

assessment was erroneous or wrongful, it shall only be necessary to prove that such lands so assessed were not benefitted by the location, construction or maintenance, of such ditch, drain or water course.

SEC. 2. This act being deemed of immediate importance, shall be in force and after its publication, in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines Iowa.

Approved April 10, 1886.

I hereby certify the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* April 16, 1886.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 140.

PROVIDING FOR MINE INSPECTORS—THEIR APPOINTMENT, DUTIES AND COMPENSATION.

AN ACT to repeal sections 1, 2, 3, 4, 5 and 6 of chapter 21, Acts of S. F. 198. the Twentieth General Assembly, and enact substitutes therefor providing for mine inspectors, their manner of appointment, compensation and defining their duties and terms of office.

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

SECTION 1. That there shall be appointed by the Governor with the advice and consent of the Senate, three inspectors of mines who shall hold their offices for two years. The said inspectors subject however to be removed by the Governor for neglect of duty or malfeasance in office. Said term of office shall commence on the first day of April of each even numbered year. Said inspectors shall have a theoretical and practical knowledge of the different systems of working and ventilating coal mines, and of the nature and properties of the noxious and poisonous gases of mines and of mining engineering; and said inspectors before entering upon the discharge of their duties shall take an oath or affirmation to discharge the same faithfully and impartially, which oaths or affirmations shall be endorsed upon their commissions, and their commissions so endorsed shall be forthwith recorded in the office of the Secretary of State, and such inspectors shall each give bonds in the sum of two thousand (2,000) dollars, with sureties to the approval of the Governor, conditioned for the faithful discharge of their duties. The Governor shall divide the State into inspection districts and shall assign the inspectors to duty in such place or districts as he shall deem proper.

SEC. 2. Said inspectors shall give their whole time and attention to the duties of their offices respectively and shall ex-

Powers.	amine all the mines in this State as often as their duties will permit, to see that the provisions of this act are obeyed, and it shall be lawful for such inspectors to enter, inspect and examine any mine in this State, and the works and machinery belonging thereto, at all reasonable times by night or by day, but so as not to unnecessarily obstruct or impede the working of the mines, and to make inquiry and examination into the state and condition of the mine as to ventilation and general security as required by the provisions of this act. The inspectors shall make a record of all examinations of mines inspected by them, showing the date when made, the condition in which the mines are found, the extent to which the laws relating to mines and mining are observed or violated, the progress made in the improvement and security of life and health sought to be secured by the provisions of this chapter, number of accidents, injuries or deaths in or about the mines; the number of mines visited, the number of persons employed in or about the mines, together with all such facts and information of public interest concerning the condition of mines as they may think useful and proper, or so much thereof as may be of public interest to be included in their biennial report. The owner and agents of all coal mines are hereby required to furnish the means necessary for such inspection, and it shall be the duty of the person having charge of any mine, whenever any loss of life shall occur by accident connected with the workings of such mine to give notice forthwith by mail or otherwise to the inspector of mines of his district and to the coroner of the county in which such mine is situated, and the coroner shall hold an inquest on the body of the person or persons whose death has been caused, and inquire carefully into the cause thereof and shall return a copy of the verdict and all testimony to the said inspector. No person having a personal interest in or employed in the mine where a fatal accident occurs shall be qualified to serve on the jury empaneled on the inquest and the owner or agent of all coal mines shall report to the inspector all accidents to miners in and around the mines, giving cause of same, such report to be made in writing and within ten days from the time any accident occur.
Shall keep a complete record.	Which shall be included in biennial report. Duty of mine owners. In case of a death.
Jury on inquest.	Report all accidents to inspector.
Inspectors shall not be interested in any mine. Biennial report.	SEC. 3. Said inspectors while in office shall not act as agents or managers or mining engineers, or be interested in operating any mine, and the inspector shall bi-ennially, on or before the fifteenth day of August preceeding the regular session of the general assembly make a report to the governor, of their proceedings and the condition and operation of the mines in this state, enumerating all accidents in or about the same, and giving all such information as they may think useful and proper, and making such suggestions as they may deem important as to future legislation on the subject of mining.
What it shall contain.	SEC. 4. The inspectors provided for in this act shall each receive a salary of twelve hundred dollars (\$1,200) per annum, payable monthly, and shall be furnished with necessary station-
Compensation.	
How paid.	

ery, and actual traveling expenses not to exceed five hundred dollars (\$500) per annum; *Provided*, that each inspector shall file at the end of each quarter of his official year with the auditor of state a sworn statement of his actual traveling expenses incurred in the performance of his official duty for such quarter. The said salary and expenses to be paid by the state as the salaries and expenses of other state officers are provided for. They shall have and keep an office in the capitol at Des Moines, in which shall be kept all records, correspondence, papers, apparatus and property pertaining to their duties belonging to the state and which shall be handed over to their successors in office.

Expenses.

Statement of expenses.

Office.

SEC. 5. Any vacancy occurring in the office of inspector when the senate is not in session either by death or resignation, removal by the Governor or otherwise, shall be filled by appointment by the Governor, which appointment shall hold good until his successor is appointed and qualified.

Vacancies.

SEC. 6. There shall be provided for such inspectors all instruments necessary for the discharge of their duties under this act, which shall be paid for by the state on the certificate of the inspectors, and shall be the property of the state.

Instruments, etc.

SEC. 7. That sections 1, 2, 3, 4, 5 and 6 of chapter 21, acts of the Twentieth General Assembly be and the same are hereby repealed.

Secs. 1, 2, 3, 4, 5 and 6, chap. 21, acts of 20 G. A. repealed.

SEC. 8. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Des Moines Leader and the Iowa State Register, newspapers published at Des Moines, Iowa.

Publication.

Approved April 10, 1886.

I hereby certify that the foregoing act was published in the *Des Moines Leader* April 13, and the *Iowa State Register* April 15, 1886.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 141.

RELATING TO ELECTIONS OF CITY OFFICERS.

AN ACT to Prescribe the Times of the Elections of Mayors, Treasurers, Assessors and Solicitor of Cities of the Second Class, Amendatory to Sections 518, 532 and 390 of the Code of 1873.

S. F. 208.

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

SECTION 1. The mayor, treasurer, assessor solicitor, shall be elected biennially in cities of the second class, by the qualified electors of the city. They shall be qualified electors and shall reside within the limits of the city and they shall hold their re-

Certain officers in cities of 2d class elected bi-ennially.