

Sec. 3. That the money herein appropriated shall be paid on the warrant of the auditor of state by the treasurer of the state on the orders of the Iowa state agricultural society signed by the president and secretary thereof and at such times and in such sums, only, as it may be made to appear to the executive council of the state, or to a majority thereof, that the same is required in payment for land so purchased for the purposes and in the manner contemplated by this act.

Appropriation, how paid.

Sec. 4. In the event that said society should abandon the using of the premises herein provided for and cease to use the same for purposes hereinbefore enumerated, then and in that case, it shall be lawful for the state to take possession of said premises and make such disposition of the same as the general assembly shall deem proper.

In case of abandonment.

Approved, April 14, 1884.

## CHAPTER 200.

### IMPROVEMENT OF HIGHWAYS.

AN ACT to Promote the Improvement of Highways. [Additional to Code, Title VII, Ch. 2; and Superseding Sec. 986.] H. F. 543.

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

SECTION 1. That the board of supervisors of each county may at the time of levying taxes for other purposes, levy a tax of not more than one mill on the dollar of the assessed value of the taxable property in their county, which tax shall be collected at the same time and in the same manner as other taxes are collected and shall be known as the county road fund, and shall be paid out only on the order of the board of supervisors for work done on the highways of the county, in such places as the board shall determine, and the county treasurer shall receive the same compensation for collecting this tax as he does for collecting corporation taxes; *provided*, that the amount levied by the board of township trustees under section 969 of the code together with the amount thus levied shall not be in excess of five (5) mills.

One-mill tax authorized in each county.

Paid out for work on highways.

Proviso: total tax not to exceed 5 mills.

Sec. 2. The board of supervisors shall, at their regular meeting in April of each year, determine from the auditor's and treasurer's books, the amount of money collected and credited to said road tax fund. They shall, also, determine the manner in which said tax shall be expended, whether by contract or otherwise.

Sec. 3. That section 986 be and the same is hereby repealed, and following enacted in lieu thereof:

Code, § 986 repealed.

Compensation of road supervisor.

How paid.

Receive a certificate: when.

Township trustees may consolidate road districts.

Proviso.

Tax may be ordered paid in money.

When organized into one highway district.

Work may be by contract.

Proviso.

Expenditure of tax.

Noxious weeds to be cut twice a year.

SEC. 986. The supervisor shall be allowed the sum of two dollars per day for each day's labor, including the time necessarily spent in notifying the hands and making out his return, which sum shall be paid out of the highway fund, after deducting his two days' work. When there is no money in the hands of the clerk with which to pay the said supervisor, he shall be entitled to receive a certificate for the amount of labor performed, which certificate shall be received in payment of his own highway tax for any succeeding year.

SEC. 4. The board of township trustees, may, at their regular meeting in April, 1884, or at any regular April meeting thereafter, on petition of a majority of the voters of said township consolidate the several road district[s] in the township into one highway district; *provided*, however, that nothing herein contained shall be construed to prevent the trustees from again subdividing the township into subdistricts and returning to the present plan of road work, at any regular April meeting, after two years trial of the plan provided by this act.

SEC. 5. The trustees may order the township highway tax for the succeeding year paid in money and have the same collected by the county treasurer the same as other taxes.

SEC. 6. In all cases where the township shall have organized into one highway district, as contemplated in section 4 of this act, the board of township trustees shall order and direct the expenditure of all the highway funds and labor belonging or owing to the township; and to this end the trustees may let by contract to the lowest responsible bidder (should they deem him competent to the proper performance of such work) any part, or all of the work on the highways for that year, in the township, or they may appoint a township superintendent of highways, with one or more assistants, should they deem it best so to do, to superintend all or any part of such work, subject always to the direction of the township trustees; *provided only*, the said trustees shall not incur any indebtedness for such purposes, unless the same has been, or shall at the time be, provided for by an authorized levy.

SEC. 7. The trustees shall cause both the property and poll road tax belonging to the township, to be equitably and judiciously expended for highway purposes in the township highway district, and shall cause the highways to be kept in as good condition as the means at their command will admit of.

SEC. 8. The trustees shall cause the noxious weeds growing on the highways in their township, to be cut twice a year, if deemed necessary to exterminate the same, and have them cut at such times as to prevent their growing to seed; and for this purpose, the trustees may allow any land owner a reasonable compensation for destroying such weeds on the highways abutting his lands and have him credited for the same on his road tax for that year.

SEC. 9. The trustees shall fix the term of office and per diem of the superintendent of highways and his assistants, should such be employed; *provided*, the superintendent shall not be hired for more than one year at a time and his per diem shall not exceed three dollars; and that the contract shall be conditioned so that the trustees may dispense with his services at any time, when in their judgment it shall be for the best interests of the township so to do.

Trustees to fix term of office and per diem of superintendent. Proviso.

SEC. 10. The trustees shall cause at least seventy-five per cent of the township highway tax to be properly expended for highway purposes by the fifteenth day of July each year.

75 per cent of tax to be expended.

SEC. 11. In all cases where the one highway district plan shall be adopted, the highway funds belonging to the several road districts in the township, prior to the change, shall be placed to the credit of the general township highway fund, and all claims for work done or material furnished for road purposes, and unsettled for prior to the change, shall be paid out of such funds.

Funds of the several districts to be placed to credit of general township.

SEC. 12. The trustees shall require the township clerk, contractor, and superintendent, contemplated in this act, each to qualify, as other township officers, and to execute a bond with approved sureties, for twice the amount of money likely to come into their hands, respectively, by reason of this act.

Township clerk, contractor and superintendent, to qualify and give bond.

SEC. 13. The trustees shall receive the same compensation per day for time necessarily spent in looking after the highways, as they do for other township business; the county treasurer shall receive the per cent for collecting the highway taxes contemplated in this act, that he does for collecting corporation taxes; and the township clerk shall receive two per cent of all the money coming into his hands by reason of this act, and by him paid out for road purposes.

Compensation of trustees, of county treasurer, of township clerk.

SEC. 14. Nine hours' faithful service for a man, or man and team, shall be required for a day's work on the road; *provided*, that except on extraordinary occasions no person shall be required to go more than three miles from his place of residence to work on the roads; and for the purposes of this act, the residence of a man with a family shall be construed to be where his family reside[s], and for a single man it shall be at the place where he is at work.

Nine hours constitute a day's work. Proviso.

SEC. 15. The powers, duties, and accountability imposed on highway supervisors, so far as consistent with this act, shall apply with equal force to contractors, superintendents and assistants contemplated in this act.

Law as to highway supervisors shall apply to contractors.

SEC. 16. In all cases where the one highway district for the township shall have been adopted, it shall be competent for the township trustees to designate when the same shall take effect as to the working of the roads.

Trustees to designate when township system takes effect.

SEC. 17. Sections four (4) to fifteen (15) inclusive, of this act shall apply and be in force only in such townships as adopt the one highway district plan provided for in this act.

Secs. 4 to 15 hereof apply when.

Repealing  
clause.

SEC. 18. All acts and parts of acts so far as inconsistent with this act are hereby repealed.  
Approved, April 14, 1884.

## CHAPTER 201.

### ADDITIONAL HOSPITAL FOR THE INSANE.

H. F. 492.

AN ACT to Make Farther Provision for the Care of Insane Persons.  
[Additional to Code, Title XI, Ch. 2 ]

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

An additional  
hospital for  
the insane  
provided for.

SECTION 1. That there shall be erected and permanently established at the place to be selected as hereinafter provided, an additional hospital for the support, care and treatment of the insane of the state.

Governor to  
appoint com-  
missioners to  
locate and  
build same.

SEC. 2. That the governor of the state shall as speedily after the taking effect of this act as practicable appoint, by and with consent of the executive council, three suitable persons, residents of the state of Iowa, who shall constitute a board of commissioners for the purpose of selecting the location and site, adopting plans and erecting an additional hospital for the insane of the state provided for in this act. The persons so appointed shall be subject to removal by the governor, and in case of a vacancy, by death, resignation or otherwise, the governor shall fill such vacancy by appointment.

Removal.

Located in  
southwestern  
Iowa.

SEC. 3. The board of commissioners provided for in section two (2) hereof shall as speedily after their appointment as practicable, determine the location of, and purchase the site for such additional hospital for the insane which location shall be in the southwestern portion of the state and shall be selected with reference to its healthfulness and accessibility. The site for such hospital shall consist of not less than three hundred and twenty acres of land and shall be [so] selected as to secure an abundant supply of good water and an opportunity for proper and efficient drainage, and no gratuity or donation shall be received as an inducement to such location.

No. of acres,  
water and  
drainage.

Deeds to be to  
the state.

SEC. 4. That the deeds for the conveyance of such site shall be executed to the state of Iowa, convey an absolute title in fee simple and be accompanied by an abstract of the title to the land therein described, showing perfect title in the grantor or grantors at the time of the execution of such deed or deeds