

in casks, barrels, kegs, bottles or boxes, or any other dealer, manufacturer or bottler has any such cask, barrel, keg, bottle or box secreted in, about or upon his, her or their premises, the said justice of the peace or police magistrate shall issue his search warrant and cause the premises designated to be searched, as in other cases where search warrants are issued, as now provided by law; and in case any such cask, barrel, keg, bottle or box duly marked, or stamped and registered as aforesaid, shall be found in, upon or about the premises so designated, the officer executing such search warrant shall thereupon arrest the person or persons named in such warrant, and bring, him, her or them before the justice of the peace or police magistrate who issued such warrant, who shall thereupon hear and determine such case, and if the accused is found guilty, he, she or they shall be fined as provided in the second section of this act.

Premises may be searched.

Case heard.

SEC. 5. All costs incurred in the enforcement of the provisions of this act shall be assessed and collected in the same manner as in criminal cases, and all fines collected by virtue of this act shall be turned over to the justice of the peace or police magistrate collecting the same, in the same manner and for the same purpose as fines in cases of assault and battery are now by law disposed of.

Costs in the case.

SEC. 6. All acts and parts of acts in conflict with any of the provisions of this act are hereby repealed.

Conflicting acts repealed.

SEC. 7. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa, without expense to the state.

Publication clause.

Approved March 29, 1894.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader April 4, 1894.

W. M. McFARLAND, Secretary of State.

CHAPTER 80.

AN ACT to make further provision for the care of insane persons. S. F. 155.

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

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

An additional hospital for insane established.

SEC. 2. That the governor of the State shall as speedily after the location shall be determined as practicable, appoint by and with the consent of the senate, three suitable persons, residents of the State of Iowa, who shall constitute a board of commissioners for the purpose of purchasing a site and adopting plans for erecting an additional hospital for the insane of the State provided for in this act, when the general assembly provides means therefor. The persons so appointed shall be

Governor to appoint commissioners.

Purpose of the board to purchase a site and adopt plans.

May be removed.
Vacancies filled by appointment of the governor.

Duty of commissioners as to site for hospital.

Qualifications of site.

Acres.

Water supply.
Drainage.

Deed to be executed to the state.
Abstract title.

Deposited with state auditor.

Money paid to grantor.

Plans for buildings.

Must be fire proof.
Foundation.

Commissioners to invite bids for material and construction.

Advertisement in daily newspaper.

Rules governing.

Contracts in excess of \$1,000 shall not be made unless bids are first invited.
Contracts let to lowest bidder.

A competent architect to be employed.

Compensation.

subject to removal by the governor, and in case of vacancy by death, resignation or otherwise, the governor shall fill such vacancy by appointment.

SEC. 3. The board of commissioners provided for in section 2 hereof, shall as speedily after their appointment as practicable purchase or condemn the site for such additional hospital for the insane, which shall be at or near the town selected by the legislature in pursuance of the provisions of section 13 hereof; 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 nor more than six hundred and forty 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.

SEC. 4. That 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 therein described, showing perfect title in the grantor or grantors at the time of the execution of such deed or deeds, and when so executed and delivered shall be deposited with the auditor of state, and the state treasurer shall then pay on the warrant of the auditor to the grantor or grantors such sum of money as the said board of commissioners shall certify they have agreed to pay for said land.

SEC. 5. That said board of commissioners shall, as soon as practicable, procure and adopt plans, specifications and estimates for buildings to be erected as such hospital, and all buildings erected shall be substantially fire proof. The foundation shall be built of stone and the superstructure of good brick with plain stone trimmings.

SEC. 6. That as soon as the plans for such building or buildings are settled and adopted, and the drawings and specifications thereof have been completed and procured, said board of commissioners, shall invite bids or proposals for the material, labor and construction of said building by advertisement to be published for thirty days in four daily papers published in the State, one of which shall be published in the city of Des Moines, and said board of commissioners shall have the power to prescribe such rules and forms as they shall deem best, but no contract involving expenditure of more than the sum of one thousand dollars (\$1,000) shall be made by said board of commissioners without first inviting such bids; and all contracts shall be let to the lowest bidder complying with the rules and forms prescribed by said board of commissioners.

SEC. 7. That said board of commissioners shall employ a competent architect and superintendent of construction who may in the discretion of said board be the same person, and who shall receive such compensation as the said board shall by agreement determine.

Sec. 8. The accounts of expenditures in the construction of the buildings shall be certified to by the superintendent, and audited and approved by the board of commissioners, and then paid by warrants of the state auditor, drawn in favor of the parties to whom payment is due in the usual manner, and the board is authorized to advance and pay on contracts, before the same are completely performed, not exceeding 75 % on estimates of material delivered or labor performed.

Accounts to be certified by the superintendent and approved by the board.

May advance on contract 75 per cent.

Sec. 9. Before entering upon the duties each commissioner shall take and sign an oath and execute a bond in the penal sum of ten thousand dollars for the use of the State of Iowa, to be approved by the executive council and filed in the office of the secretary of state, conditioned for the faithful performance of his duties and the honest and faithful disbursement of and accounting for all monies [moneys] which may come into his hands under the provisions of this act.

Oath of commissioner. Bond.

Approval and filing of bond. Contents.

Sec. 10. The commissioners shall each receive the sum of five dollars per day for the time actually employed in the discharge of their duties and their actual traveling expenses, and for time and expenses they shall render bill under oath.

Compensation of commissioners.

Traveling expenses.

Sec. 11. That the said board of commissioners shall appoint a secretary from their number, who shall keep a record of the proceedings of said board and an account of all expenditures.

Commissioners may appoint a secretary.

Sec. 12. When said building or any of them shall be completed and ready for use the commissioners shall notify the governor of the State thereof, and he shall at once take steps to organize the same by the appointment of five trustees, who shall hold their office until the next session of the legislature and whose qualifications as the duties shall be the same as now provided by law for the trustees of other hospitals in the State of Iowa and the laws of the State governing the other hospitals; and the admission of patients thereto, as far as applicable, shall apply to and govern the hospital herein provided for.

Commissioners to notify the governor when building is completed. Appointment of five trustees.

Rules governing other hospitals to be adopted.

Sec. 13. That after the taking effect of this act and prior to adjournment of this general assembly, that the house and senate shall meet in joint convention in the hall of the house of representatives, and said joint convention shall determine by vote the location in northwestern Iowa for the hospital for the insane, and balloting shall continue until a majority of all votes cast are cast for one locality; *provided*, a majority decision is reached by the tenth ballot; otherwise the place receiving the lowest number, or places receiving the lowest, and an equal number of votes upon the eleventh ballot shall be dropped on the next succeeding ballot, *provided*, if two or more of the places having the lowest number, have an equal number of votes, then the joint convention shall vote to decide which shall be dropped and not more than one place shall be dropped until another ballot is taken, and this same provision shall obtain in the succeeding ballots, and balloting shall

Location to be determined by joint convention of legislature.

Manner of balloting for location.

In case of tie vote.

Same provision in succeeding ballots.

Location certified to governor.
Publication clause.

continue under this provision until some one place shall receive a majority of the votes cast, which place shall be declared the location for said hospital and so certified to the governor, whereupon the joint convention shall dissolve.

Sec. 14. This act being deemed of immediate importance shall take effect and be in force on and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved March 23d, 1894.

I hereby certify that the foregoing act was published in the Iowa State Register March 28, and the Des Moines Leader March 27, 1894.

W. M. McFARLAND, Secretary of State.

CHAPTER 81.

S. F. 126. AN ACT to amend section 894 Code of 1873, laws of Iowa. [*Execution of Deeds.*]

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

Sec. 894 Code amended.

Cost of serving notice added to redemption money.

Fee for serving notice.

Treasurer to report cost and filing proof to auditor.

Entry in tax sale register.

SECTION 1. That section 894 of the code of 1873, be and the same is hereby amended by striking out the last clause thereof in the following words: "The cost of serving said notice, whether by publication or otherwise, together with the cost of the affidavit, shall be added to the redemption money," and that the following shall be added in lieu thereof: The cost of serving said notice, and for the affidavit of publication shall be added to the amount necessary to redeem. The fee for serving the notice shall be the same as provided by law for service of an original notice, including copy fee and mileage. The county treasurer shall upon the filing of proof of service and statement of costs forthwith report the same in writing to the county auditor who shall enter the same in the register of tax sales, against the proper tract of real estate. The holder of certificate of sale for taxes, or his agent, may report in writing to the county auditor the amount of costs incurred for giving such notice of right to redeem, and the auditor shall enter the same in the tax sale register as aforesaid. No redemption from tax sale shall be complete until such costs are paid.

Approved April 24th, 1894.

CHAPTER 82.

H. F. 474. AN ACT to amend section 1, chapter 85, acts of the Twenty-second General Assembly. [*Non-resident aliens and real estate.*]

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

Sec. 1, ch. 85, 22 G. A., amended. Naturalized aliens.

SECTION 1. That section 1, chapter 85, acts of the Twenty-second General Assembly be hereby amended in the seventh line thereof by inserting the words "of naturalized citizens and," after the word "heirs" and before the word "of."

Approved April 26th, 1894.