insane fund to the bridge fund, and

WHEREAS, such temporary transfers were duly approved by the director of the budget under section three hundred eighty-eight (388) of the code, 1927, and

WHEREAS, the financial condition of said Keokuk county, Iowa, is such

that the general county fund and the bridge fund cannot be drawn on to return said money, and

WHEREAS, on February 4th, 1929, the board of supervisors of said Keokuk county adopted a resolution making the foregoing temporary transfers permanent, therefore

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

1 SECTION 1. The permanent transfer made by the Board of Super-
2 visors of Keokuk county, Iowa, on February 4th, 1929, to-wit:—Of
3 nineteen thousand dollars (\$19,000.00) from the court expense fund
4 to the general county fund, of twenty-one thousand dollars (\$21,000.-
5 00) from the county insane fund to the general county fund, and of
6 ten thousand dollars (\$10,000.00) from the state insane fund to the
7 bridge fund of said county, are hereby legalized and validated.

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in full force from and after its publication in the Keokuk
3 County News, a newspaper published in Sigourney, Iowa, and the
4 What Cheer Patriot, a newspaper published in What Cheer, Iowa, with
5 out expense to the state.

Senate File No. 358. Approved March 26, A. D. 1929.

I hereby certify that the foregoing act was published in the Keokuk County News April 4, 1929, and the What Cheer Patriot April 4, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 362

LYON COUNTY

AN ACT to legalize an election held by the voters of Lyon county, on the fourth day of June, 1928, with reference to the construction of a jail and sheriff's residence combined, and to legalize the tax levied therefor, by the board of supervisors of said county.

WHEREAS, on the fourth day of June, 1928, a special election was held in Lyon county, at which the following question was submitted to vote, to-wit:

"Shall the board of supervisors of Lyon county, Iowa, be authorized to build, erect and construct, a county jail, and sheriff's residence combined, in the city of Rock Rapids, for Lyon county, Iowa, and expend therefor a sum of money not exceeding \$35,000.00," and

WHEREAS, at said special election there were nineteen hundred forty-eight votes cast for said proposition, and one hundred twelve votes were cast against said proposition, and

WHEREAS, the said building proposed to be erected has been erected, and the board of supervisors of said county has levied a tax to pay for the same, and

WHEREAS, question has been raised as to the legality of said election, and tax levy, for the reason, that the provisions of chapter 265, of the code

1927, were not complied with, in that, there was not submitted with said proposition a provision to levy a tax for the payment thereof, in addition to other taxes.

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

1 SECTION 1. That the action of the board of supervisors in sub-
2 mitting to the voters of Lyon county, the question of erecting a jail,
3 and sheriff's residence combined, on the fourth day of June, 1928, and
4 in levying a tax to pay therefor, be and the same are hereby legalized
5 the same as though all the requirements of chapter 265, of the code
6 1927, were strictly and fully complied with.

1 SEC. 2. This act being deemed of immediate importance shall be in
2 full force and effect from and after its publication in the Iowa Legion-
3 aire, a newspaper published in the city of Des Moines, Iowa, and the
4 Rock Rapids Reporter, published in Rock Rapids, Iowa, without ex-
5 pense to the state.

Senate File No. 39. Approved March 21, A. D. 1929.

I hereby certify that the foregoing act was published in the Rock Rapids Reporter March 28, 1929, and the Iowa Legionaire May 3, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 363

MARION COUNTY

AN ACT to make permanent a transfer from the emergency fund to the poor fund of Marion county, Iowa.

WHEREAS, on written application of the board of supervisors of Marion county, Iowa of date November 7, 1927, there was approved by the director of the budget of the state of Iowa on November 14, 1927, a resolution adopted by said board of supervisors making temporary transfer of the sum of twelve thousand four hundred ninety seven and ninety four one hundredths dollars (\$12,497.94) from the emergency fund of Marion county, Iowa to the poor fund of said county, and

WHEREAS, the said approval of the director of the budget was on condition that the amount so transferred from the emergency fund to the poor fund be returned thereto as soon as necessary, and

WHEREAS, the necessity for said re-payment to said emergency fund, in the opinion of said board of supervisors, has not arisen, the conditions which resulted in the need of additional monies in said poor fund still exist, and there has continued to be sufficient monies in the emergency fund up to this date and it appears likely to continue for some time in the future, and said poor fund being now overdrawn, in the opinion of said board of supervisors, a permanent transfer from said emergency fund to the poor fund of Marion county, Iowa, is advisable and requested, and

WHEREAS, the said board of supervisors by resolution on the 4th day of February 1929, made permanent the said transfer of twelve thousand

four hundred ninety seven and ninety four one hundredths dollars (\$12,497.94), and

WHEREAS, there is no law authorizing said permanent transfer, therefore,

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

- 1 SECTION 1. The resolution of the board of supervisors of Marion
- 2 county, Iowa, of February 4, 1929, making permanent the transfer
- 3 from the emergency fund of said Marion county, Iowa to the poor
- 4 fund of said county, be and the same is hereby legalized and made
- 5 valid.

Senate File No. 178. Approved March 9, A. D. 1929.

CHAPTER 364

MONROE COUNTY

AN ACT to make legal and permanent a transfer from the insane fund to the poor fund of Monroe county, Iowa.

WHEREAS, on written application of the board of supervisors for Monroe county, Iowa, of date October 26, 1927, there was approved by the director of the budget for the state of Iowa on November 1, 1927, a resolution adopted by said board of supervisors making temporary transfer of the sum of two thousand seven hundred seventy-seven and ninety-six hundredths dollars (\$2,777.96) from the insane fund of Monroe county to the poor fund of said county; and

WHEREAS, the said approval of the director of the budget was on condition that the amount so transferred from the insane fund of Monroe county be returned thereto as soon as necessary; and

WHEREAS, the necessity for the repayment to said insane fund, in the opinion of said board of supervisors, has not yet arisen, the conditions which resulted in the need of additional monies in the said poor fund, and in an overplus of monies in the insane fund, have continued to this date and appear likely to continue for some time in the future—the said poor fund being now overdrawn and the said insane fund having a balance of two thousand four hundred fifty-five and thirteen hundredths dollars (\$2,455.13) therein, which amount, in the opinion of said board, is more than ample to meet the demands thereon until augmented by further taxation; and

WHEREAS, in the opinion of said board of supervisors, the present levy for the said insane fund will yield revenue therefor more than sufficient to meet the necessary future withdrawals therefrom; and

WHEREAS, the said board of supervisors has by resolution made permanent the said transfer of two thousand seven hundred seventy-seven and ninety-six hundredths dollars (\$2,777.96); and

WHEREAS, there is no law of this state authorizing said permanent transfer; therefore

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

1 SECTION 1. That the resolution of the board of supervisors of Mon-
 2 roe county, Iowa of date of January 19th, 1929, making permanent a
 3 transfer of two thousand seven hundred seventy-seven and ninety-
 4 six hundredths dollars (\$2,777.96) from the insane fund of said
 5 Monroe county to the poor fund of said county, which transfer was
 6 approved by the director of the budget for Iowa on November 1, 1927,
 7 be and the same is hereby legalized.

Senate File No. 177. Approved March 9, A. D. 1929.

CHAPTER 365

MILLS COUNTY

AN ACT to make permanent the temporary transfer of money from the county bridge fund, county hospital insane fund and the county poor fund to the county general fund of Mills county, Iowa.

WHEREAS, the board of supervisors of Mills county, Iowa, on December 15, 1926, applied to the director of the budget, state of Iowa, for approval of a temporary transfer of five thousand dollars (\$5,000.00) from the county hospital insane fund to the county general fund, and said temporary transfer was approved by the director of the budget on the 29th day of December, 1926, and in accordance with section three hundred eighty-eight (388) of the code of Iowa, 1927; and

WHEREAS, the board of supervisors of Mills county, Iowa, on December 3, 1928, applied to the director of the budget for approval of temporary transfers of two thousand dollars (\$2,000.00) and seventeen hundred dollars (\$1,700.00) from the county bridge fund and county poor fund respectively, and said temporary transfers were approved by the director of the budget on the 14th day of December, 1928, under and in accordance with section three hundred eighty-eight (388) of the code of Iowa, 1927; and

WHEREAS, the tax levy for the county general fund has not been sufficient to permit the county to meet the necessary requirements of the county general fund and said county has been unable, and is now unable, and it does not appear it ever will be able to reimburse the county hospital insane fund, the county bridge fund, and the county poor fund from the county general fund; therefore

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

1 SECTION 1. The temporary transfers of five thousand dollars
 2 (\$5,000.00) from the county hospital insane fund, and of two thou-
 3 sand dollars (\$2,000.00) from the county bridge fund, and seventeen
 4 hundred dollars (\$1,700.00) from the county poor fund to the county
 5 general fund of Mills county, Iowa, proposed by the board of super-
 6 visors of that county on December 15, 1926, and December 3, 1928,
 7 respectively, and approved by the director of the budget on December
 8 29, 1926, and December 14, 1928, respectively, under section three

9 hundred eighty-eight (388) of the code, 1927, are hereby made per-
10 manent.

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Glenwood
3 Opinion-Tribune, a newspaper published in Glenwood, Iowa, and the
4 Malvern Leader, a newspaper published in Malvern, Iowa, without
5 expense to the state.

House File No. 120. Approved March 11, A. D. 1929.

I hereby certify that the foregoing act was published in the Glenwood Opinion-Tribune March 18, 1929, and the Malvern Leader March 14, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 366

OSCEOLA COUNTY

AN ACT to make permanent the temporary transfer of money from the county bridge fund to the county general fund of Osceola county, Iowa.

WHEREAS, the board of supervisors of Osceola county, Iowa, on July 12, 1924, applied to the budget director for approval of a temporary transfer of ten thousand dollars (\$10,000.00) from the county bridge fund to the county general fund, and said temporary transfer was approved by the director of the budget on the 23rd day of August, 1924, under and in accordance with section three hundred eighty-eight (388), of the code of Iowa 1927; and

WHEREAS, since the date of said temporary transfer the sum of three thousand dollars (\$3,000.00) has been transferred out of the county general fund back to the county bridge fund; and

WHEREAS, the tax levy for the county general fund has not been sufficient to permit the county to meet the necessary requirements of the county general fund and said county has been unable, and is now unable, and it does not appear it ever will be able to reimburse the county bridge fund from the county general fund; therefore

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

1 SECTION 1. The temporary transfer of ten thousand dollars
2 (\$10,000.00) from the county bridge fund to the county general fund
3 of Osceola county, proposed by the board of supervisors of that county
4 on July 12, 1924, and approved by the director of the budget on
5 August 23, 1924, under section three hundred eighty-eight (388) of
6 the code, is hereby made permanent to the amount of seven thousand
7 dollars (\$7,000.00), and the said board of supervisors of Osceola
8 county is relieved of the necessity of returning the said seven thou-
9 sand dollars (\$7,000.00) from the county general fund to the county
10 bridge fund.

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Sibley
3 Tribune, a newspaper published in Sibley, Iowa, and the Sibley

4 Gazette, a newspaper published in Sibley, Iowa, without expense to
5 the state.

Senate File No. 75. Approved March 9, A. D. 1929.

I hereby certify that the foregoing act was published in the Sibley Tribune March 14, 1929, and the Sibley Gazette March 21, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 367

SHELBY COUNTY

AN ACT to make permanent a transfer of funds by the board of supervisors of Shelby county, Iowa.

WHEREAS, the board of supervisors of Shelby county, Iowa, in 1927, made temporary transfers from the tuberculosis eradication fund to the general county fund and the poor fund of said county in the sums of \$6,000.00 and \$3,000.00 respectively, and

WHEREAS, it is impossible to restore such sums to the funds from which transferred, as provided in the temporary transfer approved by the budget department, and

WHEREAS, the tuberculosis eradication fund has an ample balance for all of its needs, therefore

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

1 SECTION 1. Temporary transfers of six thousand dollars (\$6,000.00)
2 from the tuberculosis eradication fund of Shelby county to the county
3 fund and the three thousand dollars (\$3,000.00) from the tuberculosis
4 eradication fund to the poor fund, made by the board of supervisors of
5 Shelby county in 1927, are made permanent and said board of super-
6 visors shall not be required to return such moneys to the said fund as
7 required by section 388 (three hundred eighty-eight) of the code.

1 SEC. 2. This act being deemed of immediate importance shall be in
2 force and effect after its publication in the Harlan Tribune of Harlan,
3 Iowa, and the Harlan Republican of Harlan, Iowa, at no expense to
4 the state.

Senate File No. 341. Approved March 30, A. D. 1929.

I hereby certify that the foregoing act was published in the Harlan Tribune April 10, 1929, and the Harlan Republican April 4, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 368

WASHINGTON COUNTY

AN ACT to make permanent the temporary transfer of money from the hospital maintenance fund of the Washington county hospital to the hospital building fund of said hospital.

WHEREAS, the trustees of the county hospital of Washington county, Iowa, on February 8, 1928, applied to the director of the budget of the state of Iowa, for approval of a temporary transfer of seventeen thousand five hundred dollars (\$17,500.00) from the hospital maintenance fund to the hospital building fund of said hospital and said temporary transfer was approved by the director of the budget on the 18th day of February, 1928, under section 388 (three hundred eighty-eight) of the code; and

WHEREAS, said transfer was made as authorized, and

WHEREAS, the hospital building fund is depleted and no funds are available therein to return the sum of seventeen thousand five hundred dollars (\$17,500.00) so transferred from the maintenance fund while there is a surplus in the hospital maintenance fund which surplus will probably continue instead of diminish; and

WHEREAS, it is impossible to reimburse the hospital maintenance fund out of the hospital building fund for the reason stated; therefore

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

1 SECTION 1. The temporary transfer of seventeen thousand five
2 hundred dollars (\$17,500.00) from the hospital maintenance fund to
3 the hospital building fund of the Washington county hospital applied
4 for by the trustees of said Washington county hospital on February
5 8th, 1928, and approved by the director of the budget on February
6 18, 1928, under section 388 (three hundred eighty-eight) of the code
7 is hereby made permanent and the said trustees of the Washington
8 county hospital are relieved of the necessity of returning the said
9 seventeen thousand five hundred dollars (\$17,500.00) from the hospi-
10 tal building fund to the hospital maintenance fund.

1 SEC. 2. This act is deemed of immediate importance and shall be
2 in force and effect from and after its publication in the Evening Jour-
3 nal, a newspaper published in Washington, Iowa, and the Democrat
4 Independent, a newspaper published in Washington, Iowa, without
5 expense to the state.

House File No. 147. Approved March 11, A. D. 1929.

I hereby certify that the foregoing act was published in the Washington Evening Journal March 15, 1929, and the Washington Democrat Independent March 14, 1929.

Ed. M. SMITH, *Secretary of State.*

CHAPTER 369

WEBSTER COUNTY

AN ACT to legalize the proceedings of the board of supervisors of Webster county in making a certain transfer of funds.

WHEREAS, on February 5th, 1929, the board of supervisors of Webster county adopted a resolution providing for the transfer of ten thousand dollars (\$10,000.00) from the court expense fund to the county poor fund of said county, and

WHEREAS, the said act of the supervisors was without authority of law, and

WHEREAS, the poor fund of said county is depleted because the levy for same is inadequate, therefore

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

1 SECTION 1. The action of the board of supervisors of Webster
2 county, taken on February 5th, 1929, by which said board ordered
3 the treasurer and the auditor of the county to transfer ten thousand
4 dollars (\$10,000.00) from the court expense fund to the poor fund
5 of said county, is hereby legalized and said transfer is confirmed and
6 made legal.

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Fort Dodge
3 Messenger, a newspaper published in Fort Dodge, Iowa, and the
4 Gowrie News, a newspaper published in Gowrie, Iowa, without expense
5 to the state.

House File No. 328. Approved March 22, A. D. 1929.

I hereby certify that the foregoing act was published in the Ft. Dodge Messenger March 27, 1929, and the Gowrie News March 28, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 370

CITY OF ALBIA

AN ACT to make legal and permanent a transfer from the general fund to the library fund of the city of Albia, Monroe county, Iowa.

WHEREAS, on written application of the city council of the city of Albia, Monroe county, Iowa, of date of August 6, 1928, there was approved by the director of the budget of the state of Iowa a resolution adopted by said city council making a temporary transfer of eight hundred dollars (\$800.00) from the general fund to the library fund of said city; and

WHEREAS, the said approval of the director of the budget was on condition that the amount so transferred be returned as soon as necessary; and

WHEREAS, the necessity for the repayment to said general fund, in the opinion of said city council has not arisen, and that there is sufficient funds

in the aforesaid general fund to care for all warrants issued thereon until it is replenished by the collection of taxes; and

WHEREAS, there being no funds available at this time in the library fund to return the amount transferred to the general fund; and

WHEREAS, the city council of the city of Albia, Monroe county, Iowa, has by resolution made permanent the said transfer of eight hundred dollars (\$800.00); and

WHEREAS, there is no law in this state authorizing said permanent transfer, therefore,

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

- 1 SECTION 1. That the resolution of the city council of the city of
- 2 Albia, Monroe county, Iowa, of March 18, 1929, making permanent
- 3 a transfer of eight hundred dollars (\$800.00) from the general fund
- 4 of the city of Albia, Monroe county, Iowa, to the library fund of said
- 5 city, which transfer was approved by the director of the budget for
- 6 Iowa on August 6, 1928, be and the same is hereby legalized.

Senate File No. 491. Approved April 16, A. D. 1929.

CHAPTER 371

CITY OF CHARLES CITY

AN ACT to make permanent the temporary transfer of certain funds by the municipality of Charles City, Iowa.

WHEREAS, the council of the city of Charles City, Iowa, on August 19, 1924, applied to the director of the budget, under section three hundred eighty-eight (388) of the code, to approve a temporary transfer of four thousand dollars (\$4,000) from the bridge fund to the general fund and a temporary transfer of four thousand dollars (\$4,000) from the road fund to the general fund of said municipality, and which approval was given by the director of the budget on the condition that said money would be restored to the said bridge fund and road fund within a year, and

WHEREAS, the council of Charles City has found it impossible to restore said eight thousand dollars (\$8,000) to the bridge and road funds because the revenue of the general fund has been fully required by the expenditures therefrom, therefore

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

- 1 SECTION 1. A temporary transfer of four thousand dollars (\$4,000)
- 2 from the bridge fund to the general fund and a temporary transfer
- 3 of four thousand dollars (\$4,000) from the road fund to the general
- 4 fund made by the city council of Charles City, Iowa, on August 19,
- 5 1924, and thereafter approved by the director of the budget in
- 6 accordance with the provisions of section three hundred eighty-eight
- 7 (388) of the code, are hereby made permanent.

- 1 SEC. 2. This act being deemed of immediate importance shall be

2 in force and effect from and after its publication in the Charles City
 3 Daily Press, a newspaper published in Charles City, Iowa, and the
 4 Rockford Register, a newspaper published at Rockford, Iowa, without
 5 expense to the state.

House File No. 391. Approved March 28, A. D. 1929.

I hereby certify that the foregoing act was published in the Charles City Daily Press April 1, 1929, and the Rockford Register April 3, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 372

DES MOINES

AN ACT to legalize the proceedings of the city council of the city of Des Moines, in Polk county, Iowa, and to approve the acts and proceedings of said city and its officers and employees in the handling of the "removing snow and ice fund" and other funds of said city.

WHEREAS, the removing snow and ice fund of the city of Des Moines, Polk county, Iowa, was limited to two thousand three hundred and no/100 dollars (\$2,300.00) for the fiscal year ending April 1, 1929; and

WHEREAS, said fund has proven wholly inadequate for the immediate needs of said city, owing to the unprecedented fall of snow and the formation of ice upon the streets and sidewalks of said city; and

WHEREAS, it became immediately necessary to use some fund for the payment of labor to keep said streets open to traffic; and

WHEREAS, together with the sums already expended it is reasonably probable that it will be necessary to expend the total sum of twenty-three thousand dollars (\$23,000.00) from the bridge fund of said city for the removal of said snow and ice; now therefore,

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

1 SECTION 1. That the expenditures from the bridge fund of the city
 2 of Des Moines, Polk county, Iowa, of various sums for the purpose of
 3 removing snow and ice from the streets of said city, and the payment
 4 of warrants thereon for labor and material necessary to keep said
 5 city's streets open to public travel, are hereby legalized and their
 6 validity approved as fully as though said expenditures and payments
 7 had been made under specific authority of law, and all the acts and
 8 proceedings of the officers and employees of said city, with respect
 9 to said expenditures and payments, are hereby approved and con-
 10 firmed and the treasurer and auditor of said city are hereby author-
 11 ized to correct their books in accordance herewith.

1 SEC. 2. This act is deemed of immediate importance and shall take
 2 effect from and after its publication in the Plain Talk, a newspaper
 3 published in Des Moines, Iowa, and in the Iowa Legionaire, a news-
 4 paper published in Des Moines, Iowa, without expense to the state.

House File No. 332. Approved April 11, A. D. 1929.

I hereby certify that the foregoing act was published in the Des Moines Plain Talk April 19, 1929, and the Iowa Legionaire May 3, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 373

CITY OF FOREST CITY

AN ACT to legalize a transfer of funds by the city council of Forest City, Iowa.

WHEREAS, the city council of the city of Forest City, Iowa, in special session on February 21, 1929, passed a resolution as follows:

"WHEREAS there is now a balance of \$3,076.51 in the city sewer fund for all of which balance there is no immediately or prospective need, and

"WHEREAS the city is owing a considerable sum on one of its fire trucks which sum can not be paid out of the fire fund at the present time.

"THEREFORE be it resolved by the city council of the city of Forest City, Iowa, that the sum of twenty-five hundred dollars (\$2,500.00) be transferred from said city sewer fund to the fire fund in order that said debt may be paid thereby saving the city a considerable sum in future interest charges."

now therefore

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

1 SECTION 1. That the act of the city council of the city of Forest
2 City, Iowa, in transferring the sum of twenty-five hundred dollars
3 (\$2,500.00) from the city sewer fund to the fire fund be and the same
4 is hereby legalized and validated.

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in The Forest
3 City Summit, a newspaper published in Forest City, Iowa, and Winne-
4 bago Republican, a newspaper published at Forest City, Iowa, without
5 expense to the state.

Senate File No. 409. Approved April 5, A. D. 1929.

I hereby certify that the foregoing act was published in the Forest City Summit April 11, 1929, and the Winnebago Republican April 11, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 374

CITY OF MISSOURI VALLEY

AN ACT to legalize and make permanent the transfer of money from the grading fund to the fire fund of the city of Missouri Valley, Iowa.

WHEREAS, the council of the city of Missouri Valley, Iowa, had for the year 1926 and prior years, certified a levy of three mills in the fire fund of the said city, for the purpose of maintaining the fire department, the same being the maximum levy permitted under the statute; and

WHEREAS, through error the proceeds of the said levy in the fire fund were not sufficient to meet the demands and claims against the said fund; and

WHEREAS, the city of Missouri Valley, Iowa, by its council, has, by resolution duly and legally adopted, and in accordance with the statutes relating thereto, and with the approval of the director of the budget, temporarily transferred the sum of six hundred dollars (\$600.00) from the grading fund to the fire fund, for the purpose of meeting the payments of the demands made thereon; and

WHEREAS, there is ample money in the grading fund to meet all demands thereon after the permanent transfer of the said six hundred dollars (\$600.00) to the fire fund; and

WHEREAS, the levy of three mills in the fire fund will only be sufficient to meet the payment of the expenses required hereafter in the said fund, leaving no surplus in the fire fund to reimburse the grading fund for the amount so transferred; and

WHEREAS, all laws relating to municipalities have been complied with; therefore

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

1 SECTION 1. **Transfer legalized and made permanent.** The acts of
2 the council of the city of Missouri Valley, Iowa, in transferring the
3 sum of six hundred dollars (\$600.00) from the grading fund to the
4 fire fund, is hereby legalized and validated and the said temporary
5 transfer is hereby made permanent, and no reimbursement of the
6 grading fund for the amount so transferred shall hereafter be re-
7 quired.

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 Iowa Legionaire, a newspaper published at Des
4 Moines, Iowa, and the Harrison County News, a newspaper published
5 at Missouri Valley, Iowa, without expense to the state.

Senate File No. 198. Approved March 9, A. D. 1929.

I hereby certify that the foregoing act was published in the Iowa Legionaire May 3, 1929, and the Harrison County News March 11, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 375

CITY OF STORM LAKE

AN ACT to legalize certain ordinances and certain ordinances amending other ordinances of the city of Storm Lake, Buena Vista county and state of Iowa.

WHEREAS, doubts have arisen as to the legality of certain ordinances and amendments to certain ordinances passed, approved and adopted by the city of Storm Lake, Buena Vista county and state of Iowa, said ordinances being hereinafter more specifically described and set forth in that said ordinances 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; now therefore,

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

1 SECTION 1. That the following ordinances and amendments to
2 ordinances of the city of Storm Lake, Buena Vista county and state
3 of Iowa more specifically described as follows, to wit:

4 Revised ordinance No. 37, entitled, "An ordinance prohibiting the
5 use of and travel upon certain streets and alleys of the city of Storm
6 Lake, Iowa, the certain traction engines on all other streets and
7 alleys in said city." Passed and adopted April 15, 1914.

8 Revised ordinance No. 40, entitled, "An ordinance to amend revised
9 ordinance No. 23 of the revised ordinances of the city of Storm Lake,
10 Iowa, relating to misdemeanors." Passed and adopted May 21st,
11 1915.

12 Revised ordinance No. 41, entitled, "An ordinance, re-establishing
13 the grades on Fifth street, between the west line of Oneida street
14 and the west line of Early's Addition to the city of Storm Lake,
15 Iowa; also re-establishing the grades on Lake avenue from the north
16 line of the C. M. & St. P. Railway right-of-way to the south curb
17 line of Lake Shore road." Passed and adopted May 21st, 1915.

18 Revised ordinance No. 42, entitled, "An ordinance, establishing
19 widths between curbs on certain streets in the city of Storm Lake,
20 Iowa." Passed and adopted May 21st, 1915.

21 Revised ordinance No. 43, entitled, "An ordinance re-establishing
22 the grades on streets, avenues and highways in the city of Storm
23 Lake, Iowa, and repealing so much of all other ordinances to the
24 extent that they conflict with this ordinance." Passed and adopted
25 March 27th, 1916.

26 Revised ordinance No. 44, entitled, "An ordinance re-establishing
27 the grades on streets, avenues and highways in the city of Storm
28 Lake, Iowa, and repealing so much of all other ordinances to the
29 extent that they conflict with this ordinance." Passed and adopted
30 May 22nd, 1916.

31 Revised ordinance No. 45, entitled, "An ordinance to widen the
32 alley through blocks thirty-one and forty in the city of Storm Lake,
33 Iowa, and to establish the same as a street to be known as South
34 Erie street." Passed and adopted June 19th, 1916.

35 Revised ordinance No. 48, entitled, "An ordinance to extend Iowa
36 street from Grand avenue to Early street and to vacate alleys."
37 Passed and adopted May 21, 1917.

38 Revised ordinance No. 49, entitled, "An ordinance re-establishing
39 the grades on certain streets, avenues and alleys in the city of Storm
40 Lake, Iowa, and repealing so much of all other grade ordinances to
41 the extent that they conflict with this ordinance." Passed and
42 adopted May 28th, 1917.

43 Revised ordinance No. 50, entitled, "An ordinance re-establishing
44 the sidewalk grades on the W. side of Early street from 4th street
45 to 3rd street and on Terence street from 5th street to 3rd street."
46 Passed and adopted July 2nd, 1917.

47 Revised ordinance No. 51, entitled, "An ordinance re-establishing
48 the sidewalk grades on Superior street from Lake Shore drive to
49 First street, on Lake Shore drive from Hudson street to Superior
50 street, on Lake avenue from north R. O. W. line of the C. M. & St.

51 P. Ry. to north city limits and on Iowa street from Early street to
52 Grand avenue." Passed and approved July 2nd, 1917.

53 Revised ordinance No. 52, entitled, "An ordinance re-establishing
54 the curb grades on Superior street from First street to Lake Shore
55 drive, Lake Shore drive from Hudson street to Superior street, Lake
56 avenue from N. R. O. W. line of the C. M. & St. P. Ry., to north city
57 limits and Iowa street from Grand avenue to Early street and re-
58 pealing so much of all other grade ordinances to the extent that they
59 conflict with this ordinance." Passed and adopted July 2nd, 1917.

60 Revised ordinance No. 53, entitled, "An ordinance re-establishing
61 the sidewalk grades on Early street from Iowa street to Third street,
62 on Terence street from Fifth street to Third street, and repealing
63 so much of all other grade ordinances to the extent that they conflict
64 with this ordinance." Passed and adopted September 17th, 1917.

65 Revised ordinance No. 54, entitled, "An ordinance re-establishing
66 the curb grades on Early street from Iowa street to 3rd street, on
67 Terence street from 5th street to 3rd street and repealing so much
68 of all other ordinances to the extent that they conflict with this
69 ordinance." Passed and adopted September 17th, 1917.

70 Revised ordinance No. 55, entitled, "An ordinance establishing the
71 width of sidewalks on parts of Lake avenue and Fifth street."
72 Passed and adopted October 16th, 1917.

73 Revised ordinance No. 56, entitled, "An ordinance re-establishing
74 the sidewalk grades on College avenue from the S. line of Third
75 street to the alley between 2nd street and 1st street, and from 6th
76 street to I. C. R. R. Co.'s main track, and repealing so much of all
77 other grade ordinances to the extent that they conflict with this
78 ordinance." Passed and adopted November 6th, 1917.

79 Revised ordinance No. 57, entitled, "An ordinance re-establishing
80 the curb grades on College avenue from the south line of 3rd street
81 to the alley between 2nd street and First street and from 6th street
82 to I. C. R. R. Co.'s main track, and repealing so much of all other
83 grade ordinances to the extent that they conflict with this ordi-
84 nance." Passed and adopted November 6th, 1917.

85 Revised ordinance No. 58, entitled, "An ordinance providing for
86 the care and inspection of premises by the fire department to safe-
87 guard the public and property against fire." Passed and adopted
88 December 18th, 1917.

89 Revised ordinance No. 59, entitled, "An ordinance re-establishing
90 the sidewalk grades on the west side of Lake avenue from 6th street
91 to 7th street." Passed and adopted February 18th, 1918.

92 Revised ordinance No. 60, entitled, "An ordinance to vacate north
93 sixty feet of that part of Railroad street lying south of the adjoining
94 lot three (3) in block ten (10) in the city of Storm Lake, Iowa."
95 Passed and adopted May 6th, 1918.

96 Revised ordinance No. 63, entitled "An ordinance establishing the
97 sidewalk grades on Milwaukee avenue from Vestal street to Michi-
98 gan street, on 7th street from Vestal street to Michigan street, on
99 6th street from Vestal street to Geneseo street, on Otsego street
100 from 7th street to 6th street, on Vestal street from Milwaukee ave-
101 nue to 6th street, on 1st street from Superior street to Mae street
102 and on Russell street from 1st street to Lake Shore drive." Passed
103 and adopted August 5th, 1918.

104 Revised ordinance No. 64, entitled, "An ordinance establishing the
105 curb grades on Milwaukee avenue from Vestal street to Michigan
106 street, on 7th street from Vestal street to Michigan street, on 6th
107 street from Vestal street to Geneseo street, on Vestal street from
108 Milwaukee avenue to 6th street, on Otsego street from 7th street to
109 Sixth street, on 1st street from Superior street to Mae street and
110 on Russell street from 1st street to Lake Shore drive." Passed and
111 adopted August 5th, 1918.

112 Revised ordinance No. 65, entitled, "An ordinance establishing
113 sidewalk grades on First street between Oneida street and Superior
114 street, in the city of Storm Lake, Iowa, and repealing so much of all
115 other grade ordinances to the extent that they conflict with this
116 ordinance." Passed and adopted November 4th, 1918.

117 Revised ordinance No. 66, entitled, "An ordinance establishing the
118 curb grades on First street from Seneca street to Superior street in
119 the city of Storm Lake, Iowa." Passed and adopted November 4th,
120 1918.

121 Revised ordinance No. 69, entitled, "An ordinance vacating the
122 alley in block 51, in the city of Storm Lake, Iowa, and establishing
123 the same as a street." Passed and adopted April 22nd, 1919.

124 Revised ordinance No. 70, entitled, "An amendment to revise ordi-
125 nance No. 23, defining and punishing misdemeanors." Passed and
126 adopted April 22nd, 1919.

127 Revised ordinance No. 71, entitled, "An ordinance vacating the
128 alley in block 45, in the city of Storm Lake, Iowa, and establishing
129 the same as a street." Passed and adopted June 2nd, 1919.

130 Revised ordinance No. 72, entitled, "An ordinance vacating alleys
131 in block 32, 39, and 46, in the city of Storm Lake, Iowa, and estab-
132 lishing the same as a street." Passed and adopted June 2nd, 1919.

133 Revised ordinance No. 73, entitled, "An ordinance vacating alley
134 in block 2, Russell's Addition to the city of Storm Lake, Iowa."
135 Passed and adopted October 6th, 1919.

136 Revised ordinance No. 74, entitled, "An ordinance to regulate the
137 location of buildings in the city of Storm Lake, Iowa." Passed and
138 adopted March 23rd, 1920.

139 Revised ordinance No. 76, entitled, "An amendment to provide for
140 the manner of making connections from the main sewer district,
141 and the sewer system in the west and southwest parts of the said
142 sewer district." Passed and adopted April 5th, 1920.

143 Revised ordinance No. 77, entitled, "An ordinance regulating the
144 use of streets, alleys and highways of the city of Storm Lake, Iowa,
145 including the driving, using, operating, and parking and stopping of
146 motor vehicles and establishing districts within said city and regu-
147 lating the speed of motor vehicles within said districts and providing
148 a penalty for the violation of said ordinances." Passed and adopted
149 June 1st, 1920.

150 Revised ordinance No. 79, entitled, "An ordinance establishing the
151 curb grades on South Erie street from Second street to Third street."
152 Passed and adopted September 7th, 1920.

153 Revised ordinance No. 80, entitled, "An ordinance establishing
154 grades on South Erie street to Third street." Passed and adopted
155 September 7th, 1920.

156 Revised ordinance No. 81, entitled, "An ordinance establishing the

157 curb grades on Fifth street from W. line Early's Addition to 530
158 ft. W. of Larchwood drive; on Sixth street from Vestal street to
159 Larchwood drive; on Vestal street from Fifth street to I. C. R. R.
160 Co.'s main track; on Michigan avenue from Third street." Passed
161 and adopted September 7th, 1920.

162 Revised ordinance No. 82, entitled, "An ordinance establishing side-
163 walk grades on Fifth street from the west line of Early's Addition
164 to 530 ft. W. of Larchwood drive; on S. line of Sixth street from
165 Barton street to Larchwood drive; on Michigan avenue from Third
166 street to I. C. R. R. Co.'s R. O. W; on Me. street. From First street
167 to Third street." Passed and adopted September 7th, 1920.

168 Revised ordinance No. 83, entitled, "An ordinance establishing the
169 curb grades on N. Erie street from the south line of block 5, Rob-
170 bins, Add. to 10th St., on south line of block 5, Robbins Add. from
171 north Erie street to Lake Ave. on 9th street from North Erie street
172 to Lake avenue and on 10th street from North Erie street to Lake
173 avenue." Passed and adopted September 7th, 1920.

174 Revised ordinance No. 84, entitled, "An ordinance establishing the
175 sidewalk grades on North Erie street from the south line of block
176 5 Robbins Add. to 10th street, on south line of block 5 Robbins Add.
177 from North Erie street to Lake avenue, on 9th street from North
178 Erie street to Lake avenue and on 10th street from North Erie street
179 to Lake avenue." Passed and adopted September 7th, 1920.

180 Revised ordinance No. 85, entitled, "An ordinance establishing
181 sidewalk grades on Barton street from Fifth street to Sixth street."
182 Passed and adopted September 20th, 1920.

183 Revised ordinance No. 86, entitled, "An ordinance re-establishing
184 sidewalk grades on the south side of Fifth street from Lake avenue
185 to the alley east; on the north side of Railroad street from Lake
186 avenue to the alley east; on the east side of Lake avenue from Fifth
187 street to Railroad street." Passed and adopted September 20th, 1920.

188 Revised ordinance No. 87, entitled, "An ordinance establishing
189 curb grades on Barton street from Fifth street to Sixth street."
190 Passed and adopted September 20th, 1920.

191 Ordinance No. 88, entitled, "An ordinance establishing sidewalk
192 grades from Milwaukee avenue to the north line of the C. M. & St.
193 P. Ry. Co.'s right of way, and on Vestal street from 6th street to
194 the Illinois Central R. R. Co.'s main track." Passed and adopted
195 October 4th, 1920.

196 Revised ordinance No. 89, entitled, "An ordinance establishing
197 curb grades on Sixth street from Larchwood drive to the west city
198 limits." Passed and adopted January 4th, 1921.

199 Revised ordinance No. 90, entitled, "An ordinance establishing
200 sidewalk grades on Sixth street from Larchwood drive to west city
201 limits." Passed and adopted January 4th, 1921.

202 Revised ordinance No. 91, entitled, "An amendment to revised
203 ordinance number twenty-two to regulate, license and tax designated
204 vocations and to provide penalties for the violation thereof." Passed
205 and adopted March 7th, 1921.

206 Revised ordinance No. 92, entitled, "An amendment to revised
207 ordinance number thirty relating to dogs, regulating and licensing
208 dogs running at large." Passed and adopted March 7th, 1921.

209 Ordinance No. 96, entitled, "An ordinance vacating the alley in

- 210 block seventy-seven (77) of College Addition in the city of Storm
211 Lake, Iowa, and providing that the same shall pass to the abutting
212 property owners on compliance with the provisions herein." Passed
213 and adopted June 6th, 1921.
- 214 Ordinance No. 97, entitled, "An ordinance amending revised ordi-
215 nance No. 22 of the ordinances of the city of Storm Lake, Iowa, by
216 amending section 8 of said ordinance." Passed and adopted June
217 6th, 1921.
- 218 Ordinance No. 100, entitled, "An ordinance establishing sidewalk
219 grades on South Erie street from 1st St. to 2nd St." Passed and
220 adopted September 6th, 1921.
- 221 Ordinance No. 101, entitled, "An ordinance establishing curb
222 grades on South Erie street from First street to Second street."
223 Passed and adopted September 6th, 1921.
- 224 Ordinance No. 102, entitled, "An ordinance establishing and pro-
225 viding for the collection of water rates due the city of Storm Lake
226 for the use and consumption of water furnished by said city of
227 Storm Lake, and providing and making the charges and rates for
228 the use and consumption of said water a lien upon the premises of
229 the owner of the property upon which said water is used, and pro-
230 viding a method for collecting such charges and rates for the use
231 of water." Passed and adopted December 19th, 1921.
- 232 Ordinance No. 103, entitled, "An ordinance amending revised ordi-
233 nance No. 7 of the ordinances of the city of Storm Lake, Iowa, re-
234 pealing section 3 thereof, and fixing the salaries of park commis-
235 sioners of said city of Storm Lake, Iowa, as provided therein."
236 Passed and adopted April 3rd, 1922.
- 237 Ordinance No. 104, entitled, "An ordinance establishing sidewalk
238 grades on Fourth street from Superior street to Russell street."
239 Passed and adopted June 6th, 1922.
- 240 Ordinance No. 106, entitled, "An ordinance establishing grades
241 on Russell street from Fifth street to Illinois Central R. R. Co.'s
242 tracks." Passed and adopted June 6th, 1922.
- 243 Ordinance No. 107, entitled, "An ordinance establishing curb
244 grades on Russell street from Fifth street to Illinois Central R. R.
245 Co.'s tracks." Passed and adopted June 6th, 1922.
- 246 Ordinance No. 108, entitled, "An ordinance establishing sidewalk
247 grades on west side of College avenue from Fifth street to Illinois
248 Central Railroad Co.'s tracks." Passed and adopted August 17th,
249 1922.
- 250 Ordinance No. 109, entitled, "An ordinance providing that all
251 vehicles owned and used by the fire department of the city of Storm
252 Lake, Iowa, shall have the right of way of the streets, alleys, ave-
253 nues, and highways of said city when such fire apparatus is being
254 used at any time for the purpose of fighting fires or threatened fires
255 and is upon said streets because of the sounding of the fire alarm
256 and in response to any call for assistance to combat and fight any
257 fire or conflagration of any kind." Passed and adopted November
258 20th, 1922.
- 259 Ordinance No. 110, entitled, "An ordinance establishing curb
260 grades on Early street from Fifth street to Sixth street." Passed
261 and adopted
- 262 Ordinance No. 111, entitled, "An ordinance establishing sidewalk

- 263 grades on Early street from 5th street to 6th street." Passed and
264 adopted
- 265 Ordinance No. 112, entitled, "An ordinance establishing curb
266 grades on Early street from Sixth street to I. C. R. R. Co.'s main
267 track." Passed and adopted
- 268 Ordinance No. 113, entitled, "An ordinance establishing sidewalk
269 grades on Early street from 6th street to I. C. R. R. Co.'s main
270 track." Passed and adopted
- 271 Ordinance No. 114, entitled, "An ordinance establishing curb grades
272 on Irving place from Lake Shore drive to First street." Passed and
273 adopted
- 274 Ordinance No. 115, entitled, "An ordinance establishing sidewalk
275 grades on Irving place from Lake Shore drive to First street. Passed
276 and adopted
- 277 Ordinance No. 116, entitled, "An ordinance establishing curb
278 grades on Michigan Ave. from Second street to Third street." Passed
279 and adopted
- 280 Ordinance No. 117, entitled, "An ordinance establishing sidewalk
281 grades on Michigan Ave. from Second street to Third street." Passed
282 and adopted
- 283 Ordinance No. 118, entitled, "An ordinance regulating the construc-
284 tion and location of bill boards within the corporate limits of the
285 city of Storm Lake, Iowa, and providing for a license and a tax
286 upon the owners of the same and persons maintaining the same, and
287 fixing and prescribing a penalty for the violation of any of the provi-
288 sions of said ordinance." Passed and adopted January 29th, 1923.
- 289 Ordinance No. 119, entitled, "An amendment to revise ordinance
290 No. 4 providing for the compensation of city officers and employees."
291 Passed and adopted January 29th, 1923.
- 292 Ordinance No. 120, entitled, "An ordinance re-establishing the
293 curb grades on Michigan avenue from the paving on First street to
294 the south line of the Illinois Central Railroad Company's right of
295 way; Geneseo street from the north line of Fifth street to the north
296 line of Seventh street; College avenue from the south line of Third
297 street to 30 feet south of Fourth street; Grand avenue from the
298 south line of Third street to the south line of Fifth street; Vestal
299 street from the north line of Fifth street to the north line of Sixth
300 street produced from the east; Early street from the south line of
301 Third street to the north line of Sixth street; Irving place from the
302 north line of Lake Shore drive to the paving on First street; South
303 Erie street from the paving on First street to the south line of the
304 Illinois Central Railroad Company's right of way; Oneida street from
305 the north line of Lake Shore drive to the south line of Third street;
306 Hudson street from the south line of Lake Shore drive to the south
307 line of Third street; Lake Shore drive from the west line of Hudson
308 street to the east line of Hudson street; Superior street from the
309 north line of First street to the south line of Third street; Russell
310 street from the north line of First street to the south line of Third
311 street; Third street from the west line of Otsego street to the west
312 line of Early street; Fourth street from the west line of College
313 avenue to the west line of Early street; Iowa street from the west
314 line of College avenue to the west line of Grand avenue; Fifth street
315 from the west line of Oneida street to the west line of Russell street;

316 Sixth street from the west line of Geneseo street to the west line
317 of Vestal street, and from the east line of Early street to the west
318 line of LaGrange's Bay View addition; Seventh street from the west
319 line of Geneseo street to the west line of Seneca street; the alley
320 between Lake avenue and Michigan street from 125 feet south
321 of the south line of Fifth street to the north curb line of Rail-
322 road street; the alley between Erie street and Cayuga street
323 from the north line of Railroad street to the south line of Fifth
324 street; the alley between Erie street and Cayga street from the
325 north line of Railroad street to the south line of Fifth street, and
326 repealing so much of all other grade ordinances to the extent that
327 they conflict with this ordinance." Passed and adopted March 6th,
328 1923.

329 Ordinance No. 121, entitled, "An ordinance prohibiting and for-
330 bidding the construction, erection, or building of any building or
331 buildings to be used as a public garage within certain parts and
332 portions of the city of Storm Lake, Iowa, as described and defined
333 in said ordinances and declaring the erection and construction of
334 any such building to be used as a public garage to be unlawful and
335 declaring the portions of the city hereinafter defined to be unlawful
336 and declaring the carrying on, maintaining, or conducting of such
337 public garage business a nuisance, providing for the abatement of
338 the same as a public nuisance, and said ordinance further providing
339 a penalty for violation of any of the provisions of the same and
340 imposing a fine for the violation of any of the provisions of the
341 same, and providing for imprisonment upon failure to pay the same."
342 Passed and adopted June 18th, 1923.

343 Ordinance No. 122, entitled, "An ordinance vacating the east
344 seventy feet of Lochedem drive, Colonial Heights Addition, to Storm
345 Lake, Iowa." Passed and adopted October 1, 1923.

346 Ordinance No. 123, entitled, "An ordinance establishing districts
347 or zones and regulating therein the use of property, the height of
348 buildings, and requiring open spaces for lighting and ventilation
349 of such places, and within such districts so established regulating
350 and restricting the erection, construction, reconstruction, alteration,
351 repair, or use of certain buildings, restricting the height, number
352 of stories, and width of said buildings, and the percentage of lot
353 that may be used and occupied. Providing for the manner of amend-
354 ing this ordinance and changing the regulations and restrictions
355 herein contained; and, further providing for the appointment of a
356 board of adjustment consisting of five members with certain powers
357 as set forth and defined in said ordinance. Providing further for
358 the enforcement of said ordinance, and providing penalties for the
359 violation of said ordinance." Passed and adopted January 11th,
360 1924.

361 Ordinance No. 124, entitled, "An ordinance re-establishing curb
362 grades on Grand avenue, from the north line of Fifth street to the
363 north line of Seventh street; College avenue, from the south line
364 of First street to the south line of Third street, and from the north
365 line of Fifth street to the north line of Sixth street; Otsego street
366 from the north line of Sixth street to the north line of Seventh
367 street; Ontario street, from the north line of Fifth street to the
368 south line of Sixth street; Lake Shore drive, from the west line of

369 the original town of Storm Lake, to the west line of Otsego street;
370 First street, from the west line of College avenue to the west line
371 of the original town of Storm Lake, and from the east line of Senca
372 street to the east line of Russell street; Second street, from the east
373 line of Seneca street to the west line of Superior street; Iowa street,
374 from the east line of Early street to the west line of Grand avenue;
375 Sixth street, from the east line of Early street to the west line of
376 Vestal street; and repealing so much of all other grade ordinances
377 to the extent that they conflict with this ordinance." Passed and
378 adopted

379 Ordinance No. 125, entitled, "An ordinance repealing section II
380 of revised ordinance No. 22 of the ordinances of the city of Storm
381 Lake, Iowa, and enacting in lieu thereof a section providing that it
382 is not necessary for auctioneers who sell live stock only to procure
383 a license." Passed and adopted April 7th, 1924.

384 Ordinance No. 126, entitled, "An ordinance creating and estab-
385 lishing a sanitary district within and for the city of Storm Lake,
386 Iowa, for the collection and disposal of garbage within said district,
387 providing for levying an annual tax within said district for paying
388 the expenses of such collection, and providing for establishing rules
389 and regulation." Passed and adopted April 7th, 1924.

390 Ordinance No. 127, entitled, "An ordinance providing for the col-
391 lection of garbage and the disposal of the same within the sanitary
392 district of the city of Storm Lake, Iowa, specifying rules and regu-
393 lations in connection therewith, providing for a license to be paid
394 by all persons collecting garbage, the amount of such license, the
395 conditions under which it may be obtained, and providing penalties
396 for violation of the provisions of said ordinance." Passed and
397 adopted April 7th, 1924.

398 Ordinance No. 128, entitled, "An ordinance vacating the entire
399 alley in block 90, in College Addition to the city of Storm Lake,
400 Buena Vista county, Iowa." Passed and adopted May 6th, 1924.

401 Ordinance No. 129, entitled, "An ordinance vacating the alley
402 running north and south from the south line of Fifth street to the
403 north line of Iowa street and abutting upon the west line of block
404 84 in College Addition to the city of Storm Lake, Iowa, and abutting
405 upon the east line of block 1, in Thomas' Lake View Addition to
406 the city of Storm Lake, Iowa." Passed and adopted June 16th,
407 1924.

408 Ordinance No. 130, entitled, "An ordinance establishing rules and
409 regulations in regard to the installation of water meters, service
410 boxes, curb cocks, and goose-necks to be hereinafter installed in
411 connection with the waterworks system for the city of Storm Lake,
412 Iowa, and providing for a penalty for the violation of any of the
413 provisions of this ordinance." Passed and adopted August 4, 1924.

414 Ordinance No. 131, entitled, "An ordinance vacating the alley in
415 Harrison's subdivision of lots 11 and 12 of Early's Addition to the
416 city of Storm Lake, Buena Vista county, and state of Iowa." Passed
417 and adopted September 1st, 1924.

418 Ordinance No. 132, entitled, "An ordinance vacating certain por-
419 tions of First street of the city of Storm Lake, Iowa, said portions
420 so vacated being described and set forth in the ordinance following
421 hereafter." Passed and adopted December 1st, 1924.

422 Ordinance No. 133, entitled, "An ordinance changing the name of
423 a part of First street as set forth and naming a new street laid out
424 in block 90, College Addition to the city of Storm Lake, Iowa, and
425 making the portion of First street for which the change in name
426 is made and the new street is laid out a part of Lake Shore drive of
427 the city of Storm Lake, Buena Vista county, and state of Iowa.
428 Passed and adopted January 5th, 1925.

429 Ordinance No. 134, entitled, "An ordinance vacating Lake drive
430 south of block 90, in College Addition to the city of Storm Lake,
431 Buena Vista county, Iowa." Passed and adopted January 19, 1925.

432 Ordinance No. 135, entitled, "An ordinance changing the name of
433 South Second street in the city of Storm Lake, Iowa, to Bradford
434 street as set forth in the ordinance following hereinafter." Passed
435 and adopted February 16th, 1925.

436 Ordinance No. 136, entitled, "An ordinance changing the name of
437 "South Erie street" in the city of Storm Lake, Iowa, and also chang-
438 ing the name of "Irving place" in the city of Storm Lake, Iowa, to
439 "Irving street" within the limits set forth in said ordinance." Passed
440 and adopted February 16th, 1925.

441 Ordinance No. 137, entitled, "An ordinance vacating the alley run-
442 ning east and west through block eighty-nine (89) in College Addi-
443 tion to the city of Storm Lake, Buena Vista county, Iowa, and
444 providing for quitclaiming the interest of the city to the abutting
445 property owners." Passed and adopted, June 1st, 1925.

446 Ordinance No. 138, entitled, "An ordinance vacating the alley run-
447 ning east and west, and the alley running north and south in block
448 2 of Thomas' Lake View Addition to the city of Storm Lake, Iowa,
449 and authorizing the quitclaiming of said alleys to the abutting prop-
450 erty owners in the proportions set forth in the ordinance and making
451 certain reservation therein." Passed and adopted June 29th, 1925.

452 Ordinance No. 139, entitled, "An ordinance providing for pay and
453 compensation for members of the board of adjustment as said board
454 is created and provided for by ordinance No. 123 of the ordinances
455 of the city of Storm Lake, Iowa, and providing the manner of pay-
456 ment of the same." Passed and adopted June 29th, 1925.

457 Ordinance No. 140, entitled, "An ordinance establishing and pro-
458 viding rules and regulations for the use of the dump grounds of the
459 city of Storm Lake, Iowa, as the same now exists or as may be
460 acquired by said city in the future; and, providing penalties for the
461 violation of said ordinance." Passed and adopted June 29th, 1925.

462 Ordinance No. 141, entitled, "An ordinance authorizing the North-
463 western Light & Power Company, its successors or assigns within
464 the city of Storm Lake, Iowa, to construct, erect, install, maintain,
465 and operate a gas plant and a system of pipes for the distribution
466 of gas, and to sell gas to the public for light, heat, fuel and other
467 purposes for a term of twenty-five (25) years, subject to regulation
468 and control of the city council of the city of Storm Lake, Iowa, and
469 providing for the submission of this ordinance to a vote of the elec-
470 tors of Storm Lake, Iowa; and providing penalties for the violation
471 of this ordinance: and repealing all ordinances and parts of ordi-
472 nances in conflict herewith." Passed and adopted August 7th, 1925.

473 Ordinance No. 142, entitled, "An ordinance making it the duty of
474 the city clerk of the city of Storm Lake, Iowa, to pass upon all appli-

475 cations for building permits and to issue the same if such applica-
476 tions disclose that such proposed buildings conform with the ordi-
477 nances of the city of Storm Lake, Iowa." Passed and adopted
478 December 7th, 1925.

479 Ordinance No. 143, entitled, "An ordinance amending ordinance
480 No. 123 by repealing section XX of said ordinance and enacting in
481 lieu thereof a new section." Passed and adopted December 7th,
482 1924.

483 Ordinance No. 144, entitled, "An ordinance fixing and establishing
484 fire limits within the city limits of the city of Storm Lake, Iowa, and
485 prohibiting the erection and construction of all buildings and struc-
486 tures of every kind, additions thereto, substantial alterations thereto
487 involving partial rebuilding of any such buildings or structures,
488 within said fire limits; unless such building, buildings, structure,
489 structures, or alterations of the same involving partial rebuilding
490 be, built and constructed of fire-proof materials as prescribed in this
491 ordinance, and providing remedies for the enforcement of said ordi-
492 nance by the removal, or tearing down of any such building or struc-
493 ture or alteration of the same, so built or constructed or altered
494 contrary to any provision of this ordinance, and providing that the
495 cost of removing or tearing down any such building or structure
496 shall be collected from the owner, and, further, providing that said
497 city may through its proper officers commence an action in any court
498 having jurisdiction asking that an injunction be issued restraining
499 any person, persons, firm, copartnership, association, or corporation
500 from violating any provisions of this ordinance, and, further, pro-
501 viding for punishment by fine or imprisonment for violating any
502 provision of this ordinance, and providing that any person, persons,
503 firm, association, copartnership, or corporation desiring to build any
504 building or structure or make any alteration of the same as pro-
505 vided in this ordinance shall first make application to the city clerk
506 for permit to do so." Passed and adopted February 1st, 1926.

507 Ordinance No. 145, entitled, "An ordinance granting to the North-
508 western Bell Telephone Company of Des Moines, Iowa, its successors
509 and assigns the right to erect and maintain a telephone system in
510 the city of Storm Lake, Iowa, and to use and occupy the streets and
511 alleys and other public places in said city for such purpose." Passed
512 and adopted April 5th, 1926.

513 Ordinance No. 146, entitled, "An ordinance establishing curb
514 grades on College Ave. from Lake Shore drive to Lake Shore, on
515 Russell St. from Fifth St. to Sixth St. and on Sixth St. from Superior
516 St. to Russell St." Passed and adopted

517 Ordinance No. 147, entitled, "An ordinance establishing curb
518 grades on Western Ave. from Fourth St. to Fifth St., on Larchwood
519 drive from Fourth St. to Fifth St., and on Fourth St. from the west
520 line of Swallum's First Add. to the east line of Swallum's First
521 Add." Passed and adopted June 14th, 1926.

522 Ordinance No. 148, entitled, "An ordinance establishing sidewalk
523 grades on Western Ave. from Fourth St. to Fifth St., on Larchwood
524 drive and Fourth St. to Fifth St. and on Fourth St. from the west
525 line of Swallum's First Add. to the east line of Swallum's First
526 Add." Passed and adopted June 14, 1926.

527 Ordinance No. 149, entitled, "An ordinance amending revised ordi-

528 nance No. 67 by striking therefrom certain provisions set forth in
529 the ordinance and enacting in lieu thereof certain provisions here-
530 inafter set forth." Passed and adopted April 18th, 1927.

531 Ordinance No. 150, entitled, "An ordinance designating certain
532 streets and portions of streets boulevards, establishing rules and
533 regulations relative to the use of said boulevards, and prescribing
534 and fixing a penalty for the violation of any provisions of said
535 ordinance." Passed and adopted June 6th, 1927.

536 Ordinance No. 151, entitled, "An ordinance establishing within
537 the corporate limits of the city of Storm Lake, Iowa, three districts
538 known as the business district, the residence district, and suburban
539 district, and providing a maximum speed of any vehicle in the busi-
540 ness district shall not exceed 15 miles per hour, and providing that
541 the maximum speed of any vehicle in the residence district shall not
542 exceed 25 miles per hour, and providing that the maximum speed
543 of any vehicle in the suburban district shall not exceed 40 miles
544 per hour, and prescribing and fixing a penalty for the violation of
545 any provision of said ordinance by a fine not exceeding \$25.00 or by
546 imprisonment in jail not exceeding 5 days." Passed and adopted
547 July 25th, 1927.

548 Ordinance No. 152, entitled, "An ordinance establishing sidewalk
549 and curb grades on North Barton street from Sixth street to Mil-
550 waukee avenue and on May street from First street to Lake Shore
551 drive." Passed and adopted January 16th, 1928.

552 Ordinance No. 153, entitled, "An ordinance providing for the in-
553 spection of milk, skim-milk, buttermilk and cream; to establish and
554 enforce sanitary requirements for the production, distribution and
555 handling thereof, and for tuberculin tests of herds supplying same,
556 and providing that milk may be pasteurized, and prescribing penal-
557 ties for violation." Passed and adopted June 5th, 1928.

558 Ordinance No. 154, entitled, "An ordinance granting unto Iowa
559 Public Service Company, a corporation, its successors or assigns,
560 authority to construct, reconstruct, own, maintain and operate an
561 electric light and power plant and distribution system in the city
562 of Storm Lake, Iowa, for a period of eight years from and after the
563 25th day of August A. D. 1930 and to furnish electrical energy to
564 the said city of Storm Lake and to its inhabitants for light and
565 power uses and including the right to construct a high voltage elec-
566 tric transmission line into and through the said city of Storm Lake
567 and providing certain conditions to be performed by the Iowa Public
568 Service Company, its successors or assigns, and further providing
569 for the forfeiture of the franchise upon failure to perform such con-
570 ditions." Passed and adopted November 20, 1928.

571 Be and the same are hereby legalized and declared to be as valid
572 as if all the provisions of the laws of the state of Iowa relating to
573 the voting upon, passage, adoption, signing, recording, attesting,
574 authenticating, and publishing of the same had been duly observed
575 and performed.

1 SEC. 2. Nothing in this act contained shall affect pending litiga-
2 tion.

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

3 Storm Lake Register, a newspaper printed and published in the city
4 of Storm Lake, Iowa, and the Storm Lake Pilot Tribune, a news-
5 paper printed and published in the city of Storm Lake, Iowa, without
6 expense to the state.

House File No. 14. Approved March 16, A. D. 1929.

I hereby certify that the foregoing act was published in the Storm Lake Register
March 23, 1929, and the Storm Lake Pilot Tribune March 28, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 376

TAMA

AN ACT to legalize a special election held on the tenth day of August, 1927, in the city of Tama, Iowa, whereat there was duly submitted to the voters for their approval, ordinance No. 166 of the ordinances of the city of Tama, Iowa, being an ordinance granting to the Iowa Railway and Light Corporation, an electric light and power franchise; and to legalize all acts and proceedings in respect to said election.

WHEREAS, the city council of the city of Tama, Iowa, did on the 12th day of July, 1927, unanimously pass and adopt ordinance No. 166 of the ordinances of the city of Tama, Iowa, same being an ordinance entitled "An ordinance granting the right of way to the Iowa Railway and Light Corporation, its successors and assigns, to erect, construct, maintain and operate the necessary fixtures and apparatus to supply electric light and power to the city of Tama, Iowa, and the inhabitants thereof, and prescribing the penalty for the violation of this ordinance; and to repeal all ordinances in conflict therewith;" and

WHEREAS, a special election was held in the city of Tama, Iowa, on the tenth day of August, 1927, for the purpose of submitting to the voters of the city of Tama, Iowa, for their approval, said ordinance, at which election there was cast three hundred six (306) affirmative votes for the approval of the ordinance as submitted, and twenty-eight (28) negative votes against the ordinance as submitted, and

WHEREAS, doubt has arisen as to whether or not the ballots voted at said election sufficiently contained in full the ordinance as provided by statute; now, therefore,

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

1 SECTION 1. **Special election.** That the special election held in the
2 city of Tama, in the county of Tama, and state of Iowa, on the tenth
3 day of August, 1927, whereat there was submitted to the voters, the
4 proposition of approving ordinance No. 166, of the ordinances of the
5 city of Tama, Iowa, granting to the Iowa Railway and Light Corpora-
6 tion, a franchise to furnish light and power to the city of Tama, Iowa,
7 and its inhabitants, and all acts, matters and things done in passing
8 the ordinance, giving notice of election, form of ballots and the hold-
9 ing of said election, be, and the same are hereby declared to be legal
10 and valid, notwithstanding any defects, omissions or irregularities
11 in connection therewith, and that it be, and it is hereby declared that

12 the vote at said election, duly and legally approved said ordinance No.
 13 166 of the ordinances of the city of Tama, Iowa, being an ordinance
 14 entitled, "An ordinance granting the right of way to the Iowa Railway
 15 and Light Corporation, its successors and assigns, to erect, construct,
 16 maintain and operate the necessary fixtures and apparatus to supply
 17 electric light and power to the city of Tama, Iowa, and the inhabitants
 18 thereof, and prescribing the penalty for the violation of this ordi-
 19 nance; and to repeal all ordinances in conflict therewith," the same
 20 as though the law had in all respects been complied with.

1 **SEC. 2. Publication.** This act being deemed of immediate im-
 2 portance shall take effect and be in force from and after its publica-
 3 tion in the Des Moines Register, a newspaper published at Des Moines,
 4 Iowa, and in the Tama News-Herald, a newspaper published at Tama,
 5 Iowa, all without expense to the state of Iowa.

House File No. 514. Approved April 6, A. D. 1929.

I hereby certify that the foregoing act was published in the Toledo Chronicle April 11, 1929, and the Tama News-Herald April 11, 1929.

ED. M. SMITH, *Secretary of State.*

(One of above newspapers selected by secretary of state under section 55 of the code.)

CHAPTER 377

TOWN OF BELLEVUE

AN ACT to legalize the proceedings of the town council of Bellevue, Iowa, with respect to the establishment of a municipal electric light plant, and to declare that said proceedings constitute the establishment of said plant.

WHEREAS, the town of Bellevue, by its town council, did on April 22, 1896, authorize the establishment of a municipal electric light plant upon its own motion, and

WHEREAS, such expenditure was made for proper corporate purposes, being the lighting of streets and other public and private places, and

WHEREAS, doubts have arisen concerning the legality of the establishment of said municipal electric light plant on the ground that no election was held upon such question, and

WHEREAS, it is deemed advisable to put said doubts, as well as any and all other doubts which have arisen or may hereafter arise concerning the legality of the establishment of the aforesaid municipal electric light plant forever at rest, now, therefore,

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

1 **SECTION 1. Council proceedings legalized.** That the proceedings
 2 heretofore had by the town council of the town of Bellevue, Iowa,
 3 with respect to the erection of a municipal electric light plant for the
 4 use and convenience of its citizens, be and the same are hereby de-
 5 clared legal and valid, the same as if all provisions of law relating to
 6 the establishing of such plants had in all respects been strictly fol-
 7 lowed, and said proceedings are hereby declared to constitute the
 8 establishment of the said municipal electric light plant.

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

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 Bellevue Herald, a newspaper published in the town of Bellevue,
4 Iowa, and the Jackson Sentinel, a newspaper published in the city
5 of Maquoketa, Iowa, all without expense to the state.

House File No. 384. Approved March 28, A. D. 1929.

I hereby certify that the foregoing act was published in the Bellevue Herald April 2, 1929, and the Jackson Sentinel April 2, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 378

TOWN OF CARLISLE

AN ACT legalizing certain warrants of the incorporated town of Carlisle, Iowa.

WHEREAS, the incorporated town of Carlisle, county of Warren, state of Iowa, did heretofore make expenditures in the amount of \$5,374.65, and

WHEREAS, said incorporated town of Carlisle issued warrants in the sum of \$5,374.65, to evidence the indebtedness incurred in making said expenditures, which warrants are warrants numbered and in the amounts as follows: Warrant No. 334 in the amount of \$500.00; warrant No. 335 in the amount of \$500.00; warrant No. 336 in the amount of \$356.35; warrant No. 337 in the amount of \$500.00; warrant No. 338 in the amount of \$500.00; warrant No. 339 in the amount of \$500.00; warrant No. 340 in the amount of \$500.00; warrant No. 341 in the amount of \$500.00; warrant No. 342 in the amount of \$500.00; warrant No. 343 in the amount of \$500.00; warrant No. 344 in the amount of \$518.30, and

WHEREAS, said warrants did not when issued and do not now exceed the constitutional limitation of indebtedness, and

WHEREAS, said expenditures were all made for purposes authorized by law, being expenditures made for the purpose of erecting, extending and installing the waterworks for said town, and

WHEREAS, the result of said expenditures was necessary in order to properly complete the installation and erection of the waterworks and supply the town of Carlisle with water and the town of Carlisle has been and now is enjoying the use and benefit of said expenditures, and

WHEREAS, doubts have arisen concerning the legality of the aforesaid warrants, on the ground that the aforesaid expenditures, were contracted in excess of the city's statutory limit of indebtedness, and in excess of the amount authorized by the vote of the people authorizing the erection and installation of waterworks, and the said warrants having been issued by the town without the town having complied with the requirements of chapter 319 of the code of 1924 and particularly sections Nos. 6238, 6239, 6240, 6241, 6242, 6243, 6244, 6245, 6246, of the said chapter requiring a special election to authorize expenditures for extending, erecting, reconstructing, or maintaining and operating waterworks, and,

WHEREAS, doubts have arisen concerning the legality of the aforesaid warrants, on the ground that the aforesaid expenditures were not provided for in the town's annual appropriations, and now, therefore,

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

1 SECTION 1. **Expenditures legalized.** That the acts of the town
2 council of the incorporated town of Carlisle, in the county of Warren,
3 state of Iowa, in making expenditures for the town of Carlisle and
4 issuing warrants, numbers 334, 335, 336, 337, 338, 339, 340, 341, 342,
5 343, 344, therefor in the aggregate sum of \$5,374.65 be and the same
6 are hereby legalized, as though the law had in all respects been complied
7 with.

1 SEC. 2. **Warrants legalized.** The aforesaid warrants of the incor-
2 porated town of Carlisle, in the sum of \$5,374.65 be and the same are
3 hereby legalized and declared to be valid, legal and subsisting obliga-
4 tions, the same as though the law had in all respects been complied
5 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 pub-
3 lication in the Des Moines Register, a newspaper published in Des
4 Moines, Iowa, and in the Carlisle Citizen, a newspaper publication in
5 Carlisle, Iowa, said publication to be without expense to the state.

Senate File No. 229. Approved April 6, A. D. 1929.

I hereby certify that the foregoing act was published in the Indianola Herald April 19, 1929, and the Carlisle Citizen April 12, 1929.

ED. M. SMITH, *Secretary of State.*

(One of the above newspapers selected by secretary of state under section 55 of the code.)

CHAPTER 379

TOWN OF CORRECTIONVILLE

AN ACT to legalize and declare valid and effectual for all purposes "An ordinance establishing a board of park commissioners", adopted by the town council of the incorporated town of Correctionville, Iowa, on the 13th day of August, A. D. 1920; legalizing an election held on the 20th day of September, A. D. 1920, at which said election the said ordinance was submitted to the legal electors of said town; legalizing all acts and doings of the persons who have acted as members of the board of park commissioners of said town in pursuance of said ordinance; and quieting and confirming the title to all real estate acquired for park purposes by said town or said board of park commissioners; and providing for this act taking effect by publication.

WHEREAS, on the 13th day of August, A. D. 1920, the town council of the incorporated town of Correctionville, Iowa, adopted and passed an ordinance entitled "An ordinance establishing a board of park commissioners," which said ordinance was duly approved by the mayor of said town and was ratified and approved by the legal electors of said town at a

special election called and held for that purpose on the 20th day of September, A. D. 1920, and in pursuance thereof R. Kurtzriter, H. J. Seiling and C. E. Chitty were appointed as members of the board of park commissioners established by said ordinance, and at the next succeeding regular municipal election A. W. Hatfield, Rupert Kurtzriter and M. E. Leonard were duly elected as members of said board of park commissioners, and at each regular municipal election following one member of said board of park commissioners was elected to succeed the member whose term of office was expiring, and a vacancy in the membership of said board was filled by appointment by the town council of said town, and M. E. Leonard, Walter Castle and Conrad Dohlman now constitute said board of park commissioners; and

WHEREAS, the records of said town fail to show clearly that all the provisions and requirements of the law of the state of Iowa were followed in the adoption and passage of said ordinance, its approval by the mayor, the manner in which it was submitted to vote of the legal electors of said town, the appointment and election of members of said board of park commissioners, and their qualification as such officers by filing bonds and oaths of office; and

WHEREAS, said board of park commissioners has in good faith acted as a legal body, has acquired real estate by deeds and contracts, has improved the real estate so acquired, but such deeds, conveyances and contracts have not in every case named the incorporated town of Correctionville, Iowa, or the board of park commissioners of the incorporated town of Correctionville, Iowa, as the grantee, some variations in wording existing, but the purchase price of all real estate so acquired has been paid out of funds of said town; and

WHEREAS, by reason of the facts above set forth, doubts have arisen as to the legality of the acts of said town and of its said board of park commissioners, and as to the legal title to the real estate acquired and used for park purposes; therefore,

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

1 SECTION 1. That the ordinance adopted by the town council of the
2 incorporated town of Correctionville, Iowa, on the 13th day of August,
3 A. D. 1920, entitled "An ordinance establishing a board of park com-
4 missioners," be and the same is hereby declared legal, valid, and in
5 full force and effect to the same extent as though the records of said
6 town showed that all proceedings relating to said ordinance, to its
7 passage by the town council, to its adoption and submission to vote
8 and to its approval by the legal electors of said town at a special
9 election legally called and held and its proper publication had been
10 had and done at the times and in the manner required by the laws of
11 of the state of Iowa.

1 SEC. 2. That all acts of the persons who have been acting as the
2 board of park commissioners for the incorporated town of Correction-
3 ville, Iowa, done as such board be, and the same are declared legal
4 and valid to the same extent as though the records of said town
5 showed affirmatively that such and every person acting as a member
6 of said board of park commissioners had been duly appointed or
7 elected and had qualified as required by law.

1 SEC. 3. That the title to all real estate purchased or acquired by
 2 gift, deed, contract, or otherwise by the persons then acting as a
 3 board of park commissioners for said town, or by said town for park
 4 purposes, is hereby quieted, confirmed and declared vested in the
 5 board of park commissioners of the incorporated town of Correction-
 6 ville, Iowa, in trust for the public, as fully and completely as though
 7 said board had been named as grantee in each deed or contract.

1 SEC. 4. This act being deemed of immediate importance shall be
 2 in force from and after its publication in the Plain Talk, a newspaper
 3 published at Des Moines, Iowa, and the Correctionville News, a news-
 4 paper published in the town of Correctionville, Iowa, such publication
 5 to be without expense to the state.

House File No. 461. Approved April 9, A. D. 1929.

I hereby certify that the foregoing act was published in the Des Moines Plain Talk
 April 18, 1929, and the Correctionville News April 18, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 380

TOWN OF DIKE

AN ACT to legalize a bond issue in the sum of five thousand dollars voted by the town
 of Dike, Iowa, for the purpose of building, erecting and equipping a memorial build-
 ing in Dike, Iowa, in conjunction with the county.

WHEREAS, the council of the town of Dike, Iowa, prior to the general
 town election on March 28, 1927, by resolution, authorized and ordered
 the submission of a question to the qualified voters of the town as to
 whether or not bonds of the town in the sum of five thousand dollars
 should be issued for the purpose of erecting and equipping, in conjunction
 with Grundy county, Iowa, a memorial building in the town of Dike, in
 accordance with the provisions of chapter thirty-three (33) of title III
 of the code of 1924, and

WHEREAS, said proposition carried by a vote of one hundred and thirty
 for the bond issue and sixty-one against it at the general town election
 held March 28, 1927, and

WHEREAS, Grundy county has appropriated and set aside for the pur-
 pose of building, erecting and equipping such memorial hall in the town of
 Dike approximately the sum of four thousand dollars, and

WHEREAS, doubts have arisen as to the validity of said election, the
 regularity of the prior proceedings and the sufficiency and authority of
 the town to vote, issue and sell said bonds, and it is deemed advisable to
 put such doubts and all other doubts as to the legality of said bonds at
 rest, now, therefore

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

1 SECTION 1. That the election held on the 28th day of March, 1927,
 2 in the town of Dike, Grundy county, Iowa, whereat was submitted
 3 the question of issuing bonds of said municipality in the sum of five

4 thousand dollars for the purpose of building, erecting and equipping,
 5 in conjunction with Grundy county, in the town of Dike, a memorial
 6 hall or building, and all matters and things done in the calling and
 7 holding of said election and in the record of the proceedings as made
 8 and in the issuance and sale of said bonds is hereby made and declared
 9 legal and valid, notwithstanding any irregularities, omissions or de-
 10 fects in connection therewith, and said bonds are declared valid and
 11 binding obligations on said municipality.

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

1 SEC. 3. This act, being deemed of immediate importance, shall take
 2 effect and be in full force from and after its publication in the Dike
 3 New Era, a newspaper published at Dike, Iowa, and in the Grundy
 4 Register, a newspaper published at Grundy Center, Iowa, without
 5 expense to the state.

House File No. 190. Approved March 27, A. D. 1929.

I hereby certify that the foregoing act was published in the Dike New Era April 4,
 1929, and the Grundy Center Register April 4, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 381

TOWN OF HULL

AN ACT to legalize certain transfer of funds by the town of Hull, Iowa.

WHEREAS, the town of Hull, Iowa, purchased a parcel of ground for use
 as a garbage disposal and dump ground, and

WHEREAS, said parcel of ground was erroneously paid for by a warrant,
 in the sum of eleven hundred thirty-six dollars and thirty-five cents
 (\$1,136.35) drawn on the sanitary fund of said town, and

WHEREAS, said warrant should have been drawn on the garbage dis-
 posal fund, and

WHEREAS, the town council of the town of Hull, Iowa, has, by resolution
 duly adopted, transferred the sum of eleven hundred thirty-six dollars and
 thirty-five cents (\$1,136.35) from the garbage disposal fund of said town
 to the sanitary fund, and

WHEREAS, said transfer was necessary and is desirable, and the acts
 of the town council of the town of Hull, Iowa, should be approved and its
 acts in the premises be made legal and valid, therefore

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

1 SECTION 1. That the acts of the council and the officers of the town
 2 of Hull, in the county of Sioux, state of Iowa, in making a permanent
 3 transfer of eleven hundred thirty-six dollars and thirty-five cents
 4 (\$1,136.35) from the garbage disposal fund to the sanitary fund of
 5 said town is hereby legalized, the same in effect as if said act had been
 6 authorized by law.

1 SEC. 2. This act being deemed of immediate importance shall be

2 in force and effect from and after its publication in the Iowa Legion-
3 aire, a newspaper of general circulation published in Des Moines,
4 Iowa, and the Sioux County Index published in Hull, Iowa, without ex-
5 pense to the state.

Senate File No. 162. Approved March 26, A. D. 1929.

I hereby certify that the foregoing act was published in the Iowa Legionaire May 3, 1929, and the Sioux County Index April 5, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 382

TOWN OF KAMRRAR

AN ACT to make permanent transfer of money from the water fund of the town of Kamrar, Iowa, to the general fund of said town.

WHEREAS, the town of Kamrar, Iowa, completed the establishment of grades and the graveling of its streets within the corporate limits; and

WHEREAS, a transfer of one thousand dollars (\$1,000.00) from the water fund of the said town to the general fund of said town was made by the duly authorized elected and qualified council of said town with the approval of the director of the budget on October 7, 1925; and

WHEREAS, there is a surplus in the said water fund and the return of the said funds is not necessary to replenish said fund; now therefore

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

1 SECTION 1. That the transfer by the said town of Kamrar, Iowa,
2 of said amount of one thousand dollars (\$1,000.00) from the water
3 fund of said town to the general fund thereof is hereby legalized and
4 validated as fully as though said transfer had been made under
5 specific authority of law.

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Jewell
3 Record, a newspaper published in Jewell, Iowa, and the Ellsworth
4 News, a newspaper published in Ellsworth, Iowa, without expense to
5 the state.

House File No. 233. Approved March 27, A. D. 1929.

I hereby certify that the foregoing act was published in the Jewell Record April 4, 1929, and the Ellsworth News April 4, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 383

TOWN OF OGDEN

AN ACT to legalize an election held on the 14th day of December, 1928, in the town of Ogden, Iowa, on extending its municipal waterworks by completing the sinking and equipping of a deep well and contracting indebtedness for such purpose not exceeding \$15,000, and issuing bonds for such purpose not exceeding \$15,000, and levying a tax annually upon the taxable property in said town of Ogden not exceeding eight mills per annum for the payment of such bonds and interest thereon and to legalize all acts and proceedings in respect to said election and to legalize the issuance of such bonds.

WHEREAS, in pursuance of the filing and presentation of a petition asking that an election be called and that there be submitted thereat to be voted upon by the voters of the town of Ogden, the proposition of extending its municipal waterworks by completing the sinking and equipping of a deep well and contracting indebtedness for such purpose not exceeding \$15,000, and issuing bonds for such purpose not exceeding \$15,000, and levying a tax annually upon the taxable property in said town of Ogden not exceeding eight mills per annum for the payment of such bonds and interest thereon, which petition was signed by qualified electors of said town equal in number to more than twenty-five per cent of those who voted at the last regular municipal election, the mayor and council of said town did by due, regular and legal proceedings in strict compliance with the statutes in such cases made and provided, call a special election of said town to be held on the 14th day of December, 1928; and

WHEREAS, at the said election on said date, the following proposition was submitted to the electors of said town, to-wit:

"Shall the town of Ogden, in Boone county, Iowa, extend its municipal waterworks by completing the sinking and equipping of a deep well?"
and

WHEREAS, at said election there were 82 votes cast on said proposition of which 67 were cast "Yes" and 15 votes were cast "No", and

WHEREAS, at said election on said date, the following proposition was also submitted to the electors of said town, to-wit:

"Shall the town of Ogden, in Boone county, Iowa, extend its municipal waterworks by completing the sinking and equipping of a deep well and contract indebtedness for such purpose not exceeding \$15,000, and issue bonds for such purpose not exceeding \$15,000, and levy a tax annually upon the taxable property in said town of Ogden, not exceeding eight mills per annum for the payment of such bonds and the interest thereon?"
and

WHEREAS, at said election there were 81 votes cast on said proposition, of which 67 were cast "Yes" and 14 votes were cast "No", and

WHEREAS, because of the large vote cast at the preceding municipal election, being the election held March 26, 1928, when 554 votes were cast, the aforesaid propositions failed to receive an affirmative vote as large as a majority of all legal votes cast at the last preceding municipal election;
and

WHEREAS, it appears from the signing of said petition and from the

affirmative vote cast at the said election held on December 14, 1928, that the majority of the electors of said town are in favor of the extension of the municipal waterworks of said town by completing the sinking and equipping of a deep well, the contracting of indebtedness for such purpose, the issuance of bonds for such purpose and the levying of a tax annually for the payment of such bonds and interest thereon; and

WHEREAS, it appears that the incurring of said indebtedness, the issuance of said bonds and levying of said tax does not infringe upon the constitutional or statutory limitations of indebtedness; now therefore,

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

1 SECTION 1. That the election held in the town of Ogden, Iowa on
2 the 14th day of December, 1928, on the following propositions, to-wit:
3 "Shall the town of Ogden in Boone county, Iowa, extend its munic-
4 ipal waterworks by completing the sinking and equipping of a deep
5 well?"
6 and
7 "Shall the town of Ogden, in Boone county, Iowa, extend its munic-
8 ipal waterworks by completing the sinking and equipping of a deep
9 well and contract indebtedness for such purpose not exceeding \$15,000,
10 and issue bonds for such purpose not exceeding \$15,000, and levy a
11 tax annually upon the taxable property in said town of Ogden, not
12 exceeding eight mills per annum for the payment of such bonds and
13 the interest thereon?"
14 and all matters and things done in petitioning for, calling, noticing
15 and holding said election on said propositions, be and the same are
16 hereby declared to be legal and valid notwithstanding any irregularity
17 or omission or defect in connection therewith and said election on said
18 propositions is declared to be of the same force and effect as though
19 said propositions had each received an affirmative vote as large as a
20 majority of the votes cast at the preceding municipal election, to-wit:
21 The election held on March 26, 1928.

1 SEC. 2. That all proceedings relating to said election on said propo-
2 sitions are hereby legalized and said town of Ogden is hereby author-
3 ized to issue said bonds as proposed at said election with the same
4 force and effect as though said affirmative vote had been as large as
5 a majority of the votes cast at the preceding municipal election.

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

Senate File No. 12. Approved January 26, A. D. 1929.

I hereby certify that the foregoing act was published in the Boone News-Republican January 30, 1929, and the Ogden Reporter January 31, 1929.

ED. M. SMITH, *Secretary of State.*

(One of the above newspapers selected by secretary of state under section 55 of the code.)

CHAPTER 384

TOWN OF ROLAND

AN ACT to legalize certain transfer of funds by the town of Roland, Iowa.

WHEREAS, the town of Roland, Story county, Iowa, was in immediate need of an adequate fire protection equipment, and

WHEREAS, the balance in the fire equipment fund was insufficient, and

WHEREAS, the levy for the fire equipment purpose was insufficient to properly take care of the need, and

WHEREAS, there was an adequate unexpended balance in the improvement fund of the town of Roland, Iowa, and

WHEREAS, the council of the town of Roland, Iowa, have by resolution transferred the sum of two thousand dollars (\$2000) from the said improvement fund to the fire equipment fund for the purpose of purchasing additional fire equipment, therefore,

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

1 SECTION 1. That the action of the council and the officers of the
2 town of Roland in the county of Story, state of Iowa, in transferring
3 by resolution adopted January 14, 1929, the sum of two thousand
4 dollars (\$2000) from the improvement fund of said town to the fire
5 equipment fund of said town, is hereby legalized, and made valid.

1 SEC. 2. This act being deemed of immediate importance shall be
2 in force and effect from and after its publication in the Iowa Legion-
3 aire, a newspaper of general circulation published at Des Moines,
4 Iowa, and the Roland Record, published at Roland, Iowa, without ex-
5 pense to the state.

House File No. 401. Approved March 28, A. D. 1929.

I hereby certify that the foregoing act was published in the Iowa Legionaire May 3, 1929, and the Roland Record April 4, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 385

TOWN OF ROLFE

AN ACT to legalize ordinance No. 69 of the incorporated town of Rolfe, Iowa, and the franchise therein granted and all proceedings had thereunder.

WHEREAS, the incorporated town of Rolfe, Iowa, by its duly elected council, mayor and clerk, at a meeting by them duly had on the 6th day of April, 1925, adopted an ordinance, being ordinance No. 69 of said town, granting to H. F. Kirchner and M. P. Hancher and others named in said ordinance, the right to erect, construct and maintain poles and lines, conduits and cables, over, along, across and under the streets, alleys and public highways within the corporate limits of said town, to furnish to the public electric or telephone communication for a term of twenty years from the date of the passage of said ordinance; and,

WHEREAS, at said council meeting the statutory provision that such an ordinance shall be fully and distinctly read on three different days was dispensed with by vote of three-fourths of the council, but the records of said meeting fail to show such suspension of the rule; and,

WHEREAS, said ordinance and franchise were duly submitted for the approval of the voters of said town at a special election held on the 7th day of May, 1925; and,

WHEREAS, the original draft of said ordinance does not bear the signature of the then mayor of said town; and,

WHEREAS, the recorded copy of said ordinance is not authenticated by the signature of the mayor and clerk; and,

WHEREAS, the ballots used at said election were printed on white paper, contrary to the provision of the statute; and,

WHEREAS, said ordinance was not printed in full upon the face of said ballots, although said franchise had been set out in full in the published notice of the election; and,

WHEREAS, the said ballots had no designation on the back thereof as to the character of the proposition being voted on, nor did said ballots on the back bear the fac simile of the clerk's signature thereon; but,

WHEREAS, all other statutory proceedings were duly, fully and properly complied with and the voters at said election were fully informed as to all provisions of the ordinance and the franchise therein granted, and the voters of said town generally participated in said election, and fully approved the same by 193 votes in favor of the granting of the franchise and 66 votes against the granting thereof, as shown by the official canvass; and,

WHEREAS, the grantees in said franchise duly accepted the same and the terms thereof, and they and their assigns in reliance thereon have expended large sums of money in constructing and maintaining a telephone system and plant in said town of Rolfe; and,

WHEREAS, some doubts have arisen as to the validity of the ordinance and franchise; now therefore

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

1 **SECTION 1. Proceedings legalized.** That all acts of the mayor,
2 council and clerk of the incorporated town of Rolfe, Iowa, in connec-
3 tion with the adoption of said ordinance No. 69 and all proceedings
4 had thereunder and in connection therewith, both at the time of the
5 adoption and thereafter, and said ordinance itself, be and the same
6 are hereby legalized and validated and declared in full force and
7 effect, the same as though all requirements of the statutes had been
8 complied with.

1 **SEC. 2. Franchise.** That the said franchise therein granted as
2 herein set forth be legalized and validated as to the grantees therein
3 named and their assigns and anyone holding under them, and that
4 said franchise be held to be in full force and effect as adopted and
5 for the full period provided therein.

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

1 SEC. 4. Expenses. All expenses of the publication of notice as
2 provided in section 10358 of the 1927 code of Iowa shall be borne by
3 the Mutual Telephone Company of Rolfe, Iowa.

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 Laurens Sun", a newspaper published at Laurens,
4 Iowa, and of general circulation in the state of Iowa, and in "The
5 Rolfe Arrow", a newspaper published at Rolfe, Iowa, without expense
6 to the state of Iowa.

Senate File No. 225. Approved April 6, A. D. 1929.

I hereby certify that the foregoing act was published in The Laurens Sun April 11, 1929, and the Rolfe Arrow April 11, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 386

TOWN OF UNDERWOOD

AN ACT to legalize certain warrants issued by the town of Underwood, Iowa, on the general fund of said corporation and to authorize the sale of bonds to fund the same.

WHEREAS, the town of Underwood, Iowa, by its council, did authorize and incur indebtedness in the sum of four thousand dollars (\$4,000.00) for corporate purposes as permitted by law and prior to or on or about March 4, 1925, 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 corporate purposes and the town of Underwood has enjoyed and is enjoying the use and benefit thereof, and the purpose for which said expenditure was made was and is well worth the sum said town contracted to be paid therefor, being the construction of a transmission line extending from McClelland, Iowa, to Underwood, Iowa, with which to supply the town of Underwood with electric current; and the indebtedness of said town at the time said warrants were issued, did not and does not at this time exceed the constitutional limitation of indebtedness for said town; now therefore

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

1 SECTION 1. That the acts of the council of the town of Underwood,
2 Iowa, in making expenditures, issuing warrants and incurring in-
3 debtedness in the amount of four thousand dollars (\$4,000.00) for
4 the construction of a transmission line from McClelland, Iowa, to
5 Underwood, Iowa, be and the same are hereby legalized and validated.

1 SEC. 2. That the aforesaid warrants of the town of Underwood,
2 Iowa, in the sum of four thousand dollars (\$4,000.00) be and the same
3 are hereby legalized and declared to be legal, valid, and subsisting
4 obligations of said town and the said council of the said town is

5 hereby authorized to issue and sell bonds to fund the warrants as
6 provided by the laws of the state of Iowa.

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

1 SEC. 4. This act, being deemed of immediate importance, shall take
2 effect and be in full force from and after its passage and publication
3 in The Treyner Record, a newspaper published in Treyner, Iowa, and
4 Gazette Reporter, a newspaper published in Neola, Iowa, without
5 expense to the state.

House File No. 135. Approved March 28, A. D. 1929.

I hereby certify that the foregoing act was published in the Treyner Record April
4, 1929, and the Gazette Reporter April 11, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 387

CERRO GORDO BUILDING COMPANY

AN ACT to legalize the corporate acts and proceedings of the Cerro Gordo Building
Company of Mason City, Iowa, and to provide for the renewal and extension of the
period of corporate existence of said Cerro Gordo Building Company.

WHEREAS, the period of the corporate existence of the Cerro Gordo
Building Company organized under the laws of the state of Iowa with its
principal place of business at Mason City, Iowa, expired on the first day
of June, 1928, and through inadvertance the same was not renewed within
the period prescribed by statute, and

WHEREAS, the said Cerro Gordo Building Company continued thereafter
to conduct its business and affairs as a corporation, and

WHEREAS, on the second day of January, 1929, all the stockholders rep-
resented at a meeting of said corporation joined in the adoption and execu-
tion of renewal articles of incorporation for the purpose of continuing the
business and corporate life of said company, and

WHEREAS, on the fifth day of January, 1929, said articles of incorpora-
tion were filed and recorded in the office of the county recorder of Cerro
Gordo county, Iowa, and on the fourteenth day of January, 1929, were
filed in the office of the secretary of state of the state of Iowa, and

WHEREAS, said articles of incorporation provide that the period of cor-
porate existence of said corporation shall expire on the first day of June,
1948, being twenty (20) years from the expiration of the former corporate
charter, and

WHEREAS, said corporation has duly paid to the secretary of state of the
state of Iowa the filing and recording fees provided by law, now, therefore,

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

1 SECTION 1. All proceedings had with respect to the renewal of said
2 corporation be and the same are hereby legalized and shall have the
3 same force and effect as though in full compliance with the laws of

4 the state of Iowa, and shall be held and considered as a renewal and
 5 extension of the period of corporate existence of the said Cerro Gordo
 6 Building Company, which expired on the first day of June, 1928, and
 7 that all of the corporate acts and proceedings of said company sub-
 8 sequent to the first day of June, 1928, including the proceedings in
 9 connection with the renewal or extension of the corporate existence
 10 of said company are hereby declared to be valid and legal the same
 11 as if they had in all respects been done in accordance with the general
 12 laws of the state of Iowa, relating to corporations.

13 The secretary of state is hereby authorized and directed to issue to
 14 said Cerro Gordo Building Company a certificate of renewal of the
 15 corporate existence of said company providing that said corporate
 16 existence shall expire on the first day of June, 1948. Nothing in this
 17 act shall be deemed or construed to affect pending litigation.

1 SEC. 2. This act being deemed of immediate importance shall take
 2 effect and be in force from and after its publication in the Mason City
 3 Globe Gazette, a newspaper published in Mason City, Cerro Gordo
 4 county, Iowa, and in the Britt News-Tribune, a newspaper published
 5 in Britt, Hancock county, Iowa, without expense to the state.

Senate File No. 35. Approved February 9, A. D. 1929.

I hereby certify that the foregoing act was published in the Mason City Globe
 Gazette February 12, 1929, and the Britt News-Tribune February 13, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 388

IOWA-ILLINOIS TELEPHONE COMPANY

AN ACT legalizing certain franchises of the Iowa-Illinois Telephone Company in the towns of West Point, Eldon, Richland, New London, Hedrick, Donnellson, Montrose, Hillsboro, Oakville, Ainsworth, Cone, Letts, Wayland and Winfield in the state of Iowa.

WHEREAS, doubts have arisen as to the validity of the ordinances and franchises thereby granted, and hereinafter enumerated, now owned by the Iowa-Illinois Telephone Company, and granted by the towns of West Point, Eldon, Richland, New London, Hedrick, Donnellson, Montrose, Hillsboro, Oakville, Ainsworth, Cone, Letts, Wayland and Winfield in the state of Iowa, under which the said company has been and is now operating now, therefore,

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

1 SECTION 1. That the ordinances and franchises thereby granted,
 2 as hereinafter enumerated, be and the same are hereby declared legal
 3 and valid the same as if all provisions and rules relating to the adop-
 4 tion of said ordinances and the granting of franchises had been in
 5 all respects strictly complied with, and the assignment thereof to the
 6 Iowa-Illinois Telephone Company is hereby ratified.

7 1. Ordinance No. 56 in the incorporated town of West Point, Lee
 8 county, Iowa passed and adopted on June 1, 1927, and entitled "An
 9 ordinance granting to J. G. Sanders Telephone lines, its successors

10 and assigns, the right to use the streets, alleys, highways and public
11 places of the town of West Point, Iowa for the construction, re-con-
12 struction, maintenance and operation of a telephone system, both
13 local and long distance for a period of twenty-five (25) years”.

14 2. Ordinance No. 55 of the incorporated town of Eldon, Wapello
15 county, Iowa, passed and adopted November 2, 1926, and entitled “A
16 franchise granting the right to J. W. Calhoun to do business under
17 the name of the Eldon Independent Telephone Company to operate
18 a telephone exchange in the city of Eldon, Iowa for a period of twenty
19 (20) years.”

20 3. Ordinance No. 50 of the incorporated town of Richland, Keokuk
21 county, Iowa passed and adopted September 1, 1921 with respect to
22 the use of the streets, alleys and public places of the said town by
23 the Richland Telephone Company.

24 4. Ordinance of the incorporated town of New London, Henry
25 county, Iowa passed and adopted November 7, 1922 entitled “An
26 ordinance granting a franchise to the Henry County Telephone Com-
27 pany to erect and maintain a telephone system with respect to the
28 use of the streets, alleys and public places of the town of New London,
29 Henry county, Iowa.”

30 5. Ordinance No. 1 of the year 1928 of the incorporated town of
31 Hedrick, Keokuk county, Iowa passed and approved June 7, 1928,
32 entitled “An ordinance authorizing the Hedrick Telephone Company,
33 its successors and assigns, authority to own, maintain, operate and
34 use a telephone exchange, lines or system under conditions and cir-
35 cumstances and prescribing penalties for violation of the ordinance.”

36 6. Ordinance 33 the incorporated town of Donnellson, Lee county,
37 Iowa, passed and approved June 20, 1928, and entitled: “An ordinance
38 authorizing and granting to Iowa-Illinois Telephone Company, its suc-
39 cessors and assigns, the right and franchise to erect, maintain, own,
40 lease, acquire, build and operate a telephone exchange, lines, fixtures
41 and appurtenances in the town of Donnellson, Iowa for a period of
42 twenty-five (25) years and defining its rights, powers and privileges.”

43 7. Ordinance No. 51 of the incorporated town of Montrose, Lee
44 county, Iowa, passed and approved June 21, 1928, and entitled: “An
45 ordinance authorizing and granting to Iowa-Illinois Telephone Com-
46 pany, its successors and assigns, the right and franchise to erect,
47 maintain, own, lease, acquire, build and operate a telephone exchange,
48 lines, fixtures and appurtenances in the town of Montrose, Iowa for
49 a period of twenty-five (25) years and defining its rights, powers and
50 privileges.”

51 8. Ordinance 29 the incorporated town of Hillsboro, Henry county,
52 Iowa, passed and approved June 22, 1928, and entitled: “An ordi-
53 nance authorizing and granting to Iowa-Illinois Telephone Company,
54 its successors and assigns, the right and franchise to erect, maintain,
55 own, lease, acquire, build and operate a telephone exchange, lines,
56 fixtures and appurtenances in the town of Hillsboro, Iowa, for a period
57 of twenty-five (25) years and defining its rights, powers and privi-
58 leges.”

59 9. Ordinance of the incorporated town of Oakville, Louisa county,
60 Iowa, entitled “A franchise hereby granted to the Oakville Mutual
61 Telephone Company, incorporated of Oakville, Iowa, to erect, main-
62 tain and use upon the streets, highways, avenues, alleys, and public

63 places with respect to the operation of a telephone lines and system.
64 Passed and approved February 7, 1916."

65 10. Ordinance No. 48 of the incorporated town of Ainsworth,
66 Washington county, Iowa, passed and approved September 4, 1928
67 entitled "An ordinance authorizing and granting to the Iowa-Illinois
68 Telephone Company, its successors and assigns, the right and fran-
69 chise to erect, maintain, own, lease, acquire, build and operate a tele-
70 phone exchange, lines, fixtures and appurtenances in the town of
71 Ainsworth, Iowa for a period of twenty-five (25) years, and defining
72 its rights, powers and privileges."

73 11. Ordinance of the incorporated town of Cone, formerly Cones-
74 ville, Muscatine county, Iowa, passed and approved March 6, 1925,
75 entitled "Granting to the Muscatine-Louisa Telephone Company, the
76 right to erect their poles and maintain poles and lines in the town of
77 Cone for transacting a general telephone business in said town on
78 conditions herein provided."

79 12. Ordinance No. 52 of the incorporated town of Letts, Louisa
80 county, Iowa passed and approved March 5, 1925 entitled "Granting
81 to the Muscatine and Louisa County Telephone Company, the right to
82 erect their poles and maintain poles and lines in the town of Letts
83 for transacting a general telephone business in said town on conditions
84 herein provided."

85 13. Ordinance of the incorporated town of Wayland, Henry county,
86 Iowa, passed and approved August 6, 1928, and entitled "An ordinance
87 authorizing and granting to the Wayland Telephone Company, its suc-
88 cessors and assigns, the right and franchise to erect, maintain, own,
89 lease, acquire, build and operate a telephone exchange, lines and fix-
90 tures and appurtenances in the town of Wayland, Iowa for a period of
91 twenty-five (25) years and defining its rights, powers and privileges."

92 14. Ordinance No. 40 of the town of Winfield, Henry county, Iowa,
93 passed and approved September 12, 1928, and entitled: "An ordinance
94 authorizing and granting to the Iowa-Illinois Telephone Company, its
95 successors and assigns, the right and franchise to erect, maintain,
96 own, lease, acquire, build and operate a telephone exchange, lines,
97 fixtures and appurtenances in the town of Winfield, Iowa, for a period
98 of twenty-five (25) years and defining its rights, powers and privi-
99 leges."

1 SEC. 2. Pending litigation. This act shall not affect pending litiga-
2 tion.

1 SEC. 3. Publication. This act being deemed of immediate impor-
2 tance is to take effect from and after its publication in the Burlington
3 Hawkeye, and in the Burlington Gazette, newspapers published in the
4 city of Burlington, Iowa, respectively without expense to the state.

Senate File No. 158. Approved March 9, A. D. 1929.

I hereby certify that the foregoing act was published in the Burlington Hawkeye
March 14, 1929, and the Burlington Gazette March 14, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 389

JEWELL FARMERS ELEVATOR COMPANY

AN ACT to legalize the proceedings of the Jewell Farmers Elevator Company, Jewell, Iowa; with respect to the renewal of their articles of incorporation.

WHEREAS, the corporate period of the Jewell Farmers Elevator Company of Jewell, Iowa, a corporation organized for pecuniary profit, expired on the 8th day of June, 1928; and

WHEREAS, on the 12th day of January, 1929, at a special meeting of the stockholders of said corporation called for that purpose, it was unanimously voted to renew the corporate period of said corporation for an additional period of twenty (20) years from and after June 8th, 1928; and

WHEREAS, the president and secretary of the Jewell Farmers Elevator Company as officers of said company and acting on authority of the stockholders of said company did on the 14th day of January, 1929, sign for said company a certificate of renewal; and

WHEREAS, said certificate of renewal was properly sworn to and certified by a notary public in and for Hamilton county, Iowa; and

WHEREAS, said certificate was properly recorded on the 16th day of January, 1929, in the office of county recorder of Hamilton county, Iowa; and

WHEREAS, the amended and substituted articles of incorporation of the Jewell Farmers Elevator Company, Jewell, Iowa, were also recorded on the 31st day of January, 1929, in the county recorder's office, Hamilton county, Iowa; and

WHEREAS, the certificate of renewal and the amended and substituted articles of incorporation of the Jewell Farmers Elevator Company, Jewell, Iowa, were filed with the secretary of state along with the necessary fees; and

WHEREAS, all proceedings having been approved as to form by the secretary of state subject to a legalizing act by the general assembly

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

1 SECTION 1. That all proceedings for the renewal of the corporate
2 existence of the Jewell Farmers Elevator Company of Jewell, Iowa,
3 are hereby declared legal, binding and effective and to have the same
4 force and effect as though said proceedings had been performed within
5 the period prescribed by law, and the secretary of state is hereby
6 directed to record said certificate of renewal, and the said amended
7 and substituted articles of incorporation of the Jewell Farmers Ele-
8 vator Company and when so recorded said matters and things shall
9 have the same force and effect as though recorded within the time
10 prescribed by law.

1 SEC. 2. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Jewell
3 Record, a newspaper published at Jewell, Iowa, and the Ellsworth

4 News, a newspaper published at Ellsworth, Iowa, without expense to
5 the state.

House File No. 196. Approved March 27, A. D. 1929.

I hereby certify that the foregoing act was published in the Jewell Record April 4, 1929, and the Ellsworth News April 4, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 390

MARIA S. ORWIG

AN ACT to legalize a certain deed executed in the name of the state of Iowa by C. C. Carpenter and Josiah F. Young, governor and secretary of state, respectively, of the state of Iowa, on December 29, 1875, conveying to Maria S. Orwig certain real estate in city of Des Moines, Polk county, Iowa.

WHEREAS, the state of Iowa did, on April 18, 1868, at special execution sale held pursuant to a decree of the district court of Iowa in and for Polk county, in an action entitled state of Iowa, for the use of Boone and other counties in said State versus Reuben G. Orwig, et al, known as Chancery No. 533, bid in for the sum of \$14,000.00 the following described real estate situated in Polk county, Iowa, to-wit:

Commencing at the northeast corner of the northwest quarter of section eight (8), township seventy-eight (78), north range twenty-four (24), thence running west six and seventy-three hundredths (6.73) chains, thence south ten (10) degrees and thirty (30) minutes, east eleven (11) chains, thence north sixty-eight (68) degrees, east four and eighty hundredths (4.80) chains, thence north nine and twenty-four hundredths (9.24) chains to the place of beginning, containing five and eighty-seven hundredths (5.87) acres, being lot one (1) of the official plat of the northwest quarter of section eight (8), township seventy-eight (78), range twenty-four (24), Polk county, Iowa, and a sheriff's certificate of purchase was thereupon duly issued to the state of Iowa, and

WHEREAS, the sheriff of Polk county, Iowa, did thereafter issue and deliver to the state of Iowa a sheriff's deed bearing date June 12, 1869, and filed for record on the 16th day of June, 1869, in the office of the recorder of deeds, Polk county, Iowa, and recorded in book 3, page 214, and

WHEREAS, state of Iowa, by C. C. Carpenter and Josiah F. Young, governor and secretary of state, respectively, of the state of Iowa, did on the 29th day of December, 1875, in consideration of the payment of seven thousand five hundred (\$7,500.00) dollars, by Maria S. Orwig, execute and deliver a fee simple deed conveying the above described premises to the said Maria S. Orwig, which deed was recorded in book 107, page 338, in the office of the recorder of deeds, Polk county, Iowa, on the 21st day of November, 1882, and since the delivery of said deed, the state of Iowa has never claimed any right, title, or interest in and to said premises; and,

WHEREAS, said deed conveyed to the said Maria S. Orwig the fee simple title to said premises provided the same was executed with the unanimous consent of the census board of the state of Iowa; and,

WHEREAS, the records of the said census board for the year 1875 and for several years thereafter have been lost and there is nothing of record to show that said deed was executed with the unanimous consent of said census board, therefore:

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

1 SECTION 1. **Deed legalized.** The certain deed executed in the name
2 of the state of Iowa by C. C. Carpenter and Josiah F. Young, respec-
3 tively, governor and secretary of state of the state of Iowa, on the
4 29th day of December, 1875, and recorded in book 107, page 338, in
5 the office of the recorder of deeds, Polk county, Iowa, on the 21st day
6 of November, 1882, conveying the above described property to Maria
7 S. Orwig be and the same is hereby declared to be legal and valid
8 and to have passed to the said Maria S. Orwig and her heirs forever
9 all the right, title and interest of the state of Iowa, in and to said
10 real estate.

1 SEC. 2. **In effect.** This act being deemed of immediate importance
2 shall take effect and be in force from and after its publication in the
3 Daily Record and Plain Talk, newspapers published in the city of Des
4 Moines, Iowa, and without expense to the state of Iowa.

Senate File No. 146. Approved March 26, A. D. 1929.

I hereby certify that the foregoing act was published in the Des Moines Daily Record March 28, 1929, and the Des Moines Plain Talk March 28, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 391

PLYMOUTH CLAY PRODUCTS COMPANY

AN ACT to legalize the re-incorporation of the Plymouth Clay Products Company of Fort Dodge, Iowa.

WHEREAS, the Plymouth Clay Products Company was organized on the 25th day of May, 1927, and its articles of incorporation were properly recorded in the office of the county recorder of Webster county, Iowa; properly recorded in the office of the secretary of the state of Iowa, and a certificate of authority was duly issued by the said secretary of state to the said corporation; and

WHEREAS, the said corporation failed to publish the notice of incorporation within ninety days from its incorporation, as by law provided, but did publish the said notice of incorporation, and did file the said affidavit of publication of said notice as by law required in the office of the secretary of state on the 22nd day of December, 1928, therefore,

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

1 SECTION 1. That the re-incorporation of Plymouth Clay Products
2 Company, Fort Dodge, Webster county, Iowa, and all of its acts and
3 proceedings be, and the same are, hereby legalized and declared to be
4 as legal, sufficient, and binding in all respects as if the notice of the
5 incorporation thereof had been published within ninety days from

6 the date of its re-incorporation and proof of said publication filed in
7 the office of the secretary of state, as provided by law, and all other
8 requirements of law had been fulfilled.

1 SEC. 2. Nothing herein shall be construed to affect pending litigation.
2

House File No. 40. Approved February 12, A. D. 1929.

CHAPTER 392

REDFIELD BRICK & TILE CO.

AN ACT to legalize the corporate acts and proceedings of the Redfield Brick & Tile Co. of Redfield, Iowa, and to provide for the renewal and extension of the period of corporate existence of said company.

WHEREAS the period of corporate existence of the Redfield Brick & Tile Co., organized under the laws of the state of Iowa, with its principal place of business at Redfield, Iowa, expired on June 1, 1926, and through inadvertence the same was not renewed within the period prescribed by statute, and

WHEREAS said Redfield Brick & Tile Co. continued thereafter to conduct its business and affairs as a corporation, and

WHEREAS on or about June 1, 1926, all of the stockholders of said corporation joined in the adoption and execution of new articles of incorporation for the purpose of continuing the business and corporate life of said company, and

WHEREAS on or about said February 11, 1929, said articles of incorporation were filed and recorded in the office of the secretary of state of the state of Iowa, and

WHEREAS said articles of incorporation and said certificate of incorporation provide that the period of corporate existence of said corporation shall expire on June 1, 1946, being twenty years from the expiration of the former corporate charter, and

WHEREAS said corporation has duly paid to the secretary of state the filing and recording fees provided by law. Now, therefore,

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

1 SECTION 1. That the re-incorporation of said Redfield Brick & Tile
2 Co. as of February 11, 1929, shall be held and considered as a renewal
3 and extension of the period of corporate existence of said company,
4 which expired on June 1, 1926, and that all of the corporate acts and
5 proceedings of said company subsequent to June 1, 1926, including
6 the proceedings in connection with the re-incorporation or extension
7 of the corporate charter of said company, are hereby declared to be
8 valid and legal and the same as if, in all respects, had and done in
9 accordance with the general laws of the state of Iowa, relating to
10 corporations; and the secretary of state is hereby directed to issue
11 to said Redfield Brick & Tile Co. a certificate of renewal of the cor-

12 porate existence of said company, providing that such corporate
 13 existence shall expire June 1, 1946, said certificate to be issued upon
 14 the surrender of the outstanding certificate of incorporation issued
 15 on or about June 1, 1906. But nothing in this act shall be deemed
 16 or construed to affect pending litigation.

1 SEC. 2. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its publication in the Plain
 3 Talk and the Des Moines Daily Record, newspapers published in Des
 4 Moines, Iowa, said publications to be without expense to the state.

Senate File No. 196. Approved March 16, A. D. 1929.

I hereby certify that the foregoing act was published in the Des Moines Plain Talk
 March 21, 1929, and the Des Moines Daily Record March 20, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 393

SHELDON ARMORY COMPANY

AN ACT to legalize the corporate acts and transactions of the Sheldon Armory Company
 of Sheldon, Iowa.

WHEREAS, the corporate period of the Sheldon Armory Company of
 Sheldon, O'Brien county, Iowa, expired April 25, 1923, and no renewal
 thereof, amended or substituted articles of incorporation, were executed
 and filed with the county recorder of said county, nor with the secretary
 of state of Iowa, within three months before or after the expiration of
 the corporate period of said corporation, and

WHEREAS, since the expiration of the corporate period of this corpora-
 tion, it has acted in a corporate capacity, its stockholders have elected
 officers and boards of directors, maintained and owned a building used
 for armory and auditorium purposes, rented the same to the state for
 military purposes and the same used by a national guard company of
 the state stationed at Sheldon, Iowa, which said national guard company
 has rented to individuals and organizations for local and civic activities,
 and the business and affairs of said corporation conducted in the same
 manner as before the expiration of its corporate period, and

WHEREAS, it is the intention of this corporation, its stockholders and
 officers, to wind up its business and affairs and re-incorporate under the
 same name, transfer all of its property to a new corporation composed
 of the same stockholders with the same principal place of business, and to
 provide and maintain a suitable building and equipment at Sheldon, Iowa,
 for armory purposes and auditorium purposes, and

WHEREAS, doubt has arisen as to the legality of the exercise of corporate
 power and authority of this corporation, its stockholders, boards of direc-
 tors and officers, acts and transactions thereof, done since the expiration
 of the corporate period; now, therefore,

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

1 SECTION 1. Acts legalized. That the corporate acts of the Sheldon
 2 Armory Company of Sheldon, O'Brien county, Iowa, its stockholders,

3 boards of directors, and officers, and acts and transactions as a cor-
 4 poration, from and after the date of the expiration of the corporate
 5 period, are hereby legalized and shall have the same force and effect
 6 as if done, executed or performed under and by the authority of an
 7 unexpired certificate of incorporation issued by the secretary of state.

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

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 Iowa Legionaire, a newspaper published in Des Moines,
 4 Iowa, and the Sheldon Mail, a newspaper published in Sheldon, Iowa,
 5 without expense to the state.

House File No. 330. Approved March 27, A. D. 1929.

I hereby certify that the foregoing act was published in the Iowa Legionaire May
 3, 1929, and the Sheldon Mail April 3, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 394

ST. MARTIN LAND COMPANY

AN ACT to legalize the corporate acts and proceedings of St. Martin Land Company
 of Cedar Rapids, Iowa, and to provide for the renewal and extension of the period
 of corporate existence of said company.

WHEREAS, the period of corporate existence of St. Martin Land Com-
 pany, organized under the laws of the state of Iowa with its principal
 place of business at Cedar Rapids, Iowa, expired on the 14th day Febru-
 ary, 1925, and through inadvertence the same was not renewed within the
 period required by statute; and

WHEREAS, St. Martin Land Company continued thereafter to conduct its
 business and affairs as a corporation; and

WHEREAS, on or about the 24th day of October, 1925, the stockholders
 of said corporation joined in the adoption and execution of new articles
 of incorporation for the purpose of continuing the business and corporate
 life of said company; and

WHEREAS, on or about the 3rd day of November, 1925, the said articles
 of incorporation were filed and recorded in the office of the secretary of
 state of the state of Iowa, and a certificate of incorporation was issued on
 said date; and

WHEREAS, said articles of incorporation and said certificate of incorpora-
 tion provide that the period of corporate existence of said corporation shall
 expire on February 14, 1945, being twenty years from the expiration of
 the former charter; and

WHEREAS, said corporation has duly paid to the secretary of state the
 filing and recording fees provided by law; now, therefore,

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

1 SECTION 1. That the re-incorporation of said St. Martin Land Com-
 2 pany, as of November 3, 1925, shall be held and considered as a re-
 3 newal and extension of the period of corporate existence of said St.
 4 Martin Land Company, which expired on February 14, 1925, and that
 5 all of the corporate acts and proceedings of said company subsequent
 6 to February 14, 1925, including the proceedings in connection with the
 7 re-incorporation or extension of the corporate charter of said com-
 8 pany, are hereby declared to be valid and legal the same as if, in all
 9 respects, had and done in accordance with the general laws of the
 10 state of Iowa, relating to corporations; and the secretary of state is
 11 hereby directed to issue to said St. Martin Land Company a certificate
 12 of renewal of the corporate existence of said company, providing that
 13 such corporate existence shall expire on February 14, 1945, said cer-
 14 tificate to be issued upon the surrender of the outstanding certificate
 15 of incorporation issued on or about November 3, 1925.

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

1 SEC. 3. This act, being deemed of immediate importance, shall take
 2 effect and be in force from and after its publication in The Inde-
 3 pendent, a newspaper published at Center Point, Iowa, and in the
 4 Mount Vernon Hawkeye Record, a newspaper published at Mount Ver-
 5 non, Iowa, without expense to the state of Iowa.

Senate File No. 32. Approved February 7, A. D. 1929.

I hereby certify that the foregoing act was published in The Center Point Inde-
 pendent February 14, 1929, and the Mount Vernon Hawkeye Record February 14, 1929.
 ED. M. SMITH, *Secretary of State.*

CHAPTER 395

SIOUX CITY DAILY REPORTER

AN ACT to legalize the publication of legal notices in the Daily Reporter, a newspaper published at Sioux City, Woodbury county, Iowa.

WHEREAS, "The Daily Reporter" is a newspaper published at Sioux City, Woodbury county, Iowa, in the interest of the associated retailers of said city, and

WHEREAS, many notices have been published in said "The Daily Reporter" under statutes and laws which require publication in a newspaper of general circulation in the county, and

WHEREAS, the publication of said notices has been made in good faith and people have relied thereon in the good faith belief that such publications were perfectly legal, and

WHEREAS, doubts have arisen as to the legality of said publication of notices on the ground that said newspaper is not of general circulation in the county, now therefore,

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

1 SECTION 1. That all publication heretofore made in "The Daily
2 Reporter" of Sioux City, Woodbury county, Iowa, of notices under
3 statutes or laws which required publication in a newspaper of general
4 circulation in the county are hereby legalized and declared valid and
5 binding, notwithstanding any question as to the general circulation
6 in said county of said newspaper, provided that any person interested
7 in the subject matter of any of said publications and whose rights are
8 not already barred, shall have the right, at any time within ninety
9 (90) days after this act becomes effective, to institute appropriate
10 action and question the legality of any of said publications, and pro-
11 vided that this act shall not be deemed to apply to pending litigation.

1 SEC. 2. **Publication clause.** This act is deemed of immediate im-
2 portance and shall take effect from and after its publication in two
3 (2) newspapers of this state as provided by law, without expense to
4 the state.

House File No. 362. Approved March 28, A. D. 1929.

I hereby certify that the foregoing act was published in the Sioux City Journal April 2, 1929, and the Marion Sentinel April 4, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 396

TAXATION. LEGALIZING

AN ACT to legalize any and all tax levies heretofore made and collected by any municipality under and pursuant to the provisions of law as contained in section three hundred seventy-three (373) and chapter twenty-four (24) of the code, 1927.

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

1 SECTION 1. All taxes heretofore assessed, levied or collected by any
2 municipality as defined by the law as it appears in chapter twenty-
3 four (24) of the code, 1927, for the purpose of establishing and creat-
4 ing an emergency fund under and pursuant to the provisions of what
5 purported to be the law as contained in section three hundred seventy-
6 three (373) of the code, 1927, be and the same are hereby declared
7 legal and valid, and where the same have not been paid, the officers
8 of such municipalities are hereby empowered and directed to proceed
9 at once to collect the same as other taxes are collected, and to use
10 the same in the same manner as they could have been used were they
11 assessed, levied and collected under a valid provision of law.

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after its passage and publication in
3 the Des Moines Daily Record, a newspaper published at Des Moines,
4 Iowa, and in the Marshalltown Times Republican, a newspaper pub-
5 lished at Marshalltown, Iowa.

Senate File No. 407. Approved March 27, A. D. 1929.

I hereby certify that the foregoing act was published in the Des Moines Daily Record April 1, 1929, and the Marshalltown Times Republican March 30, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 397

INDEPENDENT SCHOOL DISTRICT OF LAKE CITY

AN ACT to make permanent the temporary transfer of money from the general fund to the school house fund of the independent school district of Lake City, Calhoun county, Iowa.

WHEREAS, the school board of the independent school district of the city of Lake City, Iowa, on the eighteenth day of April, nineteen hundred twenty-seven, applied to the director of the budget for the approval of a temporary transfer of six thousand five hundred dollars (\$6,500.00) from the general fund to the school house fund on said independent school district and the temporary transfer was approved by the director of the budget on the twenty-sixth day of April, nineteen hundred twenty-seven, under section (388) of the code of Iowa.

WHEREAS, at the time of the transfer there was a balance in the general fund of more than six thousand five hundred dollars (\$6,500.00) while the school house fund was overdrawn six thousand five hundred dollars (\$6,500.00) on account of the fact that there was an error in making the levy in said district for the year nineteen hundred twenty-seven for school house purposes, and

WHEREAS, it was not necessary that said funds be returned from the school house fund to the general fund in said district to pay the running expenses of said district, and is no longer required, and,

WHEREAS, it is impossible to reimburse the general fund from the school house fund, therefore

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

1 SECTION 1. The temporary transfer of six thousand five hundred
2 dollars (\$6,500.00) from the general fund of the independent school
3 district of Lake City, Calhoun county, Iowa, proposed by the school
4 board of the independent school district of said city and county on
5 the eighteenth day of April, nineteen hundred twenty-seven, and
6 approved by the director of the budget on the twenty-sixth day of
7 April, nineteen hundred twenty-seven under section (388) of the
8 code, is hereby made permanent and the said board of directors are
9 relieved of the necessity of returning the said six thousand five hun-
10 dred dollars (\$6,500.00) from the school house fund to the general
11 fund.

1 SEC. 2. This act is deemed of immediate importance, and shall be
2 in force and effect from and after its publication in the Graphic &
3 News, a newspaper published in Lake City, Iowa, and the Advocate,
4 a newspaper published at Rockwell City, Iowa, without expense to
5 the state.

House File No. 239. Approved March 28, A. D. 1929.

I hereby certify that the foregoing act was published in the Graphic and News April 4, 1929, and the Rockwell City Advocate April 4, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 398

COOPERATIVE ASSOCIATIONS

AN ACT to legalize cooperative associations or corporations organized under the law as it appears in chapter three hundred eighty-nine (389) of the code of Iowa 1927.

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

1 SECTION 1. In all instances where cooperative associations or cor-
 2 porations have been organized under the law as it appears in chapter
 3 three hundred eighty-nine (389) of the code of Iowa 1927, where
 4 such associations or corporations have filed the original articles rather
 5 than a verified copy with the county recorder, or where the secretary
 6 of state failed to certify the filing and acceptance of such articles,
 7 or where the certificate of the secretary of state contained a facsimile
 8 signature rather than the true signature of the secretary of state,
 9 or where there is any defect in the articles, notice, procedure or other-
 10 wise the incorporation of such corporation or association and all of
 11 the corporate acts thereof are hereby legalized in all respects.

1 SEC. 2. This act being deemed of immediate importance shall be
 2 in full force and effect from and after its publication in the Des Moines
 3 Daily Record, newspaper published at Des Moines, Iowa, and the
 4 Plain Talk, newspaper published at Des Moines, Iowa.

Senate File No. 505. Approved April 18, A. D. 1929.

I hereby certify that the foregoing act was published in the Des Moines Daily Record April 23, 1929, and the Des Moines Plain Talk April 25, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 399

FARMERS CREAMERY COMPANY OF LONE ROCK

AN ACT to legalize the Farmers Creamery Company of Lone Rock, Iowa, and all of its acts and proceedings and declaring the same to be as legal, sufficient and binding in all respects as if a sufficient notice of the incorporation thereof had been published, and proof of such publication filed in the office of the secretary of the state of Iowa, as provided by law and all other requirements of law had been fulfilled.

WHEREAS, the Farmers Creamery Company of Lone Rock, Lone Rock, Iowa, adopted articles of incorporation and filed the same in the office of the recorder of Kossuth county, Iowa, and in the office of the secretary of state of Iowa, and also published notice of incorporation and filed the same with the proof of publication thereof, in the office of the secretary of state of Iowa; and,

WHEREAS, the said Farmers Creamery Company of Lone Rock duly received a certificate of incorporation from the secretary of state of Iowa and has been doing business as a corporation in the state of Iowa since the date of the issuance of said certificate; and,

WHEREAS, doubts have arisen as to whether said notice and publication thereof fully comply with the statute covering the same; now therefore:

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

1 SECTION 1. That the incorporation of the Farmers Creamery Com-
2 pany of Lone Rock, Lone Rock, Iowa, and all of its acts and proceed-
3 ings be and the same are hereby legalized and declared to be as legal,
4 sufficient and binding in all respects as if a sufficient notice of incor-
5 poration thereof had been published and proof of such publication
6 filed in the office of the secretary of state of Iowa as provided by law,
7 and all other requirements of law had been fulfilled and complied with.

1 SEC. 2. Nothing herein contained shall be construed to affect pend-
2 ing litigation.

Senate File No. 168. Approved April 11, A. D. 1929.

JOINT RESOLUTIONS

CHAPTER 400

PRIMARY ROAD IMPROVEMENT

A JOINT RESOLUTION proposing an amendment to the constitution of the state of Iowa relating to the improvement of highways and making provision for the payment of the cost thereof.

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

1 SECTION 1. That the following amendment to the constitution of
2 the state of Iowa is hereby proposed as article XIII:

3 "ARTICLE XIII."

4 "Section 1. Notwithstanding the provisions of article VII or any
5 other provision of the constitution of Iowa, the state may, by act
6 of the general assembly, contract an indebtedness not to exceed one
7 hundred million dollars (\$100,000,000.00) for the improvement of
8 highways and for the payment or retirement of county primary road
9 bonds and bonds issued to refund county primary road bonds; and
10 for such purposes may issue bonds and provide ways and means for
11 the payment of the same, and may pledge the credit of the state
12 therefor. Such act shall pledge to the payment of such bonds and
13 interest thereon such rates or amounts of motor license fees and/or
14 gasoline or other motor fuel license fees as may be determined by
15 the general assembly to be sufficient to meet both principal and
16 interest as they mature and accrue; and shall provide for the levy,
17 imposition, collection and pledge of such general property tax as
18 may be required to supply the deficiency, if any, between the amount
19 of principal and interest due on the bonds during any year or years
20 and the funds produced by said pledged license fees during such year
21 or years; and it shall be a sufficient statement of such tax that such
22 act direct the executive council annually to compute such deficiency,
23 if any, and fix the rate necessary to produce such amount. The
24 provisions of such act pledging funds and levying taxes for the
25 payment of principal and interest of bonds issued thereunder shall
26 be irrevocable so long as any of such bonds are outstanding, unpaid
27 and uncalled. Such bonds may be issued from time to time on such
28 terms as the general assembly shall by law provide; but each bond
29 shall become due and payable not more than twenty years after its
30 date.

31 "Sec. 2. After bonds in the total principal sum of one hun-
32 dred million dollars (\$100,000,000.00) shall have been issued
33 hereunder, all power to create an indebtedness hereunder shall
34 cease.

35 "Sec. 3. No funds derived from the sale of any of the bonds

36 provided for in section one (1) of this article XIII shall be used in
37 the improvement of any other highways until after the following
38 highways shall have been improved in the following manner: (a)
39 By grading, draining, bridging and paving:

40 Primary road number 1, from a point nine miles north of Fairfield,
41 by way of Birmingham and Keosauqua, to a point on primary road
42 number 3 south of Keosauqua.

43 Primary road number 2, from a point on primary road number 61
44 west of Grandview, by way of Columbus Junction, Washington,
45 Sigourney, Oskaloosa, Knoxville, Indianola, Winterset, and Green-
46 field, to a point on primary road number 71 south of Atlantic, and
47 from a point on primary road number 71 westerly to a point on
48 primary road number 32 near Lewis.

49 Primary road number 3, from a point on primary road number 61
50 west of Fort Madison, by way of Farmington, Bloomfield, Center-
51 ville, Corydon, Leon, Mount Ayr, Bedford, Clarinda, Shenandoah,
52 and Sidney, to Nebraska City.

53 Primary road number 4, from a point on the Missouri line south-
54 east of Hamburg, by way of Hamburg and Sidney, to a point on
55 primary road number 34 north of Hillsdale. Also from Avoca, by
56 way of Harlan, Denison, and Odebolt, to a point on primary road
57 number 20 west of Early.

58 Primary road number 5, from Fort Dodge, by way of Manson,
59 Storm Lake, and Cherokee, to LeMars.

60 Primary road number 6, from Centerville, by way of Albia, Knox-
61 ville, and Carlisle, to Des Moines.

62 Primary road number 7, from Des Moines, by way of Dallas Cen-
63 ter, Guthrie Center, Hamlin, Harlan, and Avoca, to Council Bluffs.

64 Primary road number 9, from Lansing, by way of Waukon, De-
65 corah, Cresco, Osage, Manly, Forest City, Swea City, Estherville,
66 Spirit Lake, Sibley, and Rock Rapids, to a point on the South Dakota
67 line north of Larchwood.

68 Primary road number 10, from Strawberry Point, by way of Oel-
69 wein, Waverly, Shell Rock, Allison, Hampton, Clarion, Humboldt,
70 Pocahontas, Havelock, Linn Grove, Paullina, and Orange City, to a
71 point on primary road number 75 west of Orange City.

72 Primary road number 11, from Cedar Rapids, by way of Inde-
73 pendence and Oelwein, to West Union.

74 Primary road number 13, from Marion, by way of Central City,
75 to Manchester. Also from Strawberry Point, by way of Elkader,
76 to a point on primary road number 18 west of McGregor.

77 Primary road number 14, between Corydon and Chariton. Also
78 from its intersection with primary road number 58 through Grundy
79 Center to its intersection with primary road number 57.

80 Primary road number 15, from Ames, by way of Blairsburg, Bel-
81 mond, and Garner, to Forest City.

82 Primary road number 16, from Mount Ayr to Winterset. Also
83 from Adel, by way of Ogden, Fort Dodge, Humboldt, and Algona,
84 to its intersection with primary road number 9.

85 Primary road number 17, from Estherville, by way of Emmets-
86 burg and Pocahontas, to Rockwell City. Also from Perry to junction
87 with primary road number 16.

88 Primary road number 18, from McGregor, by way of Postville,

- 89 West Union, New Hampton, Charles City, Mason City, Garner, Al-
90 gona, Emmetsburg, Spencer, and Sheldon, to a point on primary
91 road number 75 near Perkins.
- 92 Primary road number 20, from Dubuque, by way of Manchester,
93 Independence, Waterloo, Cedar Falls, Iowa Falls, Webster City, Fort
94 Dodge, Rockwell City, Sac City, and Correctionville, to Sioux City.
- 95 Primary road number 21, from Primghar to a point on primary
96 road number 18 east of Sanborn. Also, from Ida Grove to a point
97 on primary road number 20 east of Holstein.
- 98 Primary road number 28, from Martensdale, by way of Fort Des
99 Moines, to Des Moines.
- 100 Primary road number 30, from Clinton, by way of Lowden, Cedar
101 Rapids, Belle Plaine, Tama, Marshalltown, Nevada, Boone, Jefferson,
102 Carroll, Denison, and Missouri Valley, to Council Bluffs.
- 103 Primary road number 32, from Davenport, by way of Iowa City,
104 Marengo, Grinnell, Newton, Des Moines, Adel, Redfield, Dexter,
105 Adair, Atlantic, and Oakland, to Council Bluffs.
- 106 Primary road number 34, from Burlington, by way of Mount
107 Pleasant, Fairfield, Ottumwa, Albia, Chariton, Osceola, Creston,
108 Corning, Red Oak, and Glenwood, to Council Bluffs.
- 109 Primary road number 38, from Muscatine to Wilton, also from
110 Tipton to Stanwood.
- 111 Primary road number 48, from Red Oak, through Essex, to Shen-
112 andoah.
- 113 Primary road number 55, from Dubuque, by way of Luxemburg,
114 Guttenburg, Postville, Calmar, and Decorah, to a point on the Minne-
115 sota line north of Burr Oak.
- 116 Primary road number 57, from its intersection on primary road
117 number 14, by way of Dike to Cedar Falls.
- 118 Primary road number 58, from Eldora to a point on primary road
119 number 134 west of Eldora. Also east of Eldora to a point on pri-
120 mary road number 14.
- 121 Primary road number 59, from Oskaloosa, by way of Montezuma,
122 Tama, Traer, Hudson, and Waterloo, to a point on primary road
123 number 10 east of Waverly.
- 124 Primary road number 60, from a point on primary road number 30
125 east of Boone, by way of Madrid, to Des Moines.
- 126 Primary road number 61, from Keokuk, by way of Fort Madison,
127 Burlington, Wapello, Muscatine, Davenport, DeWitt, and Maquoketa,
128 to Dubuque.
- 129 Primary road number 63, from Des Moines, by way of Prairie
130 City, Pella, Oskaloosa, Ottumwa, and Bloomfield, to a point on the
131 Missouri line southwest of Bloomfield.
- 132 Primary road number 65, from Leon, by way of Osceola, Indianola,
133 Des Moines, Ames, Colo, Iowa Falls, Hampton, Mason City, and
134 Northwood, to a point on the Minnesota line north of Northwood.
- 135 Primary road number 69, from Leon, by way of Lamoni, to the
136 Missouri line south of Lamoni.
- 137 Primary road number 71, from the Missouri line near Braddyville,
138 by way of Clarinda, Villisca, Atlantic, Audubon, Carroll, Sac City,
139 Storm Lake, Spencer, and Spirit Lake, to a point on the Minnesota
140 line northeast of Spirit Lake.

141 Primary road number 74, from Tipton, by way of New Liberty,
142 to Davenport.

143 Primary road number 75, from Missouri Valley, by way of Onawa,
144 Sioux City, LeMars, Sioux Center, and Rock Rapids, to a point on
145 the Minnesota line north of Rock Rapids.

146 Primary road number 90, from Grundy Center, by way of Rein-
147 beck, to a point on primary road number 59 south of Hudson.

148 Primary road number 99, from Davenport, by way of Princeton
149 and Camanche, to a point on primary road number 30 west of Clinton.

150 Primary road number 134, from a point on primary road number
151 58 west of Eldora, to a point on primary road number 65 north of
152 Hubbard.

153 Primary road number 117, from Anamosa to Maquoketa.

154 Primary road number 136, from Clinton, by way of Charlotte and
155 Delmar, to a point on primary road number 61 west of Delmar.

156 Primary road number 141, from Denison, by way of Mapleton, to
157 Sioux City.

158 Primary road number 149, from a point on primary road number
159 63 west of Hedrick, by way of Hedrick, Sigourney, and Williams-
160 burg, to primary road number 32 west of Homestead.

161 Primary road number 150, from a point on primary road number
162 32 near Homestead, by way of Amana and Fairfax, to a point on
163 primary road number 30 west of Cedar Rapids.

164 Primary road number 161, from Dubuque, by way of Cascade,
165 Anamosa, Cedar Rapids, Iowa City, Mount Pleasant, and Donnell-
166 son, to a point on primary road number 61 southwest of Montrose.

167 Primary road number 218, from a point on primary road number
168 30 south of Vinton, by way of Vinton, Waterloo, Cedar Falls,
169 Waverly, Charles City, and Osage, to a point on the Minnesota line
170 north of St. Ansgar.

171 (b) By grading, draining, bridging and surfacing with gravel,
172 sand clay, or other type of surfacing: all other primary roads.

173 Nothing herein shall prohibit the changing of the number of any
174 road or part thereof, or the changing of the location of any primary
175 road between the cities and towns named herein.

176 "Sec. 4. Any law adopted by the general assembly authorizing
177 the issuance of bonds under this article XIII shall provide that the
178 principal of all county primary road bonds and bonds issued to re-
179 fund county primary road bonds, outstanding when said law becomes
180 effective, shall be paid, as such bonds mature or become subject to
181 call, from the proceeds of the state bonds. Upon the issuance of the
182 first state bonds under such law the authority of the counties to
183 issue county primary road bonds shall cease."

1 SECTION 2. Be it further resolved, that the foregoing proposed
2 amendment be and the same is hereby referred to the legislature to
3 be chosen at the next general election for members of the next gen-
4 eral assembly, and that the secretary of state cause the same to be
5 published for three (3) months previous to the date of said election
6 as provided by law.

House Joint Resolution No. 6. Approved April 11, A. D. 1929.

CHAPTER 401

LEGISLATIVE COMMITTEE

HOUSE JOINT RESOLUTION providing for the appointment of a joint committee of the house and senate of the forty-third general assembly for the purpose of proposing legislation calculated to raise the state revenue by means other than by a millage property tax, and to report to this or the next regular or special session of the general assembly of the state of Iowa, and providing an appropriation therefor.

WHEREAS, it is recognized that our present system of millage taxation in Iowa is unsuited to the present needs, is out of harmony with present conditions, and is old and inequitable, and unless changes be made and new ways and means of taxation be employed, increasingly unjust burdens will be imposed on that class of our people who own farms and dwellings, and tangible physical property, therefore

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

1 "SECTION 1. That a special tax committee of members of the house
2 of representatives and the senate of the forty-third general assembly,
3 consisting of six (6) members, be appointed, three (3) of whom shall
4 be appointed by the speaker of the house of representatives from the
5 members, and three (3) of whom shall be appointed by the lieutenant
6 governor, president of the senate, from the members, whose duty it
7 shall be separately or in conjunction with the state board of assess-
8 ment and review to collect information and formulate proposed legis-
9 lation which will provide the state revenue without direct property
10 tax, and in conjunction with the said state board of assessment and
11 review make a written report and recommendations for said proposed
12 legislation, said report to be made as soon as possible to an extra ses-
13 sion of the 43rd general assembly to be called by the governor, or to
14 the regular session of the 44th general assembly; that such committee
15 be given authority to employ stenographic and clerical help, call as
16 witnesses the heads of departments of the state and others, and confer
17 with tax specialists; and is directed to make its first report to the
18 governor on or before December 1st, 1929.

1 SEC. 2. The members of said special tax committee shall be paid
2 their actual necessary expenses incurred while engaged in their duties
3 as members of said committee, and there is hereby appropriated out
4 of any funds in the state treasury not otherwise appropriated the
5 sum of five thousand dollars (\$5,000.00) or so much thereof as may be
6 necessary to pay the expenses of the committee in making said in-
7 vestigation and preparing said report to carry out the provisions of
8 this resolution."

House Joint Resolution No. 9. Approved May 11, A. D. 1929.

CHAPTER 402

STATE PARK. INVESTIGATION

JOINT RESOLUTION providing for the appointment of an investigating committee whose duty it shall be to investigate the advisability of establishing a state park upon the west bank of Spirit Lake located in Dickinson county, Iowa, and providing that said committee shall report its findings and recommendations thereon to the forty-fourth general assembly, and to provide an appropriation sufficient to pay the expense of said committee.

WHEREAS, there has been a proposal made to the joint committee on conservation of the house and of the senate that a state park be purchased, located, and established upon the west shore of Spirit Lake, upon what is known as the Polk-Maish land, comprising several hundred acres of land, and

WHEREAS, it appears to the joint committee on conservation, that it might be advisable for the state to acquire said lands for the purpose of establishing a state park thereon, and that there might be real advantages to the state in establishing such a park, and

WHEREAS, it is the opinion of the joint committee on conservation that the proposition should be thoroughly investigated and a full report made to the legislature relative to the matter, therefore

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

1 SECTION 1. That a joint committee of members of the house of
2 representatives and the senate of the forty-third general assembly
3 consisting of six (6) members, be appointed, three (3) of whom shall
4 be appointed by the lieutenant governor from the members of the
5 senate, and three (3) of whom shall be appointed by the speaker of
6 the house of representatives from the members of the house of repre-
7 sentatives, one of whom shall be from the minority party, whose duty
8 it shall be to investigate the proposal to establish a state park upon
9 the west bank of Spirit Lake in Dickinson county, Iowa, and to make
10 a written report and recommendation to the forty-fourth general
11 assembly of the state of Iowa, relative to the advisability of establish-
12 ing such a park on said location.

1 SEC. 2. There is hereby appropriated out of any funds in the state
2 treasury not otherwise appropriated, the sum of five hundred dollars
3 (\$500.00), or so much thereof as may be necessary to pay the ex-
4 penses of the committee provided for in section one (1) hereof, in
5 making the investigation and preparing the report required therein.

Senate Joint Resolution No. 9. Approved May 7, A. D. 1929.

CHAPTER 403

EMPLOYEES OF THE GENERAL ASSEMBLY

HOUSE JOINT RESOLUTION fixing the compensation of the officers and employees of the forty-third general assembly.

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

1 SECTION 1. That pursuant to the provisions of section nineteen
2 (19) of the code, 1927, it is provided that the compensation of all
3 officers and employees of the forty-third general assembly shall be
4 as follows:

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

7 Seven dollars (\$7.00) per day to the assistant secretary, the reading
8 clerk, the enrolling clerks, the engrossing clerk, the general clerk,
9 the journal clerks of the senate and to the assistant chief clerk, the
10 reading clerk, the enrolling clerks, the engrossing clerk, the journal
11 clerks and the assistant clerk to the chief clerk of the house.

12 Five dollars (\$5.00) per day to the sergeants-at-arms of the senate
13 and house, the assistant sergeants-at-arms of the senate and house,
14 the chief doorkeeper of the senate, the bill and file clerks of the house
15 and senate, the lieutenant governor's clerk, the secretary's clerk, the
16 speaker's clerk and the chief clerk's clerk.

17 Four dollars (\$4.00) per day to the assistant bill and file clerks of
18 the house and senate, the postmistress and assistant postmistress, the
19 doorkeepers, the chief janitor, assistant janitors and committee clerks
20 of the house and senate, also the assistant electrician for the voting
21 machine of the house.

22 Two and fifty hundredths dollars (\$2.50) per day to the telephone
23 messengers in the house and senate, the lieutenant governor's page,
24 and the speaker's page.

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

1 SEC. 2. This act being deemed of immediate importance shall be in
2 full force and effect from and after its publication in the Anthon Her-
3 ald, a newspaper published at Anthon, Iowa, and the Des Moines
4 Daily Record, a newspaper published in the city of Des Moines, Iowa.

House Joint Resolution No. 1. Approved January 29, A. D. 1929.

I hereby certify that the foregoing act was published in the Anthon Herald February 6, 1929, and the Des Moines Daily Record January 31, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 404

EMPLOYEES OF THE GENERAL ASSEMBLY

JOINT RESOLUTION relating to the selection of additional employees of the forty-third 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. That the action of the joint committee under authority
2 conferred upon it by concurrent resolution of this assembly previously
3 passed, in nominating and recommending the following as extra help
4 required by the work of this assembly be and the same is hereby ap-
5 proved and the state auditor is, upon pay roll duly approved, author-
6 ized and instructed to pay them at the rates and for such services
7 actually rendered during the period hereafter limited.

8 Under the Custodian:

9 1. Nine janitors at a compensation of \$100.00 per month, dating
10 from the convening of this session and for the period covering the
11 session.

12 2. One messenger and mail carrier, at a compensation of \$4.00 per
13 day, dating from the convening of and continuing during the session.

14 3. One assistant matron, at a compensation of \$4.00 per day, dat-
15 ing from the convening of and continuing during the session.

16 4. Two extra elevator tenders, at a compensation of \$100.00 per
17 month, dating from the convening of and continuing during the ses-
18 sion.

19 Each of said employees shall be subject to removal by the committee
20 or by the custodian upon the approval of the committee.

21 In the state law library:

22 5. One assistant law research clerk, at \$6.00 per day, dating
23 from the convening of and continuing during the session.

24 6. One assistant research and general clerk, at \$4.00 per day, dat-
25 ing from the convening of and continuing during the session.

26 7. One stenographer, at \$4.00 per day, dating from the convening
27 of and continuing during the session.

28 8. One page, at a compensation of \$4.00 per day, dating from
29 the convening of and continuing during the session.

30 9. One electrician, at \$4.00 per day, dating from the convening of
31 and continuing during the session.

32 10. One senate telephone messenger, at \$2.50 per day, dating from
33 the convening of and continuing during the session.

34 Each of said employees shall be subject to removal by this com-
35 mittee or by the curator of the law library upon the approval of
36 this committee.

1 SEC. 2. This act, being deemed of immediate importance, shall take
2 effect from and after its publication in two newspapers of the state
3 as provided by law.

Senate Joint Resolution No. 1. Approved January 29, A. D. 1929.

I hereby certify that the foregoing act was published in the Des Moines Plain Talk
January 31, 1929, and the Cedar Rapids Tribune February 1, 1929.

ED. M. SMITH, *Secretary of State.*

CHAPTER 405

ACCEPTANCE OF CAPPER-KETCHAM ACT

SENATE JOINT RESOLUTION to accept the provisions of the United States law commonly known as the Capper-Ketcham act, and to provide for the further development of agricultural extension work at the Iowa state college of agriculture and mechanic arts.

WHEREAS, the congress of the United States has passed an act approved by the president, May 22, 1928, entitled, "An act to provide for the further development of agricultural extension work between the agricultural colleges in the several states receiving the benefits of the act entitled 'An act donating public lands of the several states and territories which may provide colleges for the benefit of agriculture and the mechanic arts' approved July 2, 1862, and all acts supplementary thereto, and the United States department of agriculture"; therefore,

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

1 SECTION 1. That the assent of the legislature of the state of Iowa
2 be and is hereby given to the provisions and requirements of the con-
3 gressional act approved May twenty-second, 1928, commonly known
4 as the Capper-Ketcham act.

1 SEC. 2. That the Iowa state board of education be and is hereby
2 authorized and empowered to receive the grants of money appropri-
3 ated under the said act; and to organize and conduct agricultural ex-
4 tension work which shall be carried on in connection with the Iowa
5 State College of Agriculture and Mechanic Arts, in accordance with
6 the terms and conditions expressed in the act of congress aforesaid.

1 SEC. 3. This act being deemed of immediate importance shall be
2 in force and take effect from and after its publication in the Ames
3 Tribune, a newspaper published in Ames, Iowa, and the Nevada Eve-
4 ning Journal, a newspaper published in Nevada, Iowa.

. Senate Joint Resolution No. 8. Approved April 5, A. D. 1929.

I hereby certify that the foregoing act was published in the Ames Tribune April 11, 1929, and the Nevada Evening Journal April 8, 1929.

ED. M. SMITH, *Secretary of State.*



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