

ACTS AND RESOLUTIONS

PASSED AT THE

REGULAR SESSION

OF THE

Twenty-sixth General Assembly

OF THE

STATE OF IOWA,

BEGUN JANUARY 13 AND ENDED APRIL 11, 1896.

PUBLISHED UNDER THE AUTHORITY OF THE STATE.

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STATE GOVERNMENT, 1896.

EXECUTIVE DEPARTMENT.

NAME.	POSITION.	COUNTY FROM WHICH ORIGINALLY CHOSEN.
Francis M. Drake.....	Governor.....	Appanoose.
William H. Fleming.....	Private Secretary to the Governor.....	Polk.
Matt Parrott.....	Lieutenant-Governor.....	Black Hawk.
H. W. Byers.....	Speaker House of Representatives.....	Shelby.
W. M. McFarland.....	Secretary of State.....	Emmet.
C. S. Byrkit.....	Deputy Secretary of State.....	Polk.
C. G. McCarthy.....	Auditor of State.....	Story.
Ole O. Roe.....	Deputy Auditor of State.....	Story.
John Herriott.....	Treasurer of State.....	Guthrie.
D. B. Davidson.....	Deputy Treasurer of State.....	Boone.
Henry Sabin.....	Superintendent of Public Instruction.....	Clinton.
Ira C. Kling.....	Deputy Supt. of Public Instruction.....	Cerro Gordo.
F. R. Conaway.....	State Printer.....	Poweshiek.
Lafayette Young.....	State Binder.....	Polk.
Henry H. Wright.....	Adjutant-General.....	Appanoose.
Mrs. Cope.....	State Librarian.....	Marshall.
W. E. O'Brien.....	Commissioner of Labor Statistics.....	Polk.
Luther A. Brewer.....	State Inspector of Oils.....	Linn.
George E. Delavan.....	Fish Commissioner.....	Emmet.
J. J. Gibson.....	State Veterinary Surgeon.....	Crawford.
W. K. Boardman.....	Dairy Commissioner.....	Story.
Prof. L. G. Weld.....	Superintendent Weights and Measures.....	Johnson.
George W. Perkins.....	} Railroad Commissioners..... }	Fremont.
C. L. Davidson.....		Sioux.
Edward A. Dawson.....	} Sec'y Board of Railroad Commissioners..... }	Bremer.
W. W. Ainsworth.....		Polk.
E. A. Guilbert.....	President State Board of Health.....	Dubuque.
J. F. Kennedy.....	Secretary State Board of Health.....	Polk.
Fletcher Howard.....	} Commission of Pharmacy..... }	O'Brien.
John H. Pickett.....		Mahaska.
W. L. Leland.....		Jackson.
Charles W. Phillips.....	Secretary of Commission of Pharmacy.....	Jackson.
Morgan G. Thomas.....	} State Mine Inspectors..... }	Mahaska.
James W. Miller.....		Polk.
James A. Campbell.....		Wapello.
George Metzger.....	Custodian of Pub. Buildings and Property.....	Scott.

JUDICIAL DEPARTMENT.

SUPREME COURT.

NAME.	POSITION.	COUNTY FROM WHICH CHOSEN.	POSTOFFICE ADDRESS.
James H. Rothrock.....	Chief Justice.....	Linn.....	Cedar Rapids.
L. G. Kinne.....	Judge.....	Tama.....	Toledo.
H. E. Deemer.....	Judge.....	Montgomery.....	Red Oak.
Gifford S. Robinson.....	Judge.....	Woodbury.....	Sioux City.
Charles T. Granger.....	Judge.....	Allamakee.....	Waukon.
Josiah Given.....	Judge.....	Polk.....	Des Moines.
Milton Remley.....	Attorney-General.....	Johnson.....	Iowa City.
C. T. Jones.....	Clerk.....	Washington.....	Des Moines.
J. E. Whelan.....	Deputy Clerk.....	Montgomery.....	Des Moines.
Benjamin I. Salinger.....	Reporter.....	Carroll.....	Manning.

DISTRICT COURTS.

Dist.	NAME.	POSTOFFICE.	NAME.	POSTOFFICE.
1	Henry Bank, Jr.	Keokuk.....	James D. Smyth.....	Burlington.
2	M. A. Roberts.....	Ottumwa.....	T. M. Fee.....	Centerville.
	F. W. Eichelberger.....	Bloomfield.....	Robert Sloan.....	Keosauqua.
3	H. M. Towner.....	Corning.....	W. H. Tedford.....	Corydon.
4	Scott M Ladd.....	Sheldon.....	George W. Wakfield.....	Sioux City.
	F. R. Gaynor.....	Le Mars.....	John F. Oliver.....	Onawa.
5	I. H. Applegate.....	Guthrie Center.....	John A. Story.....	Greenfield.
	A. W. Wilkinson.....	Winterset.....		
6	David Ryan.....	Newton.....	Ben McCoy.....	Oskaloosa.
	A. R. Dewey.....	Washington.....		
7	C. M. Waterman.....	Davenport.....	W. F. Brannan.....	Muscatine.
	P. B. Wolfe.....	Clinton.....	A. J. House.....	Maquoketa.
8	Martin J. Wade.....	Iowa City.....		
9	W. F. Conrad.....	Des Moines.....	Calvin P. Holmes.....	Des Moines.
	Thomas F. Stevenson.....	Des Moines.....	William A. Spurrier.....	Des Moines.
10	J. J. Tolerton.....	Cedar Falls.....	A. S. Blair.....	Manchester.
11	D. R. Hindman.....	Boone.....	S. M. Weaver.....	Iowa Falls.
	Benjamin P. Birdsall.....	Clarion.....		
12	John C. Sherwin.....	Mason City.....	Porter W. Burr.....	Charles City.
13	L. E. Fellows.....	Lansing.....	A. N. Hobson.....	West Union.
14	Lot Thomas.....	Storm Lake.....	William B. Quarton.....	Algona.
15	A. B. Thornell.....	Sidney.....	Walter I. Smith.....	Council Bluffs.
	N. W. Macy.....	Harlan.....	W. R. Green.....	Audubon.
16	S. M. Ellwood.....	Sac City.....	Z. A. Church.....	Jefferson.
17	George N. Burnham.....	Vinton.....		
18	William P. Wolf.....	Tipton.....	William G Thompson.....	Marion.
19	Fred O'Donnell.....	Dubuque.....	James L. Husted.....	Dubuque.

SUPERIOR COURTS.

Thomas M. Giberson.....	Cedar Rapids.	J. E. F. McGee.....	Council Bluffs.
Joseph C. Burke.....	Keokuk.		

TWENTY-SIXTH GENERAL ASSEMBLY.

SENATORS.

Dist.	NAME.	P. O. ADDRESS.	COUNTIES IN DISTRICT.
26	Alexander, J. S.	Marion	Linn.
5	Allyn, G. S.	Mount Ayr	Decatur, Union, Ringgold.
2	Bell, Thomas	Fairfield	Jefferson, Van Buren.
11	Berry, W. H.	Indianola	Clarke, Warren.
14	Blanchard, L. C.	Oskaloosa	Mahaska.
35	Bonson, Robert	Dubuque	Dubuque
4	Byers, H. L.	Lucas	Lucas, Wayne.
28	Carney, J. L.	Marshalltown	Marshall
20	Carpenter, C. A.	Columbus Jct.	Louisa, Muscatine.
3	Carroll, B. F.	Bloomfield	Davis, Appanoose.
30	Cheshire, Thos. A.	Des Moines	Polk.
39	Craig, George M.	Allison	Butler, Bremer.
1	Downey, John	Charleston	Lee.
15	Druet, Samuel	Marysville	Marion, Monroe.
7	Eaton, William	Sidney	Page, Fremont.
22	Ellis, L. A.	Clinton	Clinton.
24	Ellison, F. O.	Anamosa	Cedar, Jones.
31	Ericson, C. J. A.	Boone	Boone, Story.
36	Everall, John	Farmersburg	Clayton.
47	Funk, A. B.	Spirit Lake	Clay, Dickinson, Emmet, Kossuth, Palo Alto.
48	Garst, Warren	Coon Rapids	Carroll, Green, Sac.
41	Gilbertson, G. S.	Forest City	Mitchell, Winnebago, Worth.
29	Gorrell, J. R.	Newton	Jasper.
9	Harper, T. G.	Burlington	Des Moines.
43	Harriman, W. F.	Hampton	Cerro Gordo, Hancock, Franklin.
27	Healy, Thomas D.	Fort Dodge	Calhoun, Webster.
50	Henderson, G. W.	Rolfe	Buena Vista, Humboldt, Pocahontas.
21	Hipwell, C. G.	Davenport	Scott.
46	Hobart, A. C.	Cherokee	Cherokee, Ida, Plymouth.
49	Hospers, Henry	Orange City	Lyon, Osceola, Sioux, O'Brien.
17	Hotchkiss, A. C.	Adel	Audubon, Dallas, Guthrie.
23	Hurst, A.	Maquoketa	Jackson.
8	Junkin, J. M.	Red Oak	Mills, Montgomery.
16	Kilburn, L. M.	Fontanelle	Adair, Madison.
34	Lehfeldt, R.	Denison	Crawford, Harrison, Monona.
32	Lothrop, J. S.	Sioux City	Woodbury.
6	Mitchell, W. O.	Corning	Adams, Taylor.
10	Palmer, D. J.	Washington	Henry, Washington.
45	Penrose, E. G.	Tama	Benton, Tama.
44	Perrin, W. B.	Nashua	Chickasaw, Floyd.
18	Phelps, Julfan	Atlantic	Cass, Shelby.
19	Pusey, N. M.	Council Bluffs	Pottawattamie.
25	Ranck, C. S.	Iowa City	Iowa, Johnson.
12	Riggen, J. A.	What Cheer	Keokuk, Poweshiek.
37	Rowen, John E.	Clarion	Hamilton, Hardin, Wright.
38	Sargent, E. M.	Grundy Center	Black Hawk, Grundy.
40	Trewin, J. H.	Lansing	Allamakee, Fayette.
42	Upton, C. C.	Cresco	Howard, Winneshiek.
13	Waterman, H. L.	Ottumwa	Wapello.
33	Young, D. H.	Manchester	Buchanan, Delaware.

OFFICERS OF THE SENATE.

President.—Matt Parrott, Waterloo, Black Hawk county.
Secretary.—W. E. Bullard, Belmont, Wright county.
First Assistant Secretary.—C. H. Talmadge, West Union, Fayette county.
Second Assistant Secretary.—S. H. Sibley, State Center, Marshall county.
Engrossing Clerk.—Carrie Sherman, Vinton, Benton county.
Enrolling Clerk.—Capitola Mardis, Osceola, Clarke county.
Journal Clerk.—L. E. Hollowell, Atlantic, Cass county.
Journal Clerk.—G. A. Nichols, Estherville, Emmet county.
Sergeant-at-arms.—J. B. Satterlee, Manchester, Delaware county.
File Clerk.—J. L. Thompson, Decatur, Decatur county.
Bill Clerk.—Eva Livingston, Washington, Washington county.
Postmistress.—Fannie Beebe, Osage, Mitchell county.
Doorkeeper.—W. H. McFarland, Sioux City, Woodbury county.

HOUSE OF REPRESENTATIVES.

Dist.	NAME.	P. O. ADDRESS.	COUNTIES IN DISTRICT.
2	Allen, W. S.	Birmingham	Van Buren.
79	Bailey, C. F.	Ireton	Sioux.
43	Baker, George T.	Davenport	Scott.
23	Bell, W. B.	Washington	Washington.
84	Bird, J. W.	Rockford	Cerro Gordo.
87	Bowen, D. H.	Waukon	Allamakee.
80	Brady, E. M.	Sanborn	Lyon, O'Brien.
19	Brighton, H. H.	Fairfield	Jefferson.
63	Brinton, M. H.	Ellsworth	Hamilton.
33	Byers, H. W.	Harlan	Shelby.
41	Byington, O. A.	Iowa City	Johnson.
58	Chapman, W. B.	Correctionville	Woodbury.
13	Clark, J. M.	Prescott	Adams.
51	Classen, J. B.	Marshalltown	Marshall.
12	Cook, R. E.	Red Oak	Montgomery.
82	Cornwall, W. W.	Spencer	Clay, Palo Alto.
18	Crow, W. G.	Eldon	Wapello.
30	Davis, M. J.	Lewis	Cass.
37	Doubleday, O. E.	Elkhart	Polk.
37	Dowell, C. C.	Des Moines	Polk.
60	Early, C. L.	Sac City	Sac.
34	Edwards, A. H.	Audubon	Audubon.
5	Evans, H. K.	Corydon	Wayne.
76	Finch, Parley	Humboldt	Humboldt, Pocahontas.
86	Frazeo, John	Chickasaw	Chickasaw.
9	Frink, O. H.	Clarinda	Page.
64	Funk, J. H.	Iowa Falls	Hardin.
25	Garner, J. A.	New Sharon	Mahaska.
53	Good, J. L.	Pilot Mound	Boone.
67	Griswold, H. J.	Winthrop	Buchanan.
56	Grote, J. F.	West Side	Crawford.
6	Gurley, Z. H.	Lamoni	Decatur.
91	Haugen, G. N.	Northwood	Worth, Winnebago.
66	Hauger, W. E.	LaPorte City	Black Hawk.
1	Hazen, J. B.	West Point	Lee.
26	Hendershot, I. B.	Otley	Marion.
44	Hinkhouse, R. W.	Wilton Junction	Cedar.
75	Hinman, S. N.	Belmond	Hancock, Wright.
21	Hunt, William B.	Burlington	Des Moines.
16	Huntley, L. S.	Chariton	Lucas.
50	Jackson, A. E.	Tama	Tama.

HOUSE OF REPRESENTATIVES.—CONTINUED.

Dist.	NAME.	P. O. ADDRESS.	COUNTIES IN DISTRICT.
55	Jay, John T.	Manning	Carroll.
62	Johnson, Jonas P.	Gowrie	Webster.
74	Johnston, C. F.	Sheffield	Franklin.
88	Klemme, W. H.	Ridgeway	Winneshiek.
73	Ladd, W. G.	Clarksville	Butler.
46	Lambert, Thomas	Sabula	Jackson.
14	Lauder, J. W.	Afton	Union.
61	Lavender, J. F.	Rockwell City	Calhoun.
47	Loomis, A. M.	Wyoming	Jones.
89	Lowry, J. J.	Cresco	Howard.
3	McAchrán, W. H.	Bloomfield	Davis.
21	McArthur, W. C.	Burlington	Des Moines.
48	McClelland, F.	Cedar Rapids	Linn.
35	McDonald, M.	Bayard	Guthrie.
40	McDowell, J. P.	Foote	Iowa.
58	McNulty, Francis	Sioux City	Woodbury.
49	McQuin, B. M.	Norway	Benton.
78	Manahan, F. B.	Le Mars	Plymouth.
43	Marti, Chris	Long Grove	Scott.
29	Martin, W. B.	Greenfield	Adair.
83	Mayne, S.	Bancroft	Kossuth.
45	Merrell, N. A.	De Witt	Clinton.
68	Merriam, Frank F.	Hopkinton	Delaware.
77	Miller, D. C.	Newell	Buena Vista.
59	Miller, Wireman	Marcus	Cherokee.
27	Miller, J. H.	Palmyra	Warren.
65	Morrison, J. D.	Reinbeck	Grundy.
24	Morrison, John	Hedrick	Keokuk.
20	Mullin, W.	Winfield	Henry.
48	Nietert, H. J.	Walker	Linn.
69	Nolan, Thomas F.	Ballyclough	Dubuque.
11	Parker, John	Silver City	Mills.
36	Perrott, E. G.	Perry	Dallas.
4	Porter, C. R.	Centerville	Appanoose.
31	Potter, L. F.	Oakland	Pottawattamie.
1	Power, J. T. P.	Keokuk	Lee.
7	Prentis, P. L.	Delphos	Ringgold.
31	Putnam, G. M.	Carson	Pottawattamie.
39	Ray, W. G.	Grinnell	Poweshiek.
52	Reed, J. F.	Nevada	Story.
17	Scott, D. H.	Albia	Monroe.
54	Smith, P. A.	Scranton	Greene.
85	Spaulding, E. C.	Marble Rock	Floyd.
90	St. John, R. T.	Riceville	Mitchell.
70	Sullivan, T. J.	McGregor	Clayton.
15	Temple, M. L.	Osceola	Clarke.
71	Thompson, J. A.	Arlington	Fayette.
72	Tibbitts, O. O.	Sumner	Bremer.
8	Van Houten, G. H.	Lenox	Taylor.
69	Voelker, C. A.	Dubuque	Dubuque.
42	Watters, H. B.	Atalissa	Muscatine.
22	Weaver, H. O.	Wapello	Louisa.
38	Wells, N. A.	Newton	Jasper.
32	Wheeler, J. R.	Dunlap	Harrison.
81	Whelan, M. K.	Estherville	Dickinson, Emmet, Osceola.
57	Whittier, Lyman	Whiting	Monona, Ida.
10	Williams, S.	Percival	Fremont.
45	Wilson, J. L.	Almont	Clinton.
28	Wood, A. L.	Winterset	Madison.

OFFICERS OF THE HOUSE OF REPRESENTATIVES.

- Speaker.*—H. W. Byers, Harlan.
Speaker pro tem.—C. C. Dowell, Des Moines.
Chief Clerk.—James D. Rowen, Des Moines.
First Assistant Clerk.—Sherman F. Myers, Anita.
Second Assistant Clerk.—Ford Howell, Milton.
Engrossing Clerk.—Mrs. Mollie Heist, Eldon.
Enrolling Clerk.—Minnie Nebergall, Hull.
Assistant Postmistress.—Lorena McQuin, Norway.
Sergeant-at-arms.—J. H. Wilson, Casey.
Journal Clerk.—J. M. Bixler, Corning.
Assistant Journal Clerk.—F. W. Beckman, Manilla.
Bill Clerk.—Belle Metcalf, Winthrop.
File Clerk.—H. F. Burns, Osceola.
Speaker's Clerk.—C. R. Benedict, Shelby.
Doorkeeper.—A. C. Boals, Hampton.

COMMISSIONERS IN OTHER STATES.

List of Commissioners for Iowa in other States, qualified to act as such this 1st day of June, 1896, whose terms of office will not expire prior to July 5, 1896, published as required in section 274 of the Code of 1873, showing their name, postoffice, date of commission, qualification and expiration of commission.

ARIZONA.

NAME.	POSTOFFICE.	DATE OF EXPIRATION OF COMMISSION.	DATE ON AND AFTER WHICH QUALIFIED TO ACT.
Theodore T. Powers.....	Phoenix	Nov. 29, 1897	Nov. 30, 1894

CALIFORNIA.

George T. Knox.....	San Francisco...	March 9, 1897	March 10, 1894
James L. King.....	San Francisco...	March 18, 1898	March 19, 1895
C. E. Slosson.....	Monrovia	Sept. 19, 1898	Sept. 20, 1895

CONNECTICUT.

Henry E. Taintor.....	Hartford.....	Jan. 5, 1897	Jan. 6, 1894
L. W. Cleaveland.....	New Haven.....	Dec. 19, 1897	Dec. 20, 1894

ILLINOIS.

Philip A. Hoyne.....	Chicago	July 2, 1897	July 3, 1894
Frank P. Crandon.....	Chicago	Oct. 22, 1897	Oct. 23, 1894
Silas S. Willard.....	Chicago	Nov. 16, 1897	Nov. 17, 1894
W. E. Humphrey.....	Chicago	June 10, 1898	June 11, 1895
Stuart Derby.....	Chicago	July 26, 1898	July 27, 1895

LOUISIANA.

Meloney C. Soniat.....	New Orleans....	May 20, 1897	May 21, 1894
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MARYLAND.

G. E. Reasdon.....	Baltimore.....	August 29, 1896	August 30, 1893
J. K. Bartlett, Jr.....	Baltimore.....	Sept. 26, 1898	Sept. 27, 1895
Phillip H. Hoffman.....	Baltimore.....	Jan. 26, 1899	Jan. 27, 1896

MASSACHUSETTS.

Edward J. Jones.....	Boston	March 9, 1897	March 10, 1894
Joseph B. Braman.....	Boston	June 19, 1897	June 20, 1894
Ella F. Braman.....	Boston	June 19, 1897	June 20, 1894
Charles H. Adams.....	Boston	Jan. 6, 1898	Jan. 7, 1895
Samuel Jennison.....	Boston	July 5, 1897	July 6, 1894

MINNESOTA.

A. F. Sweetser.....	Minneapolis....	Nov. 15, 1898	Nov. 16, 1895
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MISSOURI.

John A. Peck.....	St. Louis.....	Feb. 27, 1897	Feb. 28, 1894
C. D. Greene, Jr.....	St. Louis.....	May 12, 1898	May 13, 1895

COMMISSIONERS IN OTHER STATES.

NEW YORK.

NAME.	POSTOFFICE.	DATE OF EXPIRATION OF COMMISSION.	DATE ON AND AFTER WHICH QUALIFIED TO ACT.
George H. Corey.....	New York City..	Dec. 10, 1896	Dec. 11, 1893
John A. Hillery.....	New York City..	March 2, 1897	March 3, 1894
Charles Taylor.....	New York City..	May 7, 1897	May 8, 1894
John C. Braman.....	New York City..	June 19, 1897	June 20, 1894
Alfred Mackey.....	New York City..	July 21, 1897	July 22, 1894
T. W. Folsom.....	New York City..	Dec. 23, 1897	Dec. 24, 1894
Leo Schwab.....	New York City..	Jan. 14, 1898	Jan. 15, 1895
W. H. Humphrey.....	Brooklyn.....	Feb. 8, 1898	Feb. 9, 1895
Ella F. Braman.....	New York City..	March 10, 1898	March 11, 1895
Charles T. Lunt.....	New York City..	April 2, 1898	April 3, 1895
Bernard Fowler.....	Brooklyn.....	April 3, 1898	April 4, 1895
Edwin F. Corey.....	New York City..	April 3, 1898	April 4, 1895
William H. Clarkson.....	New York City..	April 25, 1898	April 26, 1895
Joseph B. Braman.....	New York City..	May 17, 1898	May 18, 1895

OHIO.

Jos. T. Harrison.....	Cincinnati.....	Jan. 3, 1898	Jan. 4, 1895
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PENNSYLVANIA.

Edward H. Cloud.....	Philadelphia.....	Dec. 17, 1896	Dec. 18, 1893
Arthur Brossman.....	Philadelphia.....	May 20, 1897	May 21, 1894
Samuel L. Taylor.....	Philadelphia.....	August 19, 1897	August 20, 1894
William F. Robb.....	Pittsburgh.....	Oct. 24, 1897	Oct. 25, 1894
William Wagner, Jr.....	Philadelphia.....	Dec. 14, 1897	Dec. 15, 1894
Kinley J. Tener.....	Philadelphia.....	June 23, 1898	June 24, 1895
William Jenks Fell.....	Philadelphia.....	June 26, 1898	June 27, 1895
Charles W. Sparhawk.....	Philadelphia.....	July 10, 1898	July 11, 1895
Thomas J. Hunt.....	Philadelphia.....	May 12, 1899	May 13, 1896

VERMONT.

George R. Bottum.....	Rutland.....	March 8, 1898	March 9, 1895
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PART 1.

GENERAL LAWS.

L A W S

OF THE

TWENTY-SIXTH GENERAL ASSEMBLY

OF THE

STATE OF IOWA.

PASSED AT THE REGULAR SESSION THEREOF, AT DES MOINES, THE
CAPITAL OF THE STATE, BEGUN ON THE THIRTEENTH DAY
OF JANUARY, AND ENDED ON THE ELEVENTH DAY
OF APRIL A. D. 1896, IN THE FIFTIETH
YEAR OF THE STATE.

GENERAL LAWS.

CHAPTER 1.

AN ACT to enable cities of the first class to buy or construct water works and to provide for the management thereof, and giving them additional powers in respect thereto.

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

SECTION 1. Cities of the first class shall have power to levy, in addition to the water tax authorized by law, a tax of two mills upon the dollar upon all the property within the corporate limits of said cities, excepting lots greater than ten acres in area, used for horticultural or agricultural purposes, for the purpose of creating a sinking fund to be used as provided in this act, for the purchase or erection of water works in such cities. The proceeds of such two mill levy shall be deposited in one or more solvent banks or trust companies of the city making such levy, at a rate of interest not less than four per cent per annum, compounded semi-annually, and payable, principal and interest, on demand, after sixty days' notice in writing. The city treasurer depositing the proceeds of such tax shall exact from the bank or trust company wherein

Two-mill tax
authorized
for purchase
of water
works.

Tax deposited
in bank.

Bond approval.

such money is deposited a satisfactory bond, payable to the city, to be approved by the treasurer and mayor of such city, and to be filed in the office of the city treasurer.

Diversion of tax deemed embezzlement.

SEC. 2. Any member of the city council, or any officer of any city levying and collecting taxes under the provisions of this act, who shall, in any manner, participate in, or advise, the diversion of any part of said tax to any other purpose than that provided for in this act, shall be deemed guilty of the crime of embezzlement, and shall be punished accordingly.

Water works may be purchased. Tax continued.

SEC. 3. Cities of the first class are hereby authorized to purchase or erect water works under the provisions of this act for the purpose of supplying said cities and the inhabitants thereof with water, and are authorized to continue the levy of the two-mill tax herein provided for until the purchase price, principal and interest, or the cost incurred in the erection of said works, is fully paid and discharged.

Cities authorized to contract for water works.

SEC. 4. Cities levying such sinking fund tax are hereby authorized to contract for the purchase or erection of water works, and, upon the approval and adoption of such contract as hereinafter provided, to apply such sinking fund upon the cost thereof, and are authorized to pledge the proceeds of the continuing two-mill levy, provided for in section one hereof, and the regular water levy, and the net revenues derived from the operation of the water works, and shall have the right to mortgage or bond such works, to secure the payment of the purchase price or the cost of constructing such water works; *provided*, however, that no part of the general fund of such city shall be applied upon such contracts, bonds or mortgage. In the payment thereof the city, and the holders of the said contracts, bonds, or mortgages, shall be restricted to the proceeds of the said taxes and the net revenues of the said water works as hereinbefore provided; and such contracts or bonds shall not bear a higher rate of interest than five per cent per annum, payable semi-annually.

May bond or mortgage such works.

Rate of interest not to exceed 5 per cent.

Contract must be approved by mayor and council.

SEC. 5. Said contract shall not be binding upon any city until the same shall have been approved by the mayor and a majority of the city council at a regular meeting, or a special meeting called for such purpose, and shall have been adopted by a majority of the electors of said city voting at a special election which shall have been duly called after thirty days' notice by said city. The proposition to be submitted at said election, and the form of ballot shall be, "Shall the contract approved by the mayor and city council, in relation to water works, be adopted?" The proposition shall be printed and placed on the ballots and the voter shall designate his choice and the election shall be conducted in the manner provided in the general election law.

Proposition submitted to electors. Form of ballot.

SEC. 6. The water works purchased, or erected by such city, shall be managed and operated by a board of water works trustees, which shall be composed of three electors, appointed for the term of six years by the district court of the county wherein such city is located.

Board of water works trustees.
Term of office.

Upon the approval of the contract for the purchase or erection of water works by such city, the mayor of the city shall apply, within ten days thereafter, to said district court for the appointment of such board of water works trustees, the first appointees thereto to hold office for the following terms, namely: One for two years, one for four years, and one for six years. All vacancies occurring on such board, occasioned by expiration of term, by death, resignation, or removal, shall be filled by appointment of the district court, upon an application made by the mayor of such city. The appointment of such board shall be approved by a majority of the judges presiding over such district court.

Board may be appointed by court.

Terms of trustees appointed by court.
Approval.

SEC. 7. The compensation of the members of such board of trustees shall be fixed upon the application of such board, by said district court, in such amounts as the court may deem reasonable and proper; *provided*, however, that the same shall not be changed more frequently than once in two years.

Compensation of board of trustees.

The district court shall require such trustees to execute to said city good and sufficient bonds, to be approved by said court, and when executed and approved to be filed and kept with the city treasurer.

Bond to be extended.
Approval.

SEC. 8. The said board of trustees shall have the power to carry into execution the contract for the purchase or erection of such water works, and to employ a superintendent and such other employes as may be necessary and proper for the operation of such works, for the collection of water rentals, and for the conduct of the business incident to the operation thereof.

Power of board of trustees.

Superintendent and employes.

SEC. 9. The said board of trustees shall require of the superintendent, and of the other employes as they may deem proper, good and sufficient bonds, the amount thereof to be fixed and approved by said board, for the faithful performance of their duty, such bonds to run in the name of the city and to be filed with the city treasurer and kept in his office.

Superintendent's bond.

City treasurer to keep bond.

SEC. 10. The said board of water works trustees shall from time to time fix the water rentals or rates to be charged for the furnishing of water, and such rates shall be sufficient, together with the proceeds of the five-mill water levy and the sinking fund levy of two mills, for the maintenance and operation of such works, the proper and necessary extension thereof, for all repairs, and for the payment of the purchase money or cost, principal and interest, incurred in the purchase or erection of such

Water rental and rates fixed.

Rates to cover expenses.

works, as the same falls due, according to the tenor of the mortgage and bonds given to secure the payment of such purchase price or cost.

Report of trustees. Quarterly statement.

SEC. 11. The said board of water works trustees shall make out and file in the office of the city clerk, quarterly statements giving full and complete reports of the receipts and disbursements handled and disbursed by them in the administration of their trust, such reports to be filed on the second Monday of January, April, July and October for the quarters preceding the first days of said months. Such reports shall be audited by the board of public works of such city. In the event, however, that said city may not have a board of public works, such reports shall be audited by the city council.

Reports to be audited.

Trustees may be removed.

SEC. 12. All trustees appointed under this act shall be subject to removal by the district court for malfeasance in office.

Publication.

SEC. 13. This act being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 4, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, April 8, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 2.

S. F. 19.

AN ACT authorizing cities of the first class to lay sidewalks in said cities.

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

Temporary sidewalks may be laid.

SECTION 1. That all cities of the first class are hereby authorized, in addition to the powers heretofore granted, to provide by ordinance for the laying of temporary sidewalks on the public streets and highways of said cities in front of property abutting thereon and used for purposes of agriculture or horticulture and not divided into city lots, and to assess a special tax upon said property to pay for the same, such assessment not to exceed 40 cents per lineal foot; but said assessment and improvement shall not be made or ordered to be made until three-fourths of all the members of the counsel of such city shall, by vote, assent to the making of same.

Assessments to pay for same levied on property.

SEC. 2. All acts and parts of acts inconsistent herewith are hereby repealed.

Approved April 14, 1896.

CHAPTER 3.

AN ACT to apply to cities of the first class the provisions of chapter H. F. 161. 78, laws of the Twenty-first General Assembly as amended by chapter 17 of the laws of the Twenty-second General Assembly, and chapter 15 laws of the Twenty-fourth General Assembly, and chapter 3 laws of the Twenty-fifth General Assembly, relating to indebtedness of cities and towns.

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

SECTION 1. That all the provisions of chapter 78 laws of the Twenty-first General Assembly, as amended by chapter 17 laws of the Twenty-second General Assembly, and chapter 15 laws of the Twenty-fourth General Assembly, and chapter 3 laws of the Twenty fifth General Assembly, and all the powers therein conferred, shall apply to any indebtedness of cities of the first class, evidenced by the bonds and floating warrants thereof, that may be outstanding at the time of the passage of this act; provided, however, that this act shall not apply to any bonds or indebtedness or taxes that have been adjudicated to be invalid or are now in litigation.

Provisions made applicable to cities of first class.

Bonds and warrants.

SEC. 2. 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 the Des Moines Leader, newspapers published at Des Moines, Iowa.

Publication

Approved February 28, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, February 29, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 4.

AN ACT to apply to cities of the first class the provisions of chapter 78, laws of the Twenty-first General Assembly, as amended by chapter 17 of the laws of the Twenty-second General Assembly, and chapter 15, laws of the Twenty-fourth General Assembly, and chapter 3, laws of the Twenty-fifth General Assembly, and House file No. 161, enacted by the Twenty-sixth General Assembly, relating to indebtedness of cities and towns.

S. F. 446.

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

SECTION 1. That all the provisions of chapter 78, laws of the Twenty-first General Assembly, as amended by chapter 17, laws of the Twenty-second General Assembly, and chapter 15, laws of the Twenty fourth General Assembly, and chapter 3, laws of the Twenty-fifth General Assembly, and House file No. 161, enacted by the Twenty-sixth General Assembly, and all the powers therein conferred, shall apply to any indebtedness of cities of the

Provision made applicable to cities of the first class.

Bonds and warrants. first class, evidenced by the bonds and floating warrants thereof that may be outstanding at the time of the passage of this act.

Publication. SEC. 2. 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 the Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 14, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 24, and Des Moines Leader, April 25, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 5.

H. F. 232.

AN ACT to amend section 2, chapter 99, of the acts of the Twenty-fifth General Assembly, relating to powers of cities of the first class.

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

Tax for library building collected annually.

SECTION 1. That section 2, chapter 99, acts of the Twenty-fifth General Assembly, be, and the same is hereby, amended by inserting after the word "collect," and before the words "a tax," in the third line thereof, the word "annually," and between the words "incurred" and "for," in the sixth line thereof, the word "and."

Approved March 17, 1896.

CHAPTER 6.

H. F. 372.

AN ACT to repeal section 1, chapter 7 of the acts of the Twenty-fourth General Assembly relating to compensation of mayor when acting as a justice of the peace in cities of the second class and incorporated towns, and enacting a substitute therefor.

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

Acts repealed

SECTION 1. That section one (1) of chapter seven (7) of the acts of the Twenty-fourth (24) General Assembly is hereby repealed.

Compensation of mayor when acting as justice.

SEC. 2. Mayors of cities of the second class and incorporated towns, where no salary is provided by ordinance in lieu of fees, shall receive, for holding a mayor's or police court or discharging the duties of a justice of the peace, the compensation allowed by law for similar services by such officers to be paid in the same manner.

Approved April 14, 1896.

CHAPTER 7.

AN ACT granting additional powers to certain cities of the second class and incorporated towns relating to the construction of sewers or tile drains. H. F. 46.

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

SECTION 1. Cities of the second class having less than five thousand population and incorporated towns shall have the power to construct sewers or tile drains along streets and alleys therein and to levy special taxes for the same against the abutting property and the owners thereof, whenever the resident owners of a majority of the linear front feet of the property subject to such assessment petition therefor. Cities may establish sewers along streets. Property owners to petition.

SEC. 2. If the assessment is made against property on one side of the street or alley only, the sewer or drain shall be built on that side, and such property shall be entitled to the benefits thereof, but if made against property on both sides of the street or alley the same shall be so built and located as to be of the greatest benefit to all the property assessed therefor. When sewer may be built on one side of street. When on both sides.

SEC. 3. All the owners of property assessed for such sewers or drains shall have the free use thereof, under reasonable rules and regulations adopted by the city or town. Free use of sewer by property owners.

SEC. 4. Such city or town shall have power to regulate by ordinance, the size, kind, and manner of construction of any such sewer or drain, and to provide the terms and conditions under which the property not taxed therefor may have the benefit of the same. Size and kind regulated by ordinance.

SEC. 5. The method of assessment, levy, collection, and payment of such special taxes shall be the same as in cities of over five thousand population, except that such tax shall not exceed one dollar per linear front foot. Method of levy and collection.

SEC. 6. The cost of constructing sewers and drains in excess of one dollar per linear front foot, and across intersecting streets and alleys, shall be paid from the general fund. Intersections paid from general fund.

Approved April 4, 1896.

CHAPTER 8.

AN ACT to authorize cities of the second class to acquire real estate within and without their territorial limits, for the purpose of outlets for sewers; and pay for the same out of the general fund of the city, or out of the sewer fund of the sewer district, of which the same is the outlet. H. F. 37.

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

SECTION 1. That cities of the second class shall have the power to acquire real estate within and without their Real estate required for outlet of sewers.

territorial limits, necessary for the purpose of outlets for their sewers.

Property may be condemned when owner refuses to grant interest

SEC. 2. If the owner of any real estate, necessary to be taken for the purpose mentioned in the preceding section, refuses to grant the necessary interest in said real estate required for such purpose, or if the owner and the corporation cannot agree upon the compensation to be paid for the same, it may be condemned according to the same provisions relating to taking private property for works of internal improvement.

Expense of such outlet.

SEC. 3. The expense of such outlet shall be defrayed out of the general fund of the city, or out of the sewer fund of the sewer district, of which the same is the outlet.

Contracts heretofore made declared legal.

SEC. 4. All contracts heretofore made in relation to the subject matter of the preceding sections are hereby declared to be legal and valid, the same as if they had been made under the authority of this act.

Publication.

SEC. 5. This act, being deemed of immediate importance, shall take effect and be in force from and after publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 4, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, April 8, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 9.

S. F. 211.

AN ACT granting additional powers to certain cities of the first class and cities acting under special charters in reference to the improvement of streets, highways, avenues, or alleys, and to provide for the payment of the cost thereof.

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

Power vested in cities of first class and special charter.

SECTION 1. That all cities of the first class that have been or may be organized since January 1, 1881, and all cities acting under special charter which now have or may hereafter have, according to any lawfully authorized census, a population of over twenty thousand, shall, in addition to the powers now conferred upon such cities, have power to provide by ordinance for the improvement of streets, highways, alleys, or avenues, by grading, paving, graveling, macadamizing, guttering, or curbing the same, and that the entire cost of any such improvement, including the intersections of streets and alleys and the space opposite alleys, except that portion assessable against railroads and street railways, shall be assessed and a special tax therefor levied upon and against the property abutting or fronting upon that portion of the street, alley, or avenue improved, in proportion to the front feet fronting or abutting upon such improvement.

May provide for improvement of streets.

Cost of intersections and alley space taxed against property abutting street.

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

Approved April 17, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, April 22, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 10.

AN ACT to authorize cities acting under special charters to provide for the sprinkling of streets, and to levy and collect the cost thereof from the abutting property.

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

SECTION 1. That authority be and is hereby given all cities acting under special charter to provide for the sprinkling with water of any street or part of a street in such city, and to pay for the same out of the general fund; and authority is hereby given such cities to provide by ordinance for the levy of a special tax on property abutting on a street, or part of street so sprinkled, to pay the cost of the same, and for the sale of such property for such special tax.

Cities under special charter may sprinkle streets.
Payment of costs. Levy of special tax.

SEC. 2. This act being deemed of importance shall take effect from and after its publication in the Dubuque Daily Times and the Des Moines Leader, newspapers published at Dubuque and Des Moines, Iowa.

Approved April 30, 1896.

CHAPTER 11.

AN ACT to amend chapter 168 of the acts of the Nineteenth General Assembly, entitled, "An act empowering cities under special charters to establish boards of health."

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

SECTION 1. That section 10 of chapter 168 of the acts of the Nineteenth G. A. is hereby repealed, and the following enacted and substituted therefor:

Sections repealed.

Section 10. Whenever any such board of health shall make or adopt any general rules and regulations for the public health under section 4 hereof, the same shall be signed by the mayor or other presiding officer at the time, and attested by the clerk of such board, and when so signed and attested, shall be published in the official newspaper of such city for two (2) consecutive days. When such publication is completed, due proof thereof by affidavit of the publisher, foreman, or printer of such newspaper shall be attached to or endorsed on said rules and regulations, and such rules, together with such proof of

General rules by board of health to be signed by mayor.

Publication and proof.

Recorded by clerk.	<p>publication, shall then be recorded by the clerk of such board in a book provided and kept for such purpose, which record shall be certified to on the record book by the mayor or other presiding officer of such board, and attested by the clerk. And such general rules and regulations shall be in force and effect only from and after the completion of such record. And such record shall at all times be deemed and received in all courts as sufficient and conclusive evidence of the lawful adoption and publication, and of the time of recording and taking effect, of such rules. And said clerk shall keep a full and complete index of such rules and regulations and of amendments and additions thereto. Any such rules so adopted, published, and recorded shall be and remain in force and effect until repealed or amended by such board; and such board of health may repeal or amend such rules, or make new rules or rule, at any time in the manner hereinbefore provided for the adoption of rules.</p> <p>SEC. 2. This act, being deemed of immediate importance, shall take effect and be enforced after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa.</p> <p>Approved April 14, 1896.</p>
Certified on record books.	
Rules and regulations in effect when record completed.	
Evidence.	
Index to rules	
Amendment and repeal.	
Publication.	

I hereby certify that the foregoing act was published in the Iowa State Register, April 24, and Des Moines Leader, April 21, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 12.

S. F. 181. AN ACT to amend chapter 7 of the acts of the Twentieth General Assembly, relating to the appointment of city marshals.

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

Mayors of first class cities may appoint a marshal.

SECTION 1. That section 1 of chapter 7 of the acts of the Twentieth General Assembly be amended by striking out after the word "State" in the second line thereof, the following words: "And having a population of not less than 22,300 by the United States census of 1880."

Repealing clause.

SEC. 2. All acts or parts of acts in conflict herewith are hereby repealed.

Approved March 19, 1896.

CHAPTER 13.

H. F. 253. AN ACT to amend section 454 of the code relating to the powers of cities.

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

Sale of gas or water works by city must be authorized at election.

SECTION 1. That section 454 of the code of Iowa be amended by adding thereto at the close thereof: "Provided that no city shall sell and dispose of any water works or

gas plant owned by it or in which it shall have a legal or equitable interest until such sale has been authorized by a majority of the qualified voters in said city at a special election held to vote on that question alone."

Approved April 4, 1896.

CHAPTER 14.

AN ACT empowering cities and towns having water supply and public sewers to regulate plumbing connecting with said sewers. S. F. 177.

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

SECTION 1. That incorporated towns, and cities of this state whether organized and acting under special charter or organized under the general laws of the state, which have a water supply and public sewers, shall have power, by ordinance, to prescribe rules and regulations for all plumbing connecting any building, of any description, with such sewers, and may prescribe the kinds and size of materials to be used in such plumbing, and the manner in which such plumbing shall be done. They shall also have the power to appoint an inspector of such plumbing and define his duties and powers; and may prescribe penalties for the violation of such ordinance.

Cities may prescribe by ordinance rules for sewer plumbing.
Inspector of plumbing.

SEC. 2. Nothing herein shall be construed as authorizing such towns and cities to interfere with or annul any rules or regulations relating to such plumbing made by the local or state board of health, but such ordinance shall conform to and enforce any such rules or regulations which have been or shall be made by such boards of health.

City not to interfere with local board of health.

Approved April 14, 1896.

CHAPTER 15.

AN ACT to amend section 492 of the Code (McClain's section 3) relating to the proof of ordinances. H. F. 48.

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

SECTION 1. That all ordinances passed or purporting to have been passed prior to the 1st day of January, A. D. 1896, and recorded as required by section 492 of the code, shall be presumed to have been published as required by said section. *provided*, this act shall not affect any suit brought or pending or any right acquired or act done prior to the taking effect of this act.

Publication of ordinances presumed and legalized.
Prior acts not to affect suits pending.

SEC. 2. That to each ordinance hereafter passed, recorded, and published as required by section 492 of the code the city clerk or recorder of a town shall immediately following the record thereof append a certificate stating therein the time and manner of publication of said ordinance, which certificate shall be presumptive evidence of the facts therein stated.

Certificate to be appended to record.

Approved April 4, 1896.

CHAPTER 16.

S. F. 204. AN ACT to amend chapter 14 of the laws of the 24th General Assembly, relating to funding indebtedness of cities and towns.

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

Law made applicable to first and second class cities.

Twenty years reduced to fifteen.

Five to two years.

Made applicable to second class cities.

Publication.

SECTION 1. That section 1 of chapter 14 of the laws of the Twenty-fourth General Assembly be and the same is hereby amended by inserting after the words "incorporated towns" in the first line thereof the words "and cities of the second class," and by striking out after the word dollars, in the third line, "at the time of the passage of this act," and by striking out the words, "twenty" after the word "than" in the seventh line and inserting in lieu thereof "fifteen," and by striking out the word "five" before the word "years" in the eighth line and insert the word "three."

SEC. 2. All of the provisions and conditions of chapter 14 of the laws of the Twenty-fourth General Assembly, after being amended as set forth in section 1 hereof, shall apply to and include cities of the second class.

SEC. 3. This act being deemed of immediate importance shall take effect from and after its publication in the Iowa State Register and the Des Moines Leader newspapers published in Des Moines, Iowa.

Approved April 8, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 14, and Des Moines Leader, April 15, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 17.

S. F. 344. AN ACT granting to city or town councils the power to prohibit the use of barbed wire for certain purposes, and to provide for the removal of such wire.

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

Use of barb wire prohibited by ordinance.
Removal.

SECTION 1. That the counsel of any city or town may by ordinance prohibit the use of barb wire to enclose, in whole or in part, any lot or lots within the incorporate limits of such city or town, and provide for the removal of such wire now used for that purpose, and further provide penalties for the enforcement of such ordinance.

Approved April 14, 1896.

CHAPTER 18.

AN ACT to amend section two of chapter seventeen of the acts of S. F. 387. Twenty-second General Assembly as amended, changing the form of city bonds.

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

SECTION 1. That section 2 of chapter 17 of the acts of the Twenty-second General Assembly, as amended, be amended by inserting or adding between the words "date" and "at" in the fifth line thereof the following words, after the expiration of . . . years.

SEC. 2. 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.

Approved April 3, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, April 8, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 19.

AN ACT amendatory of chapter one of the acts of the Twenty-fourth S. F. 456. General Assembly, relating to boards of park commissioners.

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

SECTION 1. Section one of chapter one of the acts of the Twenty-fourth General Assembly is hereby amended by striking therefrom the following, "35,000, at the time of the city election in 1892," and inserting instead the words "twenty-five thousand."

Approved May 2, 1896.

CHAPTER 20.

A BILL authorizing counties, cities, townships, and other municipal corporations to take and hold property by gift and bequest and providing for the management of the same. S. F. 330.

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

SECTION 1. Counties, cities, towns, and other municipalities are authorized to take and hold property, real and personal, derived by gifts and bequests, and when made for the establishing of institutions of learning or benevolence and there is no provision made in the gift or bequest for the execution of the trust, the court having charge of

Trustees appointed by court. Shall give bond. the probate proceedings in the county shall appoint three trustees, residents of said county, who shall have charge and control of the same and who shall continue to act or until removed by the court. And they shall give bond as required in case of executors to be approved in the same manner as in case of executors' bonds and said trustees shall be subject to the orders of said court.

Approved April 8, 1896.

CHAPTER 21.

S. F. 1. AN ACT defining fraternal beneficiary societies, orders, or associations, and regulating the same.

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

Fraternal beneficiary associations declared corporations not for profit. SECTION 1. A fraternal beneficiary association is hereby declared to be a corporation, society, or voluntary association, formed or organized and carried on for the sole benefit of its members and their beneficiaries, and not for profit, and having a lodge system, with ritualistic form of work and representative form of government.

Such association shall make provision for the payment of benefits in case of death, and may make provision for the payment of benefits in case of sickness, temporary or permanent physical disability, either as a result of disease, accident, or old age, provided the period in life at which payment of physical disability benefits on account of old age commences shall not be under seventy years, subject to the compliance by members with its constitution and laws. *Provided*, that this act shall not be construed to include fraternal orders which only provide for sick and funeral benefits.

Source from which benefits are paid. SEC. 2. The fund from which the payment of such benefits shall be made, and the expenses of such association defrayed, shall be derived from beneficiary calls, assessments, or dues collected from its members.

Minimum age 15, maximum age 65. SEC. 3. No fraternal association created or organized under the provisions of this act shall issue any certificate of membership to any person under the age of fifteen years, nor over the age of sixty-five years, nor unless the beneficiary under said certificate shall be the husband, wife, relative, legal representative, heir, or legatee of such member.

Such associations exempt from insurance statutes. SEC. 4. Such associations shall be governed by this act and shall be exempt from the provisions of the statutes of this state relating to life insurance companies except as hereinafter provided.

Application must be attached to certificate. SEC. 5. All such associations shall, upon the issue or renewal of any beneficiary certificate, attach to such certificate or endorse thereon, a true copy of any application

or representation of the member which by the terms of such certificate are made a part thereof. The omission to do shall not render the certificate invalid, but if any such association neglects to comply with the requirements of this section it shall not plead or prove the falsity of any such certificate or representation or any part thereof in any action upon such certificate, and the plaintiff in any such action in order to recover against such association shall not be required to either plead or prove such application or representation.

Omission not to render certificate invalid.

Omission not to be pleaded.

SEC. 6. Such association may be sued in any county in which is kept their principal place of business or in which the beneficiary contract was made or in which the death of the member occurred; but actions to recover old age, sick, or accident benefits may, at the option of the beneficiary, be brought in the county of his residence.

Suit brought in county where principal place of business is situated.

Sick or accident benefits.

SEC. 7. The proceeds of any beneficiary certificate issued by any such association and of any claims for benefits shall be exempt from execution and attachment to the same extent as the proceeds of any policy of life or endowment insurance as is now or may hereafter be provided by the laws of this state.

Proceeds exempt from execution.

SEC. 8. All such associations organized under the laws of this or any other state, territory, or province, and now doing business in this state, may continue such business, provided they hereafter comply with the provisions of this act.

May continue business when law is complied with.

SEC. 9. Any such association organized under the laws of any other state, and not now doing business in this state, shall be permitted to do business within this state when it shall have filed with the auditor of this state a duly certified copy of its charter and articles of association, and a copy of its constitution or laws, certified to by its secretary or corresponding officer, together with an appointment of the auditor of this state as a person upon whom process may be served as hereinafter provided; and provided that such association shall be shown to be authorized to do business in the state in which it is incorporated or organized. The auditor of state may personally, or by some person to be designated by him, examine into the condition, affairs, character, and business methods, accounts, books, and investments of such association at its home office, which examination shall be at the expense of such association, and shall be made within thirty days after demand therefor, and the expense of such examination shall be limited to \$5 per day and the necessary expenses of travel and for hotel bill. If the auditor, after such examination, is of the opinion that no permit should be granted to such association he may refuse to issue the same.

Provisions with which foreign companies must comply.

Service of process upon auditor.

Examination by auditor.

Examination at expense of association.

SEC. 10. Every such association doing business in this state shall, on or before the first day of March of each

Annual report to auditor of state.

Auditor to
provide
blanks for
report.

Publication

Contents of
report.

year, make, and file with the auditor of state, a report for the year ending on the 31st day of December immediately preceding. All reports shall be upon blank forms to be provided by the auditor of state, or may be printed in pamphlet form, and shall be verified under oath by the authorized officers of such association, and shall be published, or the substance thereof, in the annual report of the auditor of state under the separate title, "Fraternal Beneficiary Associations," and shall contain answers to the following questions:

1. Number of certificates issued during the year, or members admitted.
2. Amount of indemnity effected thereby.
3. Number of losses or benefit liabilities incurred.
4. Number of losses or benefit liabilities paid.
5. The amount received from each assessment for the year.
6. Total amount paid members, beneficiaries, legal representatives, or heirs.
7. Number and kind of claims for which assessments have been made.
8. Number and kind of claims compromised or resisted and brief statement of reasons.
9. Does association charge annual or other periodical dues or admission fees?
10. How much on each one thousand dollars annually, or per capita, as the case may be?
11. Total amount received, from what source, and the disposition thereof.
12. Total amount of salaries, fees, per diem, mileage, expenses paid to officers, showing amount paid to each.
13. Does the association guarantee, in its certificates fixed amounts to be paid regardless of amount realized from assessments, dues, admission fees, and donations.
14. If so, state amount guaranteed, and the security or such guarantee.
15. Has the association a reserve or emergency fund?
16. If so, how is it created, and for what purpose, the amount thereof, and how invested?
17. Has the association more than one class?
18. If so, how many, and amount of indemnity in each?
19. Number of members in each class?
20. If voluntary, so state, and give date of organization.
21. If organized under the laws of this state, under what law and at what time, giving chapter and year and date of passage of the act.
22. If organized under the laws of any other state, territory, or province, state such fact and the date of organization, giving chapter and year and date of passage of the act.

23. Number of certificates of beneficiary membership lapsed during the year.

24. Number in force at beginning and end of year; if more than one class, number in each class.

25. Names and addresses of its presidents, secretary, and treasurer, or corresponding officers.

The auditor of state is empowered to make any additional inquiries of any such association relative to the business contemplated by this act, and such officer of such association as the auditor of state may require shall promptly reply in writing, under oath, to all such inquiries.

Auditor may make additional inquiries.

SEC. 11. Any such association permitted to do business within this state and not having its principal office within this state, and not organized under the laws of this state, shall appoint, in writing, the auditor of state to be attorney in fact, on whom all process in any action or proceeding against it shall be served, and in such writing shall agree that any process against it which is served on said attorney in fact shall be of the same validity as if served upon the association, and that the authority shall continue in force so long as any liability remains outstanding in this state. Copies of such certificate, certified by said auditor of state, shall be deemed sufficient evidence thereof, and shall be admitted in evidence with the same force and effect as the original. Service upon such attorney shall be deemed sufficient service upon such association. When legal process against any such association is served upon said auditor of state, he shall immediately notify the association of such service by letter, postage prepaid, directed and mailed to its secretary or corresponding officer, and shall within two days after such service forward in the same manner a copy of the process served on him to such officer. The auditor of state shall keep a record of all processes served upon him, which record shall show the day and hour when such service was made.

Auditor designated as attorney for foreign associations.

Service on auditor same as if served on association.

Copies of certificate admitted as evidence.

Auditor to at once notify the association.

Record of process kept by the auditor.

SEC. 12. The auditor of state shall, upon the application of any such association, issue to it a permit in writing, authorizing it to do business within this state, for which certificate and all proceedings in connection therewith such association shall pay to said auditor the fee of twenty-five dollars.

Auditor to issue permit.

Fee for permit.

SEC. 13. Such association shall not employ paid agents in soliciting or procuring members, except in the organization or building up of subordinate bodies or granting members inducements to procure new members.

As to paid agents.

SEC. 14. No contract between a member and his beneficiary that the beneficiary or any person for him shall pay such member's assessments and dues, or either of them, shall deprive the member of the right to change the name of the beneficiary.

New members. Beneficiary may pay assessments.

Legislative or governing body may meet in any other state.

SEC. 15. Any such association, organized under the laws of this state, may provide for the meetings of its legislative or governing body in any other state, territory or province wherein such association shall have subordinate bodies, and all business transacted at such meeting shall be valid, in all respects, as if such meetings were held within this state; and where the laws of any such association provide for the election of its officers by votes to be cast in its subordinate bodies the votes so cast in its subordinate bodies in any other state, territory, or province shall be valid, as if cast within this state.

Elections to be valid when out of the state.

Refusal or neglect to report.

SEC. 16. Any such association refusing or neglecting to make the report as provided in this act shall be excluded from doing business within this state. The auditor of state must, within sixty days after failure to make such report, or in case any such association shall exceed its powers, or shall conduct its business fraudulently, or shall fail to comply with any of the provisions of this act, give notice in writing to the attorney-general, who shall immediately commence an action against such association to enjoin the same from carrying on any business. No association so enjoined shall have authority to continue business until such report shall be made, or overt act or violation complained of shall have been corrected, nor until the costs of such action be paid by it, provided the court shall find that such association was in default, as charged, whereupon the auditor of state shall reinstate such association, and not until then shall such association be allowed to again do business in this state. Any officer, agent, or person acting for any such association or subordinate body thereof within this state, while such association shall be so enjoined or prohibited from doing business pursuant to this act, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine of not less than twenty-five dollars, nor more than two hundred dollars, or by imprisonment in the county jail not less than thirty days nor more than one year, or by both such fine and imprisonment, in the discretion of the court.

Fraud or failure to comply with law.

Associations enjoined must discontinue business in the state.

Reinstatement.

Officers or agents acting when association is enjoined.

Officers acting for association who have not complied.

Penalty.

Property obtained by agent through fraud.

SEC. 17. Any person who shall act within this state as an officer, agent, or otherwise, for any such association which has failed, neglected, or refused to comply with, or which has violated any of the provisions of this act, or shall have failed or neglected to procure from the auditor of state proper certificate of authority to transact business as provided for by this act, shall be subject to the penalty provided in the last preceding section for the misdemeanor therein specified.

SEC. 18. Any officer, agent, or member of such association who shall obtain any money or property belonging thereto, by any false or fraudulent representation, shall be fined not more than \$500 and costs and stand committed

until such fine and costs are paid or may be imprisoned in the county jail not more than six months. Penalty.

SEC. 19. Every applicant for membership in any association organized in this state shall first be examined by a physician holding a certificate from the state board of medical examiners. Applicant for membership must pass medical examination.

SEC. 20. All acts and parts of acts inconsistent with this act are hereby repealed. Repealing clause.

SEC. 21. This act, being deemed of immediate importance shall take effect from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in the city of Des Moines, Iowa. Publication.

Approved April 3, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 8, and Des Moines Leader, April 9, 1896.

W. M. McFARLAND,
Secretary of State.

CHAPTER 22.

AN ACT to prevent combinations between fire insurance companies and providing penalties therefor.

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

SECTION 1. Any combination or agreement made or entered into by or between two or more fire or other insurance companies insuring property against casualties from the elements, transacting business within this state, or between the officers, agents, or employes of any such companies, relating to the rates to be charged for insurance, the amount of commissions to be allowed agents for procuring insurance, or the manner of transacting the business of fire insurance within this state, is hereby declared to be unlawful, and any such company, officer, or agent violating this provision shall be guilty of a misdemeanor and on conviction thereof, in any court having jurisdiction, shall pay a penalty of not less than one hundred dollars nor more than five hundred dollars for each offense, to be recovered for the use of the permanent school fund in the name of the state. Combinations between insurance companies or agents as to rates. Declared unlawful. Penalty for violation of this act.

SEC. 2. The auditor of state is hereby authorized to summons, and bring before him for examination under oath, any officer or employe of any fire insurance company transacting business within this state suspected of violating any of the provisions of this act; and on complaint in writing made to him by two or more residents of this state charging any such company under oath upon their knowledge or belief with violating the provisions of this act said auditor shall summons and cause to be brought before him for examination under oath any officer or employe of said company; and if upon such examination, and the Auditor may summons officers and employes. Complaint to be made in writing.

- examination of any other witness or witnesses that may be produced and examined, the auditor shall determine that such company is guilty of a violation of any of the provisions of this act or if any officer shall fail to appear, or submit to an examination, after being duly summoned, he shall forthwith issue an order revoking the authority of such company to transact business within this state, and such company shall not thereafter be permitted to transact the business of fire insurance in this state at any time within one year from the time of such revocation.
- Auditor to determine as to violation.
- Auditor may revoke company's certificate.
- SEC. 3. Either party may appeal from any decision of the auditor made in pursuance to this act to the district court of the county wherein such decision was made, within twenty days from the time of the rendition of such decision, by serving a written notice of such appeal on the opposite party and on the auditor of state, and filing with the clerk of said court a good and sufficient bond for the payment of all costs made on appeal in case the decision shall be affirmed. On such appeal the district court shall try the case de novo as equitable causes are tried on such evidence as may be produced by either party and may reverse, modify, or affirm the decision or order of the auditor.
- Appeal from the auditor to district court.
- Appeal bond.
- Appeal to be tried by district court.
- SEC. 4. The statements and declarations made or testimony given by any such officer or agent in the investigation before the auditor or upon the hearing and trial before the district court, as provided for in sections 2 and 3 of this act, shall not be used against any person making the same in any criminal prosecution against him.
- Evidence not to be used against witness in criminal prosecution.
- Approved April 3, 1896.

CHAPTER 23.

- S. F. 276. AN ACT to prevent the issuing of policies of fire insurance upon risks situated in this state, by insurance companies, associations, partnerships, individual, or individuals, without their having complied with the insurance laws of this state.
- Be it enacted by the General Assembly of the State of Iowa:*
- SECTION 1. Any policy or contract of fire, inland or marine insurance issued upon property situated in the state of Iowa, by any company, association, partnership, individual, or individuals that has not complied with the insurance laws of the state of Iowa governing the transaction of such business and the issuing of such contracts of insurance, shall be null, void, and of no effect, and is hereby declared to be an illegal contract; *provided*, however, that nothing herein contained shall relieve any company, association, partnership, individual, or individuals from liability under contracts of insurance heretofore issued upon property situated in this state. *Provided*, further, that nothing in this act shall affect contracts made
- Contracts to insurance companies who have not complied with the state laws illegal.
- Company not relieved from former contracts.
- Not applicable to certain purely mutual companies.

by purely mutual association organized to insure lumber yard risks, packing houses, and their products exclusively.

SEC. 2. 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.

Approved April 14, 1896.

CHAPTER 24.

AN ACT to repeal section 4 of chapter 151 of the acts of the 20th General Assembly relative to taxes for park purposes. S. F. 449.

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

SECTION 1. That section four (4) of chapter 151 of the acts of the 20th General Assembly be and the same is hereby repealed, and the following enacted in lieu thereof: Sec. 4, Ch. 151, acts 20 G. A. repealed.

“Said councils shall in the resolutions or during such election specify the rate of taxation proposed and the number of years the same shall be levied, and if a majority of the votes cast for and against said tax shall be in favor of such tax, said council shall levy the tax so authorized, which shall be collected and paid over to the treasurer of such city as other taxes thereof are collected, which shall be known as “Park Fund” and shall be paid on the order of the commissioners and be expended for the purposes herein provided and for no other purpose whatever.” Council may designate rate of taxation and number of years of park fund. Paid on order of commissioners.

SEC. 2. Where the question of such tax shall have been heretofore during the year 1896 submitted to vote in any city acting under special charter, and there shall have been cast in favor of the tax a majority of all the votes polled for or against the same, then, in case the other requirements of the law have been complied with, said tax is hereby declared legal and valid and its levy and collection is hereby authorized and ordered. The vote in special charter cities.

Approved April 14, 1896.

CHAPTER 25.

AN ACT to amend chapter sixty-two of the acts of the Twenty-fifth General Assembly, entitled An act to tax the traffic in intoxicating liquors and to regulate and control the same. H. F. 325.

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

SECTION 1. That section fourteen of chapter 62 of the acts of the 25th General Assembly, be and the same is hereby amended by adding the following: In any township which does not include within its limits a municipal incorporation one-half of the tax collected therein under the provisions of this act shall be paid to the One half of tax in certain liquor cases to road fund. Sec. 4, Ch. 62, acts 25 G. A. amended.

authorities of said township to be used for the improvement of its roads.

Publication. SEC. 2. This being deemed of immediate importance, shall become in full force and effect immediately after publication in Iowa State Register and Des Moines Leader, papers published in Des Moines, Iowa.

Approved April 10, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 24, and Des Moines Leader, April 21, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 26.

H. F. 58. AN ACT to authorize townships to vote a tax to build public halls in which to hold elections and public meetings.

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

Question of building public hall submitted to electors. SECTION 1. The trustees, on a petition of a majority of the resident freeholders of any civil township, shall submit the question of building a public hall to the electors thereof by posting notices of such election in four conspicuous places in the township, thirty days before election, and the form of the proposition shall be: "Shall a tax be levied for the erection of a public hall?" "Yes," "No."

Form of proposition.

Certificate to board of supervisors.

Tax levy.

Location of hall.

Township trustees to let building contract.

Township clerk custodian of the building.

Township clerk may act as constable.

Copy of act kept posted.

SEC. 2. If a majority of the votes cast are in favor of the tax, the trustees shall certify such fact to the board of supervisors and they shall thereupon levy not to exceed three mills on the dollar on the taxable property of the township; and when such tax is collected by the treasurer it shall be paid to the township clerk.

SEC. 3. Any public hall built under the provisions of this chapter shall be located by the township trustees so as to accommodate the greatest number of the resident taxpayers.

SEC. 4. The township trustees shall have charge of the building of such hall, shall receive bids, and shall let the building of the same to the lowest responsible bidder, and the township clerk shall pay out the funds collected only on the order of the trustees of said township.

SEC. 5. The township clerk, under the direction of the trustees, shall be the custodian of the building, and the use thereof may be permitted by the township trustees to all the citizens of the township for all lawful purposes; and for the purposes of this act the township clerk is hereby clothed with all the power and duties of a constable of the township to maintain order within and about the premises, protect the property, and enforce orders of the township trustees with respect thereto. A copy of this section shall be at all times kept posted in a conspicuous place in said hall.

SEC. 6. That when a tax is voted as provided in this act the township clerk shall, before drawing any of said tax from the treasury of the county, execute a bond with penalty double the amount of said tax, which bond shall be approved by the board of supervisors.

Township clerk to give bond.
Approval of bond.

SEC. 7. The trustees of any township, where such building has been erected, are hereby authorized and empowered to certify to the board of supervisors that a tax of not exceeding one-half mill on the dollar in any one year of the taxable property of the township should be levied to be used in keeping such building in repair, to furnish same with necessary furniture and provide for the taking care thereof. When such certificate is filed in the auditor's office the board of supervisors shall levy such tax.

Tax not to exceed one-half mill certified.

Tax levied.

Approved Mar. 5, 1896.

CHAPTER 27.

AN ACT to amend section 1, chapter 171 of the Acts of the 21st H. F. 226. General Assembly, providing for levy of tax for fire purposes.

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

SECTION 1. That section 1 of chapter 171 of the acts of the 21st General Assembly be amended by striking out the word "two" after the word "of" in the eighth line of said section, and inserting in lieu thereof the word "three."

Tax for paid fire departments raised to 3 mills in special charter cities.

SEC. 2. This act being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in the city of Des Moines, Iowa.

Publication.

Approved February 29, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, March 3, and Des Moines Leader, March 1, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 28.

AN ACT imposing a collateral inheritance tax and providing for the collection of the same.

S. F. 385.

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

SEC. 1. All property within the jurisdiction of this state, and any interest therein, whether belonging to the inhabitants of this state or not, and whether tangible or intangible, which shall pass by will or by the intestate laws of this or any other state, or by deed, grant, sale, or gift made or intended to take effect in possession or in enjoyment after the death of the grantor, or donor, to any

Property passing by will or intestate law effected.

Exceptions. person in trust or otherwise, other than to or for the use of the father, mother, husband, wife, lineal descendant, adopted child, the lineal descendant of an adopted child of a decedent, or to or for charitable, educational, or religious societies or institutions within this state, shall be subject to a tax of five per centum of its value, above the sum of one thousand dollars, after the payment of all debts, for the use of the state; and all administrators, executors, and trustees, and any such grantee under a conveyance, and any such donor under a gift, made during the grantor's or donor's life, shall be respectively liable for all such taxes to be paid by them respectively, except as herein otherwise provided, with lawful interest as hereinafter set forth, until the same shall have been paid. The tax aforesaid shall be and remain a lien on such estate from the death of the decedent until paid.

Property above \$1,000 subject to tax of 5 per cent.

Tax to remain a lien upon property.

Executor to file inventory of property liable to tax.

Property to be entered upon lien book in clerks office.

Real estate subject to tax to be appraised.

Tax to be paid by person entitled to the property.

Default sale of property.

Property bequeathed to lineal descendant for term of years.

Remainder bequeathed to stranger.

Application by treasurer of state for appraisal of property.

SEC. 2. It shall be the duty of the executor, administrator, or trustee, immediately upon his appointment, to make and file a separate inventory of all the real estate of the decedent liable to such tax, and to cause the lien of the same to be entered upon the lien book in the office of the clerk of the court in each county where each particular part of said real estate is situated, and no conveyance of said estate or interest therein, which is subject to such tax before or after the entering of said lien, shall discharge the estate so conveyed from the operation thereof.

SEC. 3. All the real estate of the decedent subject to such tax shall, except as hereinafter provided, be appraised within thirty days next after the appointment of an executor, administrator, or trustee, and the tax thereon, calculated upon the appraised value, shall be paid by the person entitled to said estate within fifteen months from the approval by the court of such appraisal; and in default thereof the court shall order the same, or so much thereof as may be necessary to pay such tax, to be sold.

SEC. 4. When any person whose estate, over and above the amount of his just debts, exceeds the sum of one thousand dollars, shall bequeath or devise any real property to or for the use of the father, mother, husband, wife, lineal descendant, adopted child, or lineal descendant of such child, during life or for a term of years, and the remainder to a collateral heir or to a stranger to the blood, the court, upon the determination of such estate for life or years, shall, upon its own motion or upon the application of the treasurer of state, cause such estate to be appraised at its then actual market value, from which shall be deducted the value of any improvements thereon, or betterments thereto, if any, made by the remainder man during the time of the prior estate to be ascertained and determined by the appraisers, and the tax on the

remainder shall be paid by such remainder man within sixty days from the approval by the court of the report of the appraisers. If such tax is not paid within said time the court shall then order said real estate, or so much thereof as shall be necessary to pay such tax to be sold.

Order for sale of real estate to pay tax.

SEC. 5. Whenever any real estate of a decedent shall be subject to such tax, and there be a life estate or interest for a term of years given to a party other than named in Sec. 4 hereof, and the remainder to a collateral heir or stranger to the blood, the court shall direct the interest of the life estate or term of years to be appraised at the actual market value thereof, and upon the approval of such appraisement by the court, the party entitled to such life estate, or term of years, shall within sixty days thereafter pay such tax, and in default thereof the court shall order such interest in said estate or so much thereof as shall be necessary to pay such tax to be sold. Upon the determination of such life estate or term of years the same provision shall apply as to the ascertainment of the amount of the tax, and the collection of the same on the real estate in remainder as in like cases is provided in Sec. 4 hereof. Whenever any personal estate of a decedent shall be subject to such tax and there be a life estate or interest for a term of years given to a party other than named in Sec. 4, and remainder to a collateral heir or stranger to the blood, the court shall inquire into and determine the value of the life estate or interest for the term of years and order and direct the amount of the tax thereon to be paid by the prior estate and that to be paid by the remainder man, each of whom shall pay their proportion of such tax within sixty days from such determination, and in default thereof the executor, administrator, or trustee, shall pay the same out of said property and hold the same from distribution and invest it at interest under the order of the court, until said tax is paid, or until the interest on the same equals the amount of such tax, which shall thereupon be paid.

Where property has a life estate or term of years interest and remainder to collateral heir.

Appraisment of such property.

Ascertainment of amount of tax

Life estate interest and collateral heir.

Court may determine tax payment.

Each to pay portion of tax within 60 days

Where increase equals amount of tax

SEC. 6. Whenever a decedent appoints one or more executors or trustees and in lieu of their allowance or commission makes a bequest or devise of property to them which would otherwise be liable to said tax, or appoints them his residuary legatees, and said bequests, devises or residuary legacies exceed what would be a reasonable compensation for their services, such excess shall be liable to such tax, and the court having jurisdiction of their accounts, upon its own motion or on the application of the treasurer of state, shall fix such compensation.

Where a bequest is made to executors in lieu of an allowance.

In excess of reasonable compensation

Court may fix compensation

SEC. 7. Whenever any legacies subject to said tax are charged upon or payable out of any real estate, the heir or devisee before paying the same, shall deduct said tax

Where legacies are payable out of real estate.

Tax paid to executor remains a lien

Executor must deduct tax or collect from legatee.

Property not delivered until tax is paid.

Tax payable to treasurer of state.

Limitation of payment.

Appraisments of real estate subject to tax.

Application for sale of real estate subject to tax.

Proceedings.

Executor must file description of land with treasurer in six months.

Contents of description.

Remainder man.

Duty of executor when property is appraised.

therefrom and pay it to the executor, administrator, trustee or treasurer of state, and the same shall remain a charge and be a lien upon said real estate until it is paid; and payment thereof shall be enforced by the executor, administrator, trustee, or treasurer of state in his name of office, in the same manner as the payment of the legacy itself could be enforced.

SEC. 8. Every executor, administrator, or trustee having in charge or trust any property subject to said tax, and which is made payable by him, shall deduct the tax therefrom or shall collect the tax thereon from the legatee or person entitled to said property, and he shall not deliver any specific legacy or property subject to said tax to any person until he has collected the tax thereon.

SEC. 9. All taxes imposed by this act shall be payable to the treasurer of state, and those which are made payable by executors, administrators or trustees shall be paid within one year from the death of the testator or intestate or within one year from assuming of the trust by such trustee. All taxes not paid within the time prescribed in this act, shall draw interest at the rate of eight per centum per annum until paid.

SEC. 10. All appraisments of real estate subject to such tax shall be made and filed in the manner provided for appraisement of personal property. When such real estate is situated in another county the same appraisers may serve or others may be appointed.

SEC. 11. Application for the sale of real estate subject to such tax may be made by the executor, administrator, or trustee or in cases falling under the provisions of sections 4 and 5 of this act, by the treasurer of state in his name of office. The proceedings on such application shall conform, as near as may be, to those for the sale of the real estate of a decedent for the payment of his debts.

SEC. 12. Whenever any real estate of a decedent shall so pass either in possession and enjoyment, or in remainder as to be subject to such tax, the executor, administrator or trustee, within six months after he has assumed the duties of his trust shall file with the treasurer of state a description of such real estate, giving the name of the county where the same is situated, the name of the decedent, the name of the person or persons to whom it so passes, whether the same passes in possession and enjoyment in fee, for life or for a term of years (naming the term of years), and if a prior estate is created, he shall give the name of the remainder man.

SEC. 13. As soon as any such real estate is appraised it shall be the duty of the executor, administrator or trustee, if he has not been discharged, and if he has been finally discharged, then it shall be the duty of the clerk, to file

with the treasurer of state, a copy of such appraisement stating also the amount of tax to be paid and within what time ordered to be paid. Clerk to file with treasurer copy of appraisement.

SEC. 14. No final settlement of the account of any executor, administrator, or trustee shall be accepted or allowed unless it shall show, and the court shall find, that all taxes imposed by the provisions of this act upon any property or interest therein belonging to the estate to be paid by such executors, administrators, or trustees, and to be settled by said account, shall have been paid, and the receipt of the treasurer of state for such tax shall be the proper voucher for such payment. Final settlement must show tax paid. Receipt of treasurer of state a voucher.

SEC. 15. The district court having either principal or ancillary jurisdiction of the settlement of the estate of the decedent shall have jurisdiction to hear and determine all questions in relation to said tax that may arise affecting any devise, legacy, or inheritance, or any grant or gift under this act, subject to appeal as in other cases, and the treasurer of state shall in his name of office represent the interests of the state in any such proceeding. District court has jurisdiction to determine question of taxes. Treasurer of state to represent interests of state.

Approved April 14, 1896.

CHAPTER 29.

AN ACT to exempt crematoriums from taxation.

H. F. 281.

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

SECTION 1. That the land belonging to any cremation society, not to exceed one acre, whereon is situated a crematorium devoted solely to the disposal of the human dead, shall be exempt from taxation; *provided*, and so long as, no dividends, emoluments or profits from the use of such property shall accrue to the members or shareholders of the society owning the same. Land belonging to cremation societies shall under certain conditions be exempt from taxation.

SEC. 2. All acts or parts of acts in conflict with this act are hereby repealed. Repealing clause.

Approved April 14, 1896.

CHAPTER 30.

AN ACT to amend section 801 of the code of 1873, relating to the assessment of taxes. H. F. 270.

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

SECTION 1. That section 801 of the code of 1873 be and the same is hereby amended as follows, viz: By adding the words "including bicycles" immediately after the word "vehicle" in line 14 of said section. Bicycles included in tax assessments.

Approved April 14, 1896.

CHAPTER 31.

S. F. 450. AN ACT to amend section 801 of the code of 1873, relating to the taxing of money.

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

Government
currency in-
cluded in
moneys taxed.

SECTION 1. That section 801 of the code of 1873 be and the same is hereby amended by inserting after the word "money" in the fourth line thereof the words "including government currency."

Approved April 14, 1896.

CHAPTER 32.

S. F. 145. AN ACT to define express companies, to prescribe the mode of taxing the same, and to fix the rate of taxation thereon.

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

Associations
deemed ex-
press com-
panies.

SECTION 1. Any person or persons, joint stock association, company, or corporation conveying to, from, or through this state, or any part thereof, money, packages, gold, silver, plate, or other articles by express on contract with any railroad or steamboat company, or the managers, lessees, agent or receiver thereof, not including railroad or steamboat companies engaged in the ordinary transportation of merchandise and property in this state, shall be deemed to be an express company.

Railroad and
steamboat
companies ex-
cepted.

Annual state-
ment made
before May
first Monday.

SEC. 2. Every such express company shall, on or before the first Monday in May of each year, make and deliver to the auditor of state a statement, verified by the oath of the officer or agent making such report, showing the entire receipts for business done within this state of each agent of such company doing business in this state for the year then next preceding the first day of March for and on account of such company, including its proportion of gross receipts for business done by such company in connection with other companies; *provided* that nothing herein contained shall release such express companies from the assessment and taxation of their tangible property in the manner that other tangible property is assessed and taxed. Such company making statement of such receipts shall include as such all sums earned or charged for the business done within this state for such preceding year, whether actually received or not. Such statement shall contain an abstract of the amount received in each county and the total amount received for all the counties.

Contents of
report.

Express com-
panies not re-
leased from
taxation of
tangible prop-
erty.

Abstract of
receipts by
counties.

Failure or re-
fusal to make
report.

In case of the failure or refusal of such express company to make such statement before the first Monday of May,

it shall then be the duty of each local agent of such express company within this state annually, between the first day of May and the first day of June, to make out and forward to the auditor of state a similar verified statement of the gross receipts of his agency for the year then next preceding the first day of March. When such statement is made, such express company shall, at the time of making the same, pay into the treasury of the state the sum of one dollar on each one hundred dollars of such receipts. And any such express company failing or refusing for more than thirty days after the first day of June in each year to render an accurate account of its receipts in the manner above provided, and to pay the required taxes thereon, shall forfeit one hundred dollars for each additional day such statement and payment shall be delayed, to be recovered by an action in the name of the state of Iowa on the relation of the auditor of state in any court of competent jurisdiction, and the attorney-general shall conduct such prosecution; and such express company so failing or refusing shall be prohibited from carrying on said business in this state until such payment is made.

Local agent to report to auditor of state.

Basis for payment of tax.

Penalty for failure to report and pay tax.

Recovery by action.

Attorney-General to conduct prosecution.

Approved April 14, 1896.

CHAPTER 33.

AN ACT declaring express companies, operating and doing business in this state, common carriers, and providing for their regulation and control by the railroad commissioners. H. F. 298.

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

SECTION 1. That all express companies operating and doing business in this state are hereby declared to be common carriers, and all laws so far as applicable, now in force or hereinafter enacted, regulating the transportation of property by railroad companies, shall apply with equal force and effect to express companies.

Express companies declared common carriers.

SEC. 2. The railroad commissioners of this state shall have general supervision of all express companies operating and doing business in this state, and shall inquire into any unjust discrimination, neglect, or violation of the laws of this state governing common carriers by any express company doing business therein, or by the officers, agents, or employes thereof, and said railroad commissioners are empowered and directed so far as it may seem to them expedient and practicable under existing statutes to make for each express company doing business in this state, as soon as practicable, a schedule of reasonable maximum charges or rates for transporting any kind of property carried by such express companies.

Railway commissioners to have supervision of express companies.

Schedule of reasonable maximum rates.

Approved April 14, 1896.

CHAPTER 34.

H. F. 464. AN ACT to amend section 29, chapter 28, laws 22d General Assembly relating to railroads and other common carriers.

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

Sec. 29, Ch. 28,
Acts 22 G. A.,
amended.

SECTION 1. That section 29 chapter 28, laws 22d G. A. be and the same is hereby amended by inserting after the words "reduced rates" in second sentence the words "to the quartermaster-general of Iowa, for the transportation of officers or enlisted men of the Iowa National Guard when traveling under the orders of the commander-in-chief, or"—so that it will read: "Nothing in this act shall be construed to prohibit any common carrier from giving reduced rates to the quartermaster-general of Iowa for the transportation of officers or enlisted men of the Iowa National Guard when traveling under the orders of the commander-in-chief, or to ministers of the gospel, or" etc.

Railroads
may give re-
duced rates to
National
guard.

Approved April 14, 1896.

CHAPTER 35.

H. F. 447. AN ACT to repeal section one of chapter thirty-one of the laws of the Twenty-second General Assembly, relating to changing names of railway stations, and enacting a substitute therefor.

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

Sec 1, Ch. 31,
Acts 22 G. A.,
repealed.

SECTION 1. That section one of chapter thirty-one of the laws of the Twenty-second General Assembly is hereby repealed and the following law is enacted in lieu thereof:

Railway com-
panies must
not refuse to
make station
name conform
to name of
town.

In all cases where any railway company shall fail or refuse to make the name of a railway station conform to the name of the incorporated town within the limits of which it is situated, it shall be the duty of the railroad commissioners of the state, to order a change of the name of said railway station to effect such uniformity, within sixty days after a petition in writing by the town council of said incorporated town, asking for such order, is filed with said railroad commissioners.

Duty of R. R.
commission-
ers.

Approved May 2, 1896.

CHAPTER 36.

S. F. 235. AN ACT to punish the crime of unlawfully breaking and entering a railroad or express car.

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

Unlawful to
break and
enter a car.
Penalty.

SECTION 1. If any person unlawfully break and enter any freight or express car which is sealed or locked, in which any goods, merchandise, or valuable things are kept

for use, deposit, or transportation, he shall be imprisoned in the penitentiary not more than five years, or be fined not exceeding one hundred dollars, and imprisoned in the county jail not more than one year.

Approved May 2, 1896.

CHAPTER 37.

AN ACT to enable boards of school directors to provide free text-books for pupils in the public schools. S. F. 40.

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

SECTION 1. Whenever a petition signed by one-third or more of the legal voters, to be determined by the school board of any school township or independent district, shall be filed with the secretary, thirty days or more before the annual meeting of the electors, asking that the question of providing free text-books, for the use of pupils in the public schools thereof, be submitted to the voters at the next annual meeting, he shall cause notice of such proposition to be given in the call for such meeting.

Petition by one-third the legal voters.

Free text-book proposition.

Notice to meeting.

SEC. 2. If at such meeting a majority of the legal voters present and voting by ballot thereon shall authorize the board of directors of said school township or independent district to loan text-books to the pupils free of charge, then the board shall procure such books, as shall be needed, in the manner provided by law for the purchase of text books, and loan them to the pupils.

Directors may loan text-books by direction of a majority of legal voters.

SEC. 3. The board shall hold pupils responsible for any damage to, loss of, or failure to return any such books, and shall adopt such rules and regulations as may be reasonable and necessary for the keeping and preservation thereof.

Pupils held responsible for loss or damage.

SEC. 4. Any pupil shall be allowed to purchase any text-book used in the school at cost.

Pupils allowed to purchase books at cost.

SEC. 5. No pupil already supplied with text books shall be supplied with others without charge until needed.

Pupils already supplied cannot draw new books.

SEC. 6. The electors may at any election called as herein provided direct the board to discontinue the loaning of text-books to pupils.

Board may discontinue to loan at any time.

Approved Mar. 7, 1896.

CHAPTER 38.

AN ACT to authorize kindergartens in independent school districts. H. F. 79.

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

SECTION 1. That the board of directors of any independent school district is hereby empowered to establish within said district, in connection with the common schools a kindergarten, or kindergartens, for the instruction of children, to be paid for in the same manner as other grades and departments.

School board empowered to establish a kindergarten. Payment for same.

Certificate of qualification. Examination.

SEC. 2. All teachers in kindergartens established under this act shall hold a certificate from the county superintendent certifying that the holder thereof has been examined upon kindergarten principles and is qualified to teach in kindergartens.

Approved Mar. 13, 1896.

CHAPTER 39.

H. F. 135. AN ACT to amend sections 1766 and 1767, chapter 9, title 12 of the Code of Iowa, in relation to teacher's certificates.

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

Civics and economics added to examination for teachers' certificate.

SECTION 1. That section 1766, chapter 9, title 12 of the code of Iowa be and is hereby amended by inserting the words, "Elementary Civics and Economics," in the eighth line of said section immediately following the word, "physiology."

First class certificate good for two years.

SEC. 2. That section 1767, chapter 9, title 12, of the code of Iowa be and is hereby amended by inserting the words: "A first class certificate shall be valid for a term of two years, and all other grades of certificates," in the fourth line of said section immediately following the word "effect."

Approved April 10, 1896.

CHAPTER 40.

H. F. 480. AN ACT to repeal sections 1 and 2, chapter 20, acts of the 24th G. A., and enact a substitute therefor, changing the term of office of sub-directors from three years to one year.

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

Sec. 1, 2, Ch 20, Acts 24 G. A., repealed.

That sections 1 and 2, chapter 20, of the acts of the 24th G. A. be, and are hereby repealed, and the following enacted in lieu thereof.

Sub-directors to serve for one year.

SEC. 1. All sub-directors elected to fill vacancies occurring in March, 1897, and annually thereafter, shall serve for a term of one year.

Approved April 14, 1896.

CHAPTER 41.

H. F. 194. AN ACT to provide for the support fund of the boys' department of the Iowa Industrial School, and to repeal section 1, chapter 21 of the acts of the 15th General Assembly as amended by section 1, chapter 97 of the 17th General Assembly.

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

\$10 per month appropriated for each boy in industrial school.

SECTION 1. That there is hereby appropriated out of any money in the state treasury not otherwise appropriated, the sum of ten dollars per month, or so much thereof as may be necessary, for each boy actually supported in

the State Industrial School, counting the average number sustained in the school for the month, and upon the presentation to the auditor of state each month, of a sworn statement of the superintendent of the average number of boys supported by the school for the preceding month, the auditor of state shall draw his warrant on the treasurer of state in favor of the treasurer of the board of trustees of the State Industrial School for the sum hereinbefore provided.

Statement of superintendent to state auditor.

Warrant drawn in favor of treasurer.

SEC. 2. That section 1, chapter 21 of the acts 15th General Assembly, as amended by section 1 chapter 97 of the acts of the 17th General Assembly, is hereby repealed.

Sec. 1, Ch. 21, Acts 15 G. A., repealed.

SEC. 3. This act shall take effect and be in force from and after its publication in the Iowa State Register and Iowa State Leader, newspapers published in Des Moines, Iowa.

Publication.

Approved April 7, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 16, and Des Moines Leader, April 18, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 42.

AN ACT to authorize the transfer of county road funds to the county fund and county bridge fund.

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

SECTION 1. The board of supervisors of any county in this state that now has a surplus in its county road fund, which is not needed for the purpose for which it was levied, may transfer said surplus or so much thereof as shall by the said board seem best to the county fund or the county bridge fund for the use and benefit of such funds. *Provided*, that this section shall apply only to money collected prior to January 1, 1896, and to such counties as have levied said county road tax and collected the same in the incorporated towns and cities as well as the territory outside of said cities.

Transfer of surplus road fund to county or bridge fund.

Money collected prior to January 1, 1896.

Counties to which applicable.

Approved April 14, 1896.

CHAPTER 43.

AN ACT to amend sections 969, 975, 981, 987, and 996 of the Code relative to the meeting of township trustees for settlement with road supervisors.

s. F. 116.

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

SECTION 1. That sections 969, 975, 981, 987, and 996 of the Code be, and the same are hereby, amended, as follows: By striking out the word "October" wherever it occurs in the above named sections, and inserting in lieu thereof the word "November."

Meeting of township trustees changed to November.

Approved April 3, 1896.

CHAPTER 44.

- S. F. 133. AN ACT to repeal section 963 of the Code of 1873, relating to costs on appeal in establishing highways and to enact a substitute therefor.
Be it enacted by the General Assembly of the State of Iowa—
- Sec. 963, code, repealed. SECTION 1. That section 963 of the Code of 1873 be and the same is hereby repealed, and the following enacted in lieu thereof:
- Appeal costs to be paid by petitioner. "If the appeal be taken by the petitioner he shall pay the costs, unless the claimant recovers a less amount than was allowed him by the board. In all other cases the taxing of the costs shall rest in the discretion of the court."
- Costs taxed by court in certain cases.
- Approved April 14, 1896.

CHAPTER 45.

- S. F. 362. AN ACT to enable the trustees or commissioners of state institutions to lay out, establish, vacate, or change public highways through land owned by the state on which state institutions are situated.
Be it enacted by the General Assembly of the State of Iowa:
- Trustees of state institutions may vacate state land for highways. SECTION 1. That the trustees or the commissioners of any of the institutions belonging to this state may vacate, alter, change, or establish public highways through the lands belonging to the state and for the use of such institutions as to the said board of trustees or commissioners may seem for the best interests of the state and the public, subject however to the approval of the board of supervisors of the county or the city council of the city wherein such lands are situated.
- Subject to approval by board of supervisors. SEC. 2. Whenever said board of trustees, or commissioners and board of supervisors or city council shall make any change in said public highways by altering, vacating, or establishing new highways, the same, together with a plat thereof, shall be reported to the county auditor of the county in which the land is located, and shall be by the auditor entered on his plat-book of highways in the same manner as other highways are platted.
- When changes are made in highways. SEC. 3. That section 954 of the Code of Iowa, 1873 be and the same is hereby repealed.
- Reports to county auditor. Approved April 14, 1896.
- Entered on plat book.
- Sec. 954 of code repealed.

CHAPTER 46.

- H. F. 883. AN ACT amending chapter 2 of title X of the Code of 1873, relating to drainage and levees.
Be it enacted by the General Assembly of the State of Iowa:
- Right of way where U. S. is improving a SECTION 1. In any case where the United States may have undertaken, or may hereafter undertake, the work of building a levee along or near the bank of a navigable

stream forming a part of the boundary of this state, the board of supervisors of any and every county through which the same may pass, shall have the right and power to aid in procuring the right of way for the same, maintaining the same, and providing a system of internal drainage made necessary or advisable by the construction of such levee, whenever in their judgment such work will be conducive to the public health, convenience, or welfare.

navigable boundary stream.
Right of board of supervisors to assist where work is conducive of health or convenience.

SEC. 2. Proceedings as contemplated by the preceding section may be begun by filing with the county auditor a petition asking the board of supervisors to form a drainage district for any of the purposes in section 1 of this act specified, of the lands in the petition described, which shall also be shown on a map or plat to be filed with such petition. This petition shall be signed by not less than twenty-five owners of lands lying within the limits of such proposed district, as shown by the transfer books in the auditor's office, and a bond with satisfactory sureties shall also be filed with the county auditor and approved by him, conditioned for the payment of all costs and expenses incurred, in case the board of supervisors shall refuse to grant the prayer of the petition.

Proceeding.
Petition filed with county auditor.
Drainage districts formed.
Petition signed by 25 property owners.
Bond sureties. Supervisors may appoint a commission.

SEC. 3. At their next regular session held after the filing of such petition, or at a special session called for the purpose, the board of supervisors shall, if the foregoing provisions have been complied with, appoint a commission of three disinterested freeholders of the county, one of whom shall be, if practicable, a competent civil engineer or surveyor. This commission shall, after being duly sworn, proceed to examine the lands within such proposed district, lay out the work required, and make an estimate of the probable cost of the same. They shall make a full report to the board of supervisors, and may recommend that such district be formed as prayed, or that it be enlarged, or diminished, as in their judgment will best subserve the general good, and promote the general welfare. They shall also classify the lands within the limits of such districts as they recommend, grading the same as "dry," "low," and "wet," making such classification, so far as practicable, in forty acre tracts, by government sub-divisions.

A civil engineer or surveyor to be a member of commission.
Duty of commission.
Land classified.
Land in 40-acre tracts.

SEC. 4. Upon the filing of the report of the commissioners the county auditor shall fix a time, not less than twenty days thereafter, when the board of supervisors will proceed to take final action on the petition. At least ten days' notice of such hearing shall be given to each owner of land lying within such proposed district, as shown by the transfer-books in the auditor's office. Such notice shall be over the hand and seal of the county auditor, shall state in brief the substance of the petition, the recommendation of the commissioners, and the time when

Time fixed for final action.
Ten days' notice to land owner of hearing.
Contents of notice.

Notice, how served.	the board of supervisors will proceed to a hearing on the same. This notice shall be served by the sheriff, if the person named can be found in the county, but if the sheriff
When owner cannot be found.	shall return that any such person cannot be found in the county the notice shall then be served by posting two copies thereof at least fifteen days before the time fixed for the hearing, one to be posted at the front door of the
Copy of notice and affidavit filed with county auditor.	court-house, and the other at some public place in the township within which such lands are situated, and within the limits of such proposed drainage district, a copy of such notice, with an affidavit of the posting of the same to be filed with the county auditor before the hearing; <i>provided</i> , however, that service of such notice may be acknowl-
Service acknowledged as in paragraph 2603, code.	edged in the manner provided by paragraph three of section 2603, code of 1873, and substituted service of such notice may be made under the circumstances and in the manner provided, in paragraph two of the same section.
Hearing by board of supervisors.	SEC. 5. At the time named, or at such other time to which the board of supervisors may adjourn the matter, they shall proceed with the hearing, and any of the parties interested may appear in person or by counsel and be heard, and may file written pleadings. The board of
Decision by the board.	supervisors shall hear and determine the matter, and if they determine against the formation of such district they shall dismiss the proceedings at the cost of the petitioners.
Classification where district is formed.	If they shall decide to form such district they shall proceed and fix the boundaries of the same, and shall classify the lands as "dry," "low," and "wet," according to the evidence, making such classification as far as practicable
Classification into forty-acre lots.	in forty-acre tracts and in government subdivisions, and they shall enter their findings and classification on their records. At such hearing the recommendation of the
Evidence of the commission.	commissioners shall be competent evidence, but shall not be conclusive.
Persons aggrieved by decisions of the board.	SEC. 6. Any person aggrieved by such action of the board of supervisors may, within twenty days after such action is taken, appeal to the district court of the county in which such lands are situated, where such appeal shall be heard on its merits regardless of technicalities, and
Appeal to district court.	appeal may be taken from the district to the supreme court, but under and subject to the restrictions now imposed by law upon appeals generally. The appeal to
Service on county auditor.	the district court shall be taken by serving notice of such appeal on the county auditor, and the three persons first named among the signers to the petition specified in section
Service on three successful remonstrants.	two hereof. If the appeal is taken by the petitioners, notice of such appeal shall be served on the county auditor and any three of the successful remonstrants, if there be so many, but on all if they be less than three. Upon serv-
Copy of petition served on clerk of court.	ice of notice of such appeal, the county auditor shall file with the clerk of the district court a copy of the petition,

written objections filed by the parties complaining, or complained against, and of the action taken by the board of supervisors, all certified by him; these may constitute the pleadings, and the clerk of the district court shall docket the same, as in case of any other action brought, entitling the same in the names of the three first signing the petition, on behalf of all, and against the remonstrants who are successful, or who appeal, as the case may be.

Clerk of court shall docket the case.

Such appeal, however, shall not interfere with the board of supervisors in the prosecution of the work, unless the same shall have been taken by not less than one-half of the acreage lying within the limits of such proposed district, but if so taken by not less than one half such acreage then the board of supervisors shall so enter upon their records, and shall also enter an order suspending all proceedings pending the final disposition of such appeal.

Appeal shall not interfere with work.

When appeal may suspend proceedings.

SEC. 7. After entering the order as provided in section five hereof, unless further proceedings are suspended as provided in section six hereof, the board of supervisors shall proceed and adopt such plan or system as, in their judgment is proper and best under all the circumstances, and cause the work to be done, causing such ditches to be dug, channels opened, embankments to be erected, fills made, and such other work to be done as in their judgment will most efficiently promote the general good and the public welfare. They shall have power, in the manner now provided by law, chapter four of title X, code of 1873, to condemn any land which they deem it necessary to take or use in the prosecution of such work, including any that may be required to aid the United States in completing such levee, the costs and expenses of which shall be paid out of the drainage fund pertaining to such district as hereinafter provided. In the doing of this work the board of supervisors shall have power to employ such help and assistance as they deem necessary, and to fix the compensation for the same. All the work to be done which shall involve an estimated expenditure of five hundred dollars or over shall be let by contract, after advertising the same for three weeks in some newspaper of general circulation published in the county, to the lowest bidder who shall furnish satisfactory security for the performance of the contract; *provided*, however, that the board of supervisors may reject all bids, and do the work themselves whenever, in their judgment, the work can be so done at a substantial saving.

Board may proceed unless action is suspended.

Duties and work performed.

May condemn any lands deemed necessary.

Expenses paid out of drainage fund.

Help and assistance employed.

Work to be let by contract.

Bids may be rejected.

SEC. 8. The entire costs and expenses incurred under this chapter shall be assessed against the lands lying within such drainage district on the following basis: The lands classed as "low" shall be assessed twice as much per acre as the lands classed as "dry," and the lands classed as "wet" shall be assessed twice as much per acre as the

Cost to be assessed against lands in drainage district.

Schedule of assessments.

Compensation of commissioners.	lands classed as "low," and in tracts as classified by the board of supervisors, as provided in section five hereof. The commissioners provided for in section three hereof shall be allowed three dollars a day each, which shall be included as part of the expenses of such work, <i>provided</i> , that if the petition shall be dismissed by the board of supervisors then the compensation of such commissioners shall be paid by the petitioners.
Paid by petitioners.	SEC. 9. The assessment required under section eight hereof shall be made by the board of supervisors at the time of levying general taxes after the work has been authorized, and the same shall be entered on the records of the board of supervisors, then entered on the tax books by the county auditor as drainage taxes, and shall be collected by the county treasurer at the same time, in the same manner, and with the same penalties as general taxes, and if the same is not paid he shall sell all such lands upon which such assessment remains unpaid, at the same time, and in the same manner, as is now by law provided for the sale of lands for delinquent taxes, including all steps up to the execution and delivery of the tax deed for the same.
Assessment made by supervisors when taxes are levied.	The land owners shall take notice of, and pay, such assessments, without other or further notice than such as is provided for in this chapter. The funds realized from such assessments shall constitute the drainage fund, as contemplated in this chapter, and shall be disbursed on warrants drawn against that fund by the county auditor, on the order of the board of supervisors.
Entered as drainage taxes.	SEC. 10. If the amount required under section eight hereof shall not exceed a rate based on twenty-five cents per acre on the "wet" lands, it shall be levied and paid in one year; if it shall be over twenty-five cents, and under fifty cents per acre on such basis, it shall be payable one-half in one and one-half in two years; and if it shall exceed fifty cents per acre on such basis then it shall be divided into three equal annual payments.
How collected	SEC. 11. If the entire amount required under this chapter cannot be collected in one year, the board of supervisors of such county shall have the power to issue drainage bonds for all which cannot thus be provided for in one year, in substantially the manner and form as provided in section 1866 of "the Code of Iowa," such issue to be determined upon by them before the levy, and an amount sufficient to pay the interest on such bonds shall be estimated and included in the assessment.
Land owners to pay without further notice.	SEC. 12. The board of supervisors shall have the right and power to keep up and maintain any such levee, ditches, drains, or system of drainage, either in whole or in part, as may in their judgment be required, and to levy the expense thereof upon the real estate within such
Drainage fund.	
Terms and time of payment.	
Drainage bonds may be issued.	
Interest included in assessment.	
Drainage system to be kept up.	
Expense of keeping up.	

drainage district as herein provided for, and collect and expend the same; *provided*, however, that no such work which shall impose a tax at a rate exceeding one based on ten cents per acre on the "wet" lands shall be authorized by them, unless the same is first petitioned for and authorized in substantially the manner required by this chapter for the inauguration of new work.

Maximum of tax for repairs

SEC. 13. The petitioners who proceed under section two of this act, may ask that the lands described in the petition be formed into more than one drainage district, and whether they do so or not the board of supervisors shall have the right and power to arrange said lands, or the lands which they shall finally determine to bring within the provisions of this act, into two or more districts, the boundaries of which shall be so fixed as will, in the judgment of the board, tend to a more equitable and just apportionment of the burdens to be imposed. It shall be the duty of the commissioners provided for in section three of this act to report whether, in their judgment, there should be more than one such district formed, and to make their plans and estimates according to such districts as they recommend.

Two or more districts may be formed on one petition.

Boundaries to be fixed by board of supervisors.

Report of commission as to number of districts.

SEC. 14. In case more than one such district is created as provided in section 13 of this act, the board of supervisors shall require separate accounts to be kept of the costs and expenses incurred in each, making an equitable apportionment of such as is not susceptible of exact division, and the lands in each drainage district shall be liable to assessment for the costs and expenses incurred in such district only.

Where more than one district is created.

Separate accounts to be kept.

SEC. 15. The boards of supervisors of any two or more adjoining counties may carry on the work provided for in this chapter concurrently; *provided*, that they first agree upon a plan or system, and a basis of equitable apportionment of the work to be done, and the share of the cost and expenses of the same, to be borne by each of such counties.

Boards in adjoining counties may carry on the work jointly.

Must first agree on plan or system.

Approved April 7, 1896.

CHAPTER 47.

AN ACT to amend section 989 of the Code relative to the drainage of surface water from the highway. H. F. 332.

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

SECTION 1. That section 989 of the code of Iowa, be and is hereby amended by adding the following to said section, "providing, it shall be the duty of the supervisors to use strict diligence in draining the surface water from the public highway in its natural channels, and to this end he may enter upon the enclosed or reinclosed

Sec. 989, code, amended.

Supervisors must use diligence in drainage.

May enter
lands. adjoining lands for the purpose of removing obstructions from such natural channels that impede the flow of such water."

Publication. SEC. 2. 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 in Des Moines, Iowa.

Approved April 14, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, May 7, and Des Moines Leader, May 6, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 48.

AN ACT relative to trimming osage orange, willow, and all other hedge fences along the highway.

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

Hedges be
kept trimmed. SECTION 1. That the owner of any osage orange, willow, or any other hedge fence, unless the same shall be used as a wind-break for orchards or stock, or shall be maintained as an ornamental fence, shall keep the same trimmed along the public highways, by trimming or cutting back to within five feet of the ground at least once in every two years, and shall burn or remove the brush so cut from the highway.

Exceptions.

Brush removed or burned.

Road supervisor to serve notice in case of neglect to comply.

Supervisor may cause work to be done.

Supervisor to notify land owner.

Township clerk to include list of lands and owners when certifying taxes not paid

Duty of county auditor.

SEC. 2. And it shall be the duty of the road supervisor, in case of a failure to comply with section 1 of this act, to serve written notice on such owner, then, if such owner refuse or neglect to comply with section 1 hereof for a period of sixty days after service of such notice, the road supervisor shall cause such work to be done, and it shall be paid for out of the highway fund.

SEC. 3. It shall be the duty of the road supervisor to notify the owner of the land of the expense of doing the work as provided in section 2.

SEC. 4. The township clerk, when certifying lists of land for transmission to the county auditor, upon which the highway tax has not been paid, as provided in section 975 of the Code of 1873, shall include in such lists a description of all lands, and the names of the owners, along which any work has been done by the road supervisor in accordance with the provisions of this act, together with the amount paid out of the highway fund therefor; and the auditor shall enter the amount against the land, and the owner thereof, unless the same has been previously paid, and deliver the same to the county treasurer; and which amount shall be collected by the treasurer in the same manner that county taxes are collected.

SEC. 5. Where the township system is adopted under chapter 200 of the acts of the Twentieth General Assembly of the state of Iowa, it shall be the duty of the township trustees to enforce the provisions of this act.

Approved April 14, 1896.

CHAPTER 49.

AN ACT to amend chapter thirteen, title twelve, of the Code, in relation to the state library, and to provide for an extension of the use thereof:

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

SECTION 1. From and after the first day of July, eighteen hundred and ninety-six, any public, incorporated, school, or college library in the state may, upon compliance with the provisions of the rules prescribed by the board of trustees of the state library, become an "associate library" with the state library, and be entitled to all the privileges accorded by this act to associate libraries. It shall be the duty of the state librarian to issue to any eligible library complying with such rules a certificate of association showing that such library has become an "associate library." The associate relationship may be terminated at any time by a surrender of said certificate, and the return of all books and other property belonging to the state library, whereupon the state librarian shall return to such associate library any bonds or deposit held for the security of said books or other property. The associate relationship may also be terminated by a violation of such rules as may be prescribed by said board of trustees for the regulation and management of said associate libraries.

SEC. 2. The librarian, committee, or other persons having the management and control of said associate library shall make an annual report to the state librarian of the names of its officers, trustees, or managers, the number of volumes contained in such library, the number of volumes drawn therefrom during the preceding year, and such other facts and statistics regarding the same as may be required by said state librarian. Such report shall be made at such time as may be fixed by the state librarian. Such associate librarian, committee, or other person aforesaid shall also report at once any changes made in the officers, trustees, or management of such associate library during the year.

SEC. 3. Under such reasonable rules and regulations as may be prescribed therefor by said board of trustees and the state librarian, said state librarian, upon the requisition of such associate library, may lend to such associate library books, or collections of books, from the duplicate department of said state library, or from books especially procured

Duty of township trustees to enforce this act.

School or college libraries may become associated with state library.

Certificate of association.

Termination of associated relations.

How terminated.

Return of bonds.

Violation of rules.

Annual report to state librarian.

Contents of report.

Date of report

Change in officers or management.

Books may be loaned to associate libraries.

- Certain books not to be removed or loaned. for such purpose, or any books in the state library; but this section shall not authorize the removal of such books, pamphlets, papers, maps, or documents as in the discretion of said board of trustees and the state librarian cannot, consistent with the best interests of the state library, be allowed to be taken therefrom; *provided*, that all expense of transportation shall in all cases be paid by the associate library borrowing such book or other property.
- Expense of transportation, how paid. SEC. 4. The officers, directors, managers, or librarian of any such associate library shall be entitled to ask from the state librarian any needed advice or instruction as to buildings, furniture, equipment, management, service, rules for readers, selections of books, buying, cataloguing, shelving, binding books, or other matter pertaining to the establishment, organization, or administration of a public library. It shall be the duty of the state librarian to impart such advice or instruction, whenever so requested, consistent with her other duties.
- Advice may be asked of state librarian. SEC. 5. If the responsible officers or managers of any associate library shall disregard, violate, or refuse to comply with such rules and regulations as may be made under the provisions of this act, such associate library shall be debarred the privileges herein granted.
- Duty of state librarian as to instructions. SEC. 6. The state librarian shall keep a complete record of such associate libraries and of the transactions therewith, and shall include in her annual report a summary of the facts of public interest and value in relation thereto. It shall also be the duty of the state librarian to provide lists of the books, or collection of books, which may be thus available for such purposes, which shall be furnished upon application, together with such requisites, rules and regulations as may be prescribed for the obtaining and management of the same.
- When associate libraries do not comply with rules. SEC. 7. Where no such library exists, and whenever twenty-five resident tax-payers petition therefor, such books, or collections of books, may be lent to any college, school, university, extension center, Chautauqua circle, literary society, reading course, study club or other association, approved by the rules prescribed by said board of trustees of the state library, under such rules, securities, and guaranties for the preservation, care, control and management of the same as may be prescribed by said board of trustees.
- Record of associate libraries kept by state librarian. SEC. 8. There is hereby appropriated from the state treasury the sum of four thousand dollars for the purchase of books and equipment of collections of books to be lent under the provisions of this act, which collections shall be designated as "Iowa Traveling Libraries."
- List of books prepared by state librarian. SEC. 9. All acts and parts of acts inconsistent with the provisions hereof are hereby repealed.
- Petition by 25 tax payers. Approved April 8, 1896.
- Books loaned outside of associations.
- Conditions.
- \$4,000 appropriated for purchase of books.
- Repealing clause.

CHAPTER 50.

AN ACT to amend sections 2 and 4 of chapter 41 of the acts of the S. F. 113. Twenty-fifth General Assembly, in relation to public libraries.

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

SECTION 1. That section 2 of chapter 41, acts of the Twenty-fifth General Assembly be, and the same is, hereby so amended as to read as follows:

“Sec. 2. Said board of library trustees shall have and exercise the following powers: To meet and organize by the election of one of their number as president of the board, and by the election of a secretary and such other officers as the board may deem necessary; to have charge, control, and supervision of the public library, its appurtenances and fixtures and rooms containing the same, directing and controlling all the affairs of such library; to employ a librarian and such other assistants and employes as may be necessary for the proper management of said library, and fix their compensation, but prior to such employment the compensation of such librarian and assistants shall be fixed for the term of employment by a majority of the members of said board voting in favor thereof; to remove such librarian, assistants, or employes by a vote of two-thirds of such board for misdemeanor, incompetency, or inattention to the duties of such employment; to select and make purchases of books, pamphlets, magazines, periodicals, papers, maps, journals, furniture, fixtures, stationery, and supplies for such library; to make and adopt, amend, modify, or repeal by-laws, rules, and regulations not inconsistent with law for the care, use, government, and management of such library and the business of said board, fixing and enforcing penalties for the violation thereof; to have exclusive control of the expenditure of all taxes levied under section 461 of the Code of Iowa, and chapter 99 of the acts of the Twenty-fifth General Assembly, and of all other moneys belonging to the library fund. Said board shall keep a record of its proceedings.”

SEC. 2. That section 4 of said chapter 41, acts of the Twenty-fifth General Assembly, be, and the same is, hereby amended so as to read as follows:

“Sec. 4. The board of library trustees shall, before the first day of August in each year, determine and fix the amount or rate, not exceeding one mill on the dollar in cities of the first class and not exceeding two (2) mills on the dollar in incorporated towns and cities of the second class, of the taxable valuation of such city or town, to be appropriated for one year under section 461 of the Code

Sec. 2, Ch. 41,
25 G. A.,
amended.

Power of
board of
library trus-
tees.

Shall have
charge of pub-
lic libraries.

Employ a
librarian.

Compensa-
tion of
librarian.

Remove libra-
rian.

Purchase of
reading
matter.

Make rules
and regula-
tions.

Have control
of tax levy
and moneys.

Sec. 4, Ch. 41,
Acts 25 G. A.,
amended.

Board to fix
rate of tax.

Tax appropri-
ated for one
year.

Amount not
to exceed 3
mills.

Rates to be
certified to
county audi-
tor.

of Iowa for the maintenance of such library, and the amount or rate not exceeding three mills on the dollar of the taxable valuation of such city, be levied and collected under the authority and provisions of chapter 99, acts of the Twenty-fifth General Assembly, and cause each of the amounts or rates so determined and fixed to be certified to the council, and the council shall levy the taxes necessary to raise said sums respectively for such year, and certify the percentage or rates, not exceeding said rates respectively, of such tax to the county auditor with other taxes levied by the city or incorporated town for such year, under section 495 of the Code of Iowa."

Approved March 19, 1896.

CHAPTER 51.

H. F. 470.

AN ACT to authorize cities acting under special charter to use parks, public squares, or plats of ground for free public library purposes.

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

Public parks
may be used
for library
buildings.

SEC. 1. Any city acting under special charter in which is situated a public park, public square, or plat of ground deeded or dedicated to said city, or to the public, may use such park, square, or plat, or so much thereof as may be necessary, for the erection thereon of a free public library building or buildings.

Approved April 14, 1896.

CHAPTER 52.

H. F. 162.

AN ACT to amend section 1433 of the Code, as amended by chapter 179 of the Acts of the 12th General Assembly and chapter 26, Acts of the 15th General Assembly, relating to care of the insane.

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

Sec. 1433, code,
Ch. 179, Acts
12 G. A.,
Amended.

SECTION 1. That section one thousand four hundred and thirty-three of the code of Iowa, as amended by chapter 179 of the acts of the 12th General Assembly and chapter 26, acts of the 15th General Assembly, be and the same is hereby amended by adding thereto the following:

Estates of in-
sane or
idiotic per-
sons or per-
sons legally
bound for
support liable
to county.

Provided that the estates of all "insane or idiotic persons and all persons legally bound for the support of such persons who may be treated in any county asylum or poor-house, other than" at or in either of the state hospitals for the insane within this state, shall be liable to the county furnishing such treatment, sustenance, and supplies for the reasonable value thereof, which value shall be determined in the first instance by the board of supervisors.

Repealing
clause.

SEC. 2. All acts and parts of acts inconsistent herewith are hereby repealed.

Approved Apr. 4, 1896.

CHAPTER 53.

AN ACT to amend section 1395 of the Code of 1873 in relation to Commissioners of Insanity. H. F. 174.

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

SECTION 1. That section 1395 of the code of 1873 be amended as follows: Sec. 1395, code, amended.

In the second line of said section after the word insanity insert the following "and in counties having two places where district court is held there shall be one such board of commissioners of insanity at each place" and in said second line after the word, clerk, insert the following: "or his deputy." Two boards of commissioners of insanity in counties where two district courts.

Approved April 10, 1896.

CHAPTER 54.

AN ACT to amend section 2276 of the code as amended by chapter 70 of the laws of the 22nd General Assembly, authorizing guardians of insane persons to mortgage the real estate of their wards. H. F. 311.

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

SECTION 1. That section 2276 of the code as amended by chapter 70 of the laws of the 22nd General Assembly be amended by inserting after the word "sale" in the first line thereof the words "or mortgage" and by inserting after the word "sell" in the fourth line thereof the words "or mortgage." Sec. 2276, code, amended. Real estate of ward may be sold or mortgaged.

Approved April 10, 1896.

CHAPTER 55.

AN ACT to amend Sec. 1, Ch. 23, Acts 20th G. A., relative to the expenditure of insane soldiers' pensions. H. F. 143.

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

That section 1, Ch. 23, acts 20th G. A., be amended by adding at the end of Sec. 1 the following, "whenever any soldier is found to be insane and his pension is paid to a guardian that said guardian may apply to the Dist. court for an order to expend said money for the benefit of the pensioner or his family. Said order may be made in the discretion of the court." Ch. 23, Acts 20 G. A. amended. Pension money may be spent for benefit of insane soldiers.

Approved April 10, 1896.

CHAPTER 56.

S. F. 403. AN ACT to provide for the payment of the current expense fund for the hospitals for the insane quarterly in advance.

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

Sec. 1390 of code amended. SECTION 1. Section 1390 of the code of 1873 is hereby amended to read as follows:

Treasurer to execute bond. Conditions. Compensation of treasurer. Authority to draw upon state treasurer. Drawn quarterly. Not to exceed \$16 per month. Estimates. Certificates to accompany requisition. Auditor to draw warrants upon treasurer.

The treasurer shall execute a bond to the state of Iowa for the use of the hospital (naming which), in double the highest amount of money likely to come into his hands, and with such securities as the executive council shall require, conditioned that he will faithfully perform the duties of his office, and pay over and account for all money that shall come into his hands, and the same shall be filed with the secretary of state. He shall receive such compensation as the board shall fix, not exceeding one half of one per cent on all moneys paid out by him. Upon authority granted by the board he may draw from the state treasury, out of any money not otherwise appropriated, upon his order, approved by the superintendent and not less than two of the trustees, and under seal of the hospital, a sufficient amount quarterly in advance for the purpose of defraying the current expenses of the hospital, but the amount of each requisition shall in no case exceed sixteen dollars per month for each public patient in the hospital, taking the number of such patients on the fifteenth day of each month for the previous three months as the average number on which the estimate shall be made, the number then in the hospital to be certified to the auditor of state by the superintendent and steward, which certificate shall accompany the requisition. But no part of the money so drawn for current expenses shall be used in making improvements. Upon the presentation of such order to the auditor of state, he shall draw a warrant upon the treasurer of state for the amount therein specified, not exceeding the amount for each patient hereinbefore specified.

Provided that no requisition shall be issued earlier in any one quarter of the year than the first day of February, May, August, and November.

Approved April 8, 1896.

CHAPTER 57.

AN ACT to prevent blindness, and for the care of infants affected with disease of the eyes, and to provide a penalty for the violation thereof. S. F. 66.

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

SECTION 1. Should one or both eyes of an infant become inflamed, or swollen, or reddened at any time within two weeks after its birth, it shall be the duty of the midwife, parent, guardian, or nurse, or other persons having charge of such infant, to report within six (6) hours after the discovery thereof by such person in charge of such infant to the health officer or some legally qualified medical practitioner of the city, town, or district in which the parents of the infant reside, the fact that such inflammation, or swelling, or redness of the eyes exists. Midwife or guardian to report condition of infants eyes. To whom report is to be made.

SEC. 2. It is hereby made the duty of attending physician and midwives to instruct parents and nurses in regard to the provisions of this act and danger of sore eyes in infants. Physicians shall instruct as to sore eyes in infants.

SEC. 3. Any failure to comply with the provisions of this act shall be punished by a fine not less than twenty-five dollars or more than one hundred dollars or imprisonment in the county jail not to exceed 30 days or both. Penalty for neglect.

Approved Apr. 3, 1896.

CHAPTER 58.

AN ACT to repeal sections one, two, and three of chapter 79, Acts of the Twenty first General Assembly, as amended by chapter 67, Acts of the Twenty second General Assembly, in relation to the spread of disease among swine, and to enact a substitute therefor. S. F. 140

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

SEC. 1. That sections one, two, and three, chapter 79 of the acts of the Twenty-first General Assembly, as amended by chapter 67 of the acts of the Twenty second General Assembly, be and the same are hereby repealed and the following enacted in lieu thereof: Ch. 76, Acts 21 G. A., Ch. 67, Acts 22 G. A., repealed.

SEC. 2. That it shall be the duty of the owner or persons having charge of any swine or having knowledge of their dying, and upon its coming to his knowledge that any of such swine have died of, or have been slaughtered on account of, any disease, to immediately burn, or bury three feet below the surface, the same. Dead swine must be buried or burned.

SEC. 3. No person shall sell, or give away, or offer for sale, any swine that have died of any disease, or have been killed on account of any disease. Sale of diseased dead swine forbidden.

- SEC. 4.** No person shall convey upon or along any public highway or other public ground, or any private land except his own, any diseased swine, or swine that have died of or have been slaughtered on account of any disease. And upon the trial of every information for violation of the provisions of this section the proof that any person has hauled, or is hauling, dead swine from a neighborhood in which swine have been dying, or are at the time dying from any disease, shall be received and acted upon by the court as presumptive evidence that such swine have been hauled, or are being hauled, in violation of this section.
- SEC. 5.** It shall be unlawful for any person negligently or wilfully to allow his hogs or those under his control afflicted with any disease to escape his control or run at large.
- SEC. 6.** Any person convicted of a violation of this act shall be fined in any sum not less than five nor more than one hundred dollars, or by imprisonment in the county jail not to exceed 30 days, or by both fine and imprisonment.
- Approved May 2, 1896.

Diseased dead swine not to be conveyed along highway.

Testimony acted upon.

Diseased hogs not to run at large.

Penalty for violation.

CHAPTER 59.

- H. F. 483. AN ACT providing for the appointment and salary of a secretary and treasurer of the Commissioners of Pharmacy, prescribing his duties, providing for him giving bond and for the inspection by the governor of the books and accounts of the commissioners.

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

- SEC. 1.** That the commissioners of pharmacy shall annually, on the first Monday in May, elect a suitable person, who shall not be a member of said board, and who shall be known as "secretary and treasurer;" said secretary and treasurer shall enter upon the discharge of his duties as soon as he shall have filed with the secretary of state a good and sufficient bond in the penal sum of fifteen hundred dollars, signed by at least two sureties, who shall justify in the aggregate to double the amount of said bond and which shall bear upon its face the approval of the governor.
- SEC. 2.** The secretary and treasurer shall keep in his office a book known as the "Commissioners of Pharmacy License Fee Book," which shall be made with ruled columns and printed headings, showing the date, the name of the person paying, and the amount of each license and fee paid, in which he shall enter all fees for licenses received by him, and on the first Monday of each month he shall file with the auditor of state a true statement thereof the previous month, properly sworn to by him, and shall

Secretary treasurer elected annually by pharmacy board.

Bond of \$1,500.

Approved by the governor.

Salary.

Commission of pharmacy fee book.

Contents.

Monthly report to auditor.

quarterly pay into the state treasury on the first day of January, April, July, and October of each year the amount of license fees payable by law into such treasury.

Date of payment of fees to state treasurer.

SEC. 3. The books, accounts, vouchers, and funds belonging to, or kept by, said board of commissioners of pharmacy shall at all times be open or subject to the inspection of the governor, or any committee appointed by him, as is provided for in section 132 of the code of 1873.

Books, accounts, etc., open to inspection of governor or committee.

SEC. 4. All acts or parts of acts inconsistent herewith are hereby repealed.

Repealing clause.

SEC. 5. This act being deemed of immediate importance shall take effect and be in full force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in the city of Des Moines, Iowa.

Publication clause.

Approved April 14, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 24, and Des Moines Leader, April 25, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 60.

AN ACT to amend section 2, chapter 35 of the Acts of the 23rd General Assembly relating to permits of registered pharmacists.

H. F. 243.

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

SECTION 1. That section 2 chapter 35 of the acts of the 23rd General Assembly, be, and is hereby amended by adding after the words "intoxicating liquors" in the 6th line the words "not including malt liquors."

Ch. 35, Acts 23 G. A., amended.
Malt liquors not included.

Approved April 4, 1896.

CHAPTER 61.

AN ACT to repeal chapter 70 of the acts of the Twenty-fifth General Assembly, and chapter 10, title III of the Code and to provide for the selecting and drawing of jurors and providing punishment for violation thereof.

S. F. 393.

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

SECTION 1. All qualified electors of the state, of good moral character, sound judgment, and in full possession of the senses of hearing and seeing, and who can speak, write and read the English language, are competent jurors in their respective counties.

Jurors, qualification of, in counties.

SEC. 2. The following persons are exempt from liability to act as jurors: All persons holding office under the laws of the United States or this state; all practicing attorneys, physicians, registered pharmacists, and clergymen; all acting professors or teachers of any college,

List of persons exempt from jury service.

school, or other institution of learning, and all persons disabled by bodily infirmity, or over sixty-five years of age, active members of any fire company, and any person who is conscientiously opposed to acting as a juror because of his religious faith.

Persons excused from jury service.

SEC. 3. Any person may also be excused from serving on a jury when his own interests or those of the public will be materially injured by his attendance, or when the state of his own health, or the death or sickness of a member of his family, requires his absence from court. Any person who knowingly makes any false affidavit, statement, or claim for the purpose of relieving himself from serving as a juror, or any person requests the judges of election to return his name as such juror, shall upon conviction, be punished by fine not exceeding one hundred dollars or by imprisonment in the county jail not more than thirty days, or the court may punish such person as for contempt.

Persons making false statements for relief from jury service.

Punishment.

Lists of persons to serve as jurymen made annually.

Classification of list by population.

Talesmen list.

Where less than 1,000 inhabitants are in territory.

Counties where courts held in more than one place.

County auditor to apportion list of jurors and talesmen.

SEC. 4. There shall annually be made lists from which to select persons to serve as grand and petit jurors and talesmen for the year, commencing on the first day of January following, as follows: Seventy-five persons in each county from which to select grand jurors; four hundred persons in each county having twenty thousand inhabitants or less, and eight hundred persons in counties having more than twenty thousand inhabitants, from which to select petit jurors; one hundred and fifty persons in counties having twenty thousand inhabitants or less, and three hundred persons in counties having more than twenty thousand inhabitants from which to select talesmen. The talesmen lists shall be made from names of persons who reside in the city or town in which the district court is held and the township or townships in which such city or town is located; but, if according to the last state or national census there be less than one thousand inhabitants in the territory from which talesmen are required to be drawn, such lists may include residents of another township next nearest to the court house. In counties where court is held in more than one place, the persons shall be selected from the qualified electors of the separate divisions of the county, giving to each division of the county the number of grand and petit jurors and talesmen it would be entitled to under this act, if it were a separate county.

SEC. 5. On or before the first Monday in September in each year the county auditor shall apportion the number of grand and petit jurors to be selected among the several election precincts and the talesmen among the precincts from which the same are to be drawn in each case as nearly as practicable in proportion to the number of votes polled in such precincts at the last general election.

SEC. 6. The auditor shall, at the time of furnishing the poll-books to the judges of election, furnish them also a statement of the number of persons apportioned to their respective precincts to be returned for the said jury list, together with the names of all persons who have served as jurors during the preceding year, which latter names shall be furnished to him by the clerk of the district court. The judges shall thereupon make the requisite selection and return lists of names so selected to the auditor, with the returns of elections; and in case the judges of election shall fail to make and return said lists, as herein required, the board of supervisors shall, at the meeting held to canvass the votes polled in the county, make such lists for the delinquent precincts, and the auditor shall file such lists in his office, and cause a copy thereof to be recorded in the election-book. Such lists shall be composed only of persons competent and qualified to serve as jurors; and the judges of election or board of supervisors shall omit from said list the name of any person who has requested directly or indirectly that his name be returned thereon, or any person who has served as a juror in a court of record during the preceding year. And if the name of any such person is returned the fact that he has requested to be so returned, or has served as a juror in a court of record during the preceding year, shall be a ground for challenge for cause. The members of the election board or the board of supervisors when certifying such list shall state that the lists do not contain the name of any person who requested directly or indirectly that his name appear thereon. *Provided* if the boundaries of any voting precinct shall be changed it shall be the duty of the auditor in making the apportionment of grand and petit jurors and talesmen to assign to the new voting precincts the total number of grand and petit jurors and talesmen to which all the former precincts affected by the change were entitled, giving to each new precinct an equal number as nearly as possible.

SEC. 7. On or before the first Monday in December in each year the county auditor and clerk of the district court shall prepare from said lists separate ballots, containing the names and places of residence of all persons so returned by the judges of election or board of supervisors, keeping the names of the several classes of jurors separate, and deposit in separate boxes the ballots of the grand jurors, petit jurors, and talesmen as returned on said lists, which boxes shall be plainly marked, sealed, and forthwith deposited with the clerk of the district court.

SEC. 8. Twelve persons shall be drawn from the grand jury list and shall constitute the panel from which to select grand jurors for one year; but no more than one person shall be drawn as a grand juror from any civil township except when there are less than twelve civil

Auditor to furnish statement of apportionment with poll books.

Judges to select and return names to auditor.

Failure of judges to make list.

List to contain only names of competent persons.

Persons who have already served.

Grounds for challenge.

Certificate as to previous service.

Where boundaries of voting precincts are changed.

Auditor and clerk of court to prepare ballots.

Several classes of jurors to be kept separate.

Twelve persons to constitute a panel.

But one juror to be drawn from a township.

townships in the county, in which case not more than two persons shall be drawn from any one township. No person shall be summoned or serve as grand juror for two consecutive years. If more persons shall be drawn from any civil township than is hereby authorized, or any person is drawn who has served the preceding year as grand juror, it is the duty of the officers drawing such grand jury to reject all such names so drawn, and to proceed with the drawing until the required number of jurors shall be secured.

Same person not to be drawn for two consecutive years.

Twelve names to be placed in a box.

Seven names drawn to constitute the grand jury.

Drawing of petit jury.

To serve but one term.

Jury drawn 20 days prior to court session. Auditor, clerk and recorder to draw names.

Ballots to be uniform size and fold.

Size of box.

Manner of drawing.

Box to be sealed and returned to clerk. Sheriff to summons jurors so drawn. Jurors illegally drawn.

SEC. 9. The names of the twelve persons constituting the panel of the grand jury shall on the second day of each term of court unless otherwise ordered by the court or judge be placed by the clerk in a box and after thoroughly mixing the same he shall draw therefrom seven names; and the persons so drawn shall constitute the grand jury for that term. Should any of the persons so drawn be excused or fail to attend on said second day of the court the clerk shall draw other names until the seven grand jurors are secured.

SEC. 10. Petit jurors shall be drawn from the petit jury lists for each term but no person shall be required to attend as a petit juror more than one term in the same year. But this exemption shall not apply to talesmen.

SEC. 11. At least twenty days prior to the first day of each term at which a grand or petit jury is required to be selected, the county auditor, clerk of the district court, and recorder shall meet at the court house and proceed to draw the grand and petit jurors as provided herein. The ballots when placed in the respective boxes from which the drawings are to be made shall be uniform in size and paper, and be so folded as to conceal the names on the ballots, and the boxes shall be arranged with only an aperture to insert the hand, and at the time of the drawing the boxes shall be thoroughly shaken in the presence of the officers attending the drawing and the seal on the aperture broken in their presence, and one of said officers shall then, without looking at the ballots, draw one from the appropriate petit jury or grand jury box, as the case may be and pass it to one of the other officers attending the drawing, who shall open it, and the name thereon shall be read aloud by him and taken down; then another ballot shall be drawn and opened in the same manner until the whole number of jurors required shall be drawn for each class, when the boxes shall again be sealed up and returned to the clerk of the district court, who shall immediately issue his precept to the sheriff of the county, commanding him to summon the persons so drawn to appear at the court house at the time designated in such precept, or if the court shall determine that either the grand or petit jurors have been illegally drawn, selected, or summoned the court may set as'de the

precept under which they were summoned, and direct a sufficient number drawn and summoned in the manner above provided; the drawing may proceed forthwith, and the jurors so drawn be required to appear immediately, or at such time as the court may fix.

New drawing ordered.

SEC. 12. The sheriff shall immediately obey such precept, and on or before the day for the appearance of said jurors must make return thereof, and on a failure to do so without sufficient cause may be punished for contempt.

Sheriff to immediately summons new jury.

SEC. 13. Except when required at a special term the twelve persons from which the grand jury is to be empannelled need not be summoned after the first term, but must appear at each succeeding term during the year without summons, under the same penalty as though they had been summoned.

Grand jury need be summoned but once.

To appear at each succeeding term.

SEC. 14. Unless the court or judge otherwise orders, jurors shall be summoned to appear at each place where court is to be held, at ten o'clock A. M. of the second day of the term, at which time they shall be called and all excuses shall be heard and determined by the court, but the empanelling of the grand or petit juries may be postponed to a subsequent day by order of the court or judge.

Jurors summoned to appear second day.

Empanelling grand jury may be postponed.

If any person summoned fail to appear without sending a sufficient excuse, the court may issue an order requiring him to appear and show cause why he should not be punished for contempt, and unless he render a sufficient excuse for such failure he may be punished for contempt.

Failure to appear.

Contempt.

SEC. 15. The grand jury shall be composed of seven members. The petit jurors, in counties containing a population of less than fifteen thousand shall be fifteen in number, unless the court or judge otherwise orders. In counties having fifteen thousand or over, the number shall be twenty-four, unless the court or judge otherwise orders. When a single county constitutes a district, the court may increase the number not to exceed seventy-two.

Grand jury composed of seven members.

Number when increased.

SEC. 16. Should the number of petit jurors summoned fail to appear, or be excused as provided in this chapter, the requisite number shall be drawn in the same manner as the original panel, and the persons so drawn shall be forthwith summoned to appear and serve as jurors during the term. Persons so drawn shall have the right to present excuses as provided for the original panel. The court or judge thereof, either before or during the term, may order as many additional jurors drawn for the term, or for the trial of any particular case, as may be deemed necessary, which drawing shall be in the same manner as for the original and regular panel, so far as applicable.

Where jurors fail to appear or are excused.

Persons drawn may present excuse.

Additional jurymen may be drawn.

SEC. 17. If in the judgment of the court the business of the term does not require the attendance of all the petit jurors, such number as the court deems proper may be discharged. Should it afterwards appear that a jury is required, the court may direct them to be re summoned.

Petit jury may be discharged.

Recalled.

Clerk may in certain cases draw talesmen.

SEC. 18. If upon the trial of any cause the court shall determine that it is probable talesmen will be needed to complete the jury or if the regular panel has been exhausted, the clerk shall, in the presence of the court, draw such number of names as court may order from the talesman box to complete the jury. In drawing such names the clerk, when the court directs, shall reject those known to be unable to serve or absent from the territory from which drawn and proceed until the required number is secured. The persons whose names are so drawn, or as many thereof as may be found within the territory from which talesmen are selected, shall be immediately summoned by the sheriff to appear forthwith, and the jury shall be completed from the persons so summoned and appearing. The names of jurors so drawn and who serve shall be placed in a safe receptacle from time to time until all the ballots are drawn from the talesmen box when such ballots shall be returned to the said box to be drawn in like manner as before; when the parties to the cause by agreement entered of record, waive the drawing of talesmen as above provided the court may direct the sheriff to summon such talesmen from the body of the county.

May reject in certain cases.

Talesmen to be summoned by sheriff.

Names of talesmen retained.

Names returned to box.

Ballots shall be returned to box where persons are not found.

SEC. 19. All ballots drawn when the persons do not appear or do not serve (except when permanent disability or exemption is shown) shall be returned to the respective boxes from which drawn, but the ballots of the petit jurors, except talesmen, so drawn who appear and serve for any term shall be destroyed.

Special venire where city is party to suit.

SEC. 20. When a city or town is party to a suit the talesmen shall not be drawn therefrom, but in such cases the court shall order a special venire or may order the talesmen drawn from the petit jury box.

Neglect of duty by officer.

SEC. 21. Any officer whose duty it is to perform any of the services in this chapter mentioned, who shall intentionally fail to perform them as required by law, or who shall act corruptly in the discharge of such duties or any of them shall be deemed guilty of a misdemeanor, and on conviction thereof shall be imprisoned in the county jail not less than six months nor more than one year.

Penalty for neglect of duty.
Certificate of service.

SEC. 22. At the close of each term of the district court, the clerk shall make out a certificate to each juror of the amount to which he is entitled for his services, and on the presentation of such certificate the county auditor shall issue to each juror a warrant for the said amount on the county treasurer without the same being audited by the board of supervisors.

Warrant on county treasurer.

The jury for 1897 to be drawn in compliance with this law.

SEC. 23. All acts required to be performed by the several officers named in this act, and in the preparation and making of the several lists and selection of names of persons to be returned to the auditor from which jurors are to be drawn and the return thereof, as provided

herein, and the drawing of names from the several jury boxes and the summoning of jurors shall be done and performed so that the juries for the year 1897 shall be selected, drawn, and summoned in pursuance of the provisions of this act.

SEC. 24. Chapter 70 of the acts of the Twenty-fifth General Assembly, and chapter 10, title III of the code, are hereby repealed, but this repeal shall not take effect until the first day of January, A. D. 1897, and shall not affect the trial of any cause pending on the first day of January, A. D. 1897, wherein the jury may have been selected, drawn and empanelled under the acts of the Twentieth-fifth General Assembly.

Ch. 70, acts 25
G. A., ch. 10,
title 3 of code
repealed.

Approved April 14, 1896.

CHAPTER 62.

AN ACT to amend sec. 3, chapter 161, acts 21st General Assembly, H. F. 83. as amended by section twelve chapter forty-eight of the acts of the Twenty second General Assembly of the State of Iowa relating to the registration of voters.

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

SECTION 1. That sec. 3, ch. 161, acts 21st G. A., as amended by section twelve of chapter forty eight of the acts of the Twenty second General Assembly of the State of Iowa, be and hereby is amended by striking out the words "twenty-five" as they appear in said section and by inserting in lieu thereof the words "thirty-five."

Sec. 3, ch. 161,
21 G. A.,
amended.

Approved April 10, 1896.

CHAPTER 63.

AN ACT to amend chapter 25 of the acts of the Twenty-second General Assembly, relating to notice of injury.

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

SECTION 1. That section 1 of chapter 25 of the acts of the Twenty-second General Assembly be amended by striking out the word, "six" in the sixth line of said section, and inserting in lieu thereof the word, "three;" also by striking out the word "ninety" in the ninth line of the same section, and inserting in lieu thereof the word "sixty."

Sec. 1, ch. 25,
22 G. A.,
amended.

Approved April 14, 1896.

CHAPTER 64.

S. F. 290. AN ACT to amend section 3179 as amended by the Twenty-second General Assembly, chapter 35, relating to transcripts on appeal to the supreme court.

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

Sec. 3179 of
code of 1873,
as amended
by ch. 35, 22 G.
A., amended.

SECTION 1. That section 3179 of the Code of 1873 as amended by the Twenty second General Assembly, chapter 35, be and the same is hereby amended by inserting after the word "any" in the eighth line thereof, the following: "And the translation of the original notes of the shorthand reporter certified by him to be true and correct shall constitute a part of the record, and shall be sent up in its original form in lieu of transcript thereof when a transcript of the evidence is required, and shall be returned to the clerk of the proper county after the cause has been determined by the supreme court."

Translation
of notes a part
of record.

Payment of
costs.

In all cases the costs of making such translation of the shorthand notes shall be paid by the losing party on such appeal unless, in case of modification and affirmance, the supreme court make equitable apportionment of such costs.

Approved April 30th, 1896.

CHAPTER 65.

S. F. 332. AN ACT repealing section three thousand one hundred and six (3106) of the Code of 1873, relating to the redemption of real estate from sales on execution, and enacting a substitute therefor.

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

Sec. 3106 of
code of 1873
repealed.

Terms of re-
demption of
real estate
from sales on
execution.

SECTION 1. That section three thousand one hundred and six (3106) of the Code of 1873, be and the same is hereby repealed and the following enacted in lieu thereof:

"Section 3106. The terms of redemption in all cases will be the reimbursement of the amount paid by the then holder, added to the amount of his own lien with interest upon said liens at the respective contract rates computed to the date of redemption, together with costs, subject to the exception contained in the next section. But, where the mortgagee whose claim is not yet due is the person from whom the redemption is to be made, interest shall be paid thereon at the contract rate only to the day of redemption."

Approved April 30, 1896.

CHAPTER 66.

AN ACT to authorize the state or any county or other municipal corporation to receive, hold, and manage gifts, devises, and bequests made thereto absolutely or in trust for specific purposes. S. F. 111.

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

SECTION 1. A gift, devise, or bequest of property, real or personal, may be made to the state, or to any county or other municipal corporation, to be held absolutely or in trust for and applied to any specific purpose within the scope of its authority, but the same shall not become effectual to pass the title in such property unless accepted by the executive council in behalf of the state, or the governing board or body in behalf of a municipal corporation, as the case may be. Gifts of real or personal property made. Executive council to accept property in behalf of state.

SEC. 2. If the gifts are made to the state or a county or municipal corporation in accordance with the preceding section, for the benefit of an institution thereof, the property, if accepted, shall be held and managed in the same way as other property of the state, county, or corporation acquired for or devoted to the use of such institution; and any conditions attached to such gift shall become binding upon the state, county, or corporation upon the acceptance thereof. Gifts made for benefit of institutions.

SEC. 3. 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 the Des Moines Leader, newspapers published in Des Moines, Iowa. Publication clause.

Approved Mar. 19, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, March 26, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 67.

AN ACT to amend section 3908 of the Code of 1873, relating to embezzlement by public officers. S. F. 163.

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

SECTION 1. That section 3908 of the Code of 1873 is hereby amended by adding thereto the following: And any such officer, who shall receive any money belonging to the state, county, township, school, or municipality, or state institution of which he is an officer, shall be deemed to have received the same by virtue of his office, and in case he fails or neglects to account therefor upon demand of the person entitled thereto he shall be deemed guilty of embezzlement and shall be punished as above provided. Sec. 3908 of code amended.

Approved April 8, 1896.

CHAPTER 68.

H. F. 346. AN ACT to amend section 7 and section 13 of chapter 33, Acts of the Twenty-fourth General Assembly, relating to the manner of holding elections.

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

Sec. 7, ch. 33,
24 G. A.,
amended.

SECTION 1. That section seven (7) of Chapter 33 of the acts of the Twenty-fourth General Assembly be and the same is hereby amended by adding thereto the following: "Provided, further, that in case of special elections to fill vacancies in office certificates of nomination and nomination papers for the nomination of candidates for office to be filled by the electors of a larger district than a county may be filed with the Secretary of State at any time not later than ten days before the day of election; and certificates of nomination and nomination papers naming candidates for offices to be filled by the electors of a county may be filed with the County Auditor at any time not less than five days before election."

Nomination
papers may
be filed with
secretary of
state.

Sec. 13, ch. 33,
24 G. A.,
amended.

SEC. 2. That section 13 of said act be and the same is hereby amended by adding thereto the following: "Provided, that in case of a special election to fill vacancies in office the certificate by the Secretary of State to the County Auditor may be made at any time not later than seven days before election."

Election
board.

Vacancies;
how filled.

SEC. 3. The election board at any such special election shall be the same as at the last preceding general election. In case of vacancies happening therein, the county auditor may make appointments to fill the same when the board of supervisors is not in session.

Publication
clause.

SEC. 4. This act, being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in the city of Des Moines.

Approved February 25, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register and the Des Moines Leader February 27, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 69.

S. F. 322. AN ACT to amend section 4022 of the Code of 1873 relating to the importation, printing, publishing, selling, and distributing of obscene books and pictures.

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

Sec. 4022
of code
amended.

SECTION 1. That section 4022 of the Code of 1873 be and the same is hereby amended as follows: By inserting the words, "or written" after the word "printed," in the

fifth line thereof; and by striking out the words "county jail not more than thirty days," in the last line thereof, and inserting in lieu thereof the words "one year in the penitentiary;" and by striking out the word "hundred" in the last line and inserting the word "thousand" in lieu thereof.

Approved April 8, 1896.

CHAPTER 70.

AN ACT to amend section 3861 of the Code of 1873 as amended by S. F. 9. chapter 114 of the acts of the 21st General Assembly. [Rape.]

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

SECTION 1. That section 3861 of the Code of 1873 as amended by chapter 114 of the acts of the 21st General Assembly be amended by striking out the word "thirteen" in the second line of said section and inserting in lieu thereof the word "fifteen," and by striking out the word "thirteen" in the fourth line of said section and inserting in lieu thereof the word "fifteen."

Approved March 19, 1896.

CHAPTER 71.

AN ACT providing for the better protection of the ownership of logs and lumber lying or being in any of the waters of this state, or bordering on this state, and providing penalties for the violation thereof. S. F. 237.

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

SECTION 1. Whoever shall wilfully take, carry away, or otherwise convert to his own use, or sell or dispose of, without the consent of the owner or owners, any pile, logs, or cant suitable to be worked into plank, board, joist, shingles or other lumber, the property of another, whether the owner thereof be known or unknown, lying or being in any lake, bay, or river in or bordering on this state, or in any tributary of such lake, bay, or river, or tributary, or in or on any slough, ravine, island, bottom, or land adjoining any such lake, bay, or river, or tributary, such property being so taken, carried away, or otherwise converted or sold, or disposed of within this state, or taken possession of with intent to sell or dispose of, as aforesaid, or cuts out, mutilates, destroys, or renders illegible the marks or mark thereon, destroying the identification thereof, or in any manner wilfully injures any such logs, not his own, or places upon such logs, or pieces of timber, any mark or device other than the original mark, shall be deemed guilty of the crime of larceny, and on conviction thereof shall be punished by a fine of not less than fifty (\$50) dollars and by imprisonment in the county jail not

Protection of logs and lumber in any waters of the state.

Wilful injury of, deemed the crime of larceny.

Fine and imprisonment.

less than three months, and on a second conviction for a like crime shall be punished by a fine of not less than one hundred dollars (\$100) and by imprisonment in the state prison not more than two years.

Action to recover.

SEC. 2. Every person guilty of any of the offenses described in this section shall, when convicted thereof in a criminal prosecution or not, be liable to pay the owner or owners of such pile, log, cant, or other lumber respecting which the offense is committed, double the amount of the value of the same, to be recovered in an action therefor.

Possession of presumptive evidence of guilt.

SEC. 3. In any prosecution under this act, if any such pile, log or cant shall be found in the possession of the defendant, either with or without the mark cut out or destroyed, or partly cut out or destroyed, or partly sawed or manufactured into lumber of any kind, fence posts, fence rails, or stove wood, such possession shall be presumptive evidence of his guilt; the owner of any such pile, log, cant or other lumber, may at any time lawfully, by himself or agent, enter in a peaceable manner into or upon any mill or mill boom or raft of logs, piles, cant or other lumber, in any river or its tributaries in or bordering on this state, or on or near the banks of such lakes, bays or rivers, or their tributaries, in search of any such pile, log, cant or other lumber, which he may have lost, and any person who shall wilfully prevent or obstruct such search shall, upon conviction thereof, be liable to a penalty of not less than twenty dollars (\$20) nor more than (\$50) fifty dollars, for every such offense.

Search for property lawfully made.

Liability for prevention of.

Publication clause.

SEC. 4. This act being deemed of immediate importance shall take effect from and after its publication in the Iowa State Register and the Des Moines Leader newspapers published in Des Moines, Iowa.

Approved March 19, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, and Des Moines Leader March 24, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 72.

H. F. 248.

AN ACT to amend sections 2 and 3 of chapter 69 of the Acts of the 25th General Assembly; to fix the regular term of the additional Supreme Judge provided for in said act, and to extend the term of the present incumbent.

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

Sec. 2, ch. 69,
25 G. A.,
amended.

"1898" changed
to "1899."

SECTION 1. That section two of chapter 69 of the acts of the 25 General Assembly be and the same is hereby amended by striking out the figures "1898" in the third line thereof, and inserting in lieu thereof the figures 1899; and by striking out the figures "1897" in the fourth line

in said section and inserting in lieu thereof, the figures "1897" changed to "1898."

SEC. 2. That the term of the present incumbent, who is now filling the vacancy created by said chapter 69 of the acts of the 25th General Assembly, be and it is hereby extended until the 1st day of January, 1899, and until his successor is elected and qualified.

SEC. 3. All acts or parts of acts in conflict or inconsistent with this act are hereby repealed.

Approved April 4, 1896.

CHAPTER 73.

A BILL for an act regulating the forfeiture of contracts for sale of real estate.

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

SECTION 1. Any contract hereafter made for the sale of real estate in the State of Iowa, and which provides for the forfeiture of vendee's rights therein upon the happening of certain conditions, shall not be forfeited or canceled unless 30 days before a declaration of forfeiture is made a written notice be served on the vendee or assignee, notice of whose rights as assignee has been conveyed to vendor, and on the party in possession of said real estate, which notice shall be served in same manner and by same parties authorized to serve original notices, and shall contain a declaration of an intention to forfeit said contract and the reason therefor.

SEC. 2. For the period of 30 days after service of said notice the vendee or those claiming under him may discharge any unpaid payment and costs of service of notice of forfeiture, or perform any condition broken; and, if said payments are made or conditions broken are performed within said period of 30 days, the right to forfeit for defaults occurring before said notice is served is terminated.

SEC. 3. The requirements contained in sections one and two shall be operative in all cases where the intention of the parties as gathered from the contract and surrounding circumstances is to sell or agree to sell an interest in real estate, any contract or agreement of the parties to the contrary notwithstanding.

Approved March 7, 1896.

CHAPTER 74.

S. F. 272. AN ACT to amend section 3721 of the code of 1873 in respect to taking depositions.

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

Sec. 3721
of code
amended.
Service of
notice.

SECTION 1. That section 3721 of the code of 1873 be amended by adding thereto the following provision.

Opposite
party may
elect.

“Whenever a party to any cause shall serve notice for the taking of any deposition, either within or without the state, upon commission, with interrogatories attached thereto, the opposite party may elect to cross-examine such witness orally at the time of the taking of such deposition, and in such event shall serve the moving party or his attorney, prior to the issuing of such commission, with notice of such election, and thereupon, before such deposition shall be taken, the moving party shall serve such opposite party, or his attorney, with notice of the day, hour, and place (including the street and number if in a city), of the taking of such deposition, and the name of the party before whom the same is to be taken, which notice shall be served not less than three days prior to the taking thereof, the day of service not being included; and one additional day for every three hundred miles' distance between the place of the residence of such party or his attorney and the place where such deposition is to be taken. The oral cross-examination shall be reduced to writing by such commissioner the same as though taken on written cross-interrogatories; also the moving party in the taking of said deposition may appear before such commissioner, if he so desires, in person or by agent or attorney, and examine such witness or witnesses orally in chief; and re-examination and re-cross-examination shall proceed in the same manner; and if any such moving party, in the taking of such deposition, shall not desire to examine such witness or witnesses orally, the commissioner shall propound the interrogatories in chief in the usual manner of taking depositions on written interrogatories, and the same rules with regard to examining witnesses, and the same requirements with regard to the returning of such depositions to the clerk of the court in which the same is intended to be used, as are now observed in practice or required by law shall obtain.

Place and
time designa-
ted in notice.

Oral cross-
examination
reduced to
writing.

Rules of prac-
tice observed.

Publication
clause.

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

Approved April 8, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 16, and Des Moines Leader, April 17, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 75.

AN ACT amending section 2410 of the Code relative to the statutory S. F. 356. denial of claims filed against estates of decedents.

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

SECTION 1. That section 2410 of the Code be amended by adding at the end thereof the following: Sec. 2410 of code amended. Burden of proof.

“*Provided that the burden of proving that a claim is unpaid shall not be placed upon the party filing a claim against the estate;*” but that the executor or administrator may, on the trial of said cause, subject the claimant to an examination on the question of payment, but the estate shall not be concluded or bound thereby. Estate not bound.

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

Approved April 11, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, April 18, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 76.

AN ACT to amend sections 289 and 290 of the Code of 1873, as amended by chapter 56 of the acts of the 25th General Assembly of the State of Iowa, relating to the bonding of county indebtedness. S F. 247.

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

SECTION 1. That section 289 of the Code of 1873, as amended by chapter 56 of the laws of the Twenty-fifth General Assembly, be, and the same is hereby amended as follows: Strike out of the second line of said section 289, the words “The fourth day of April, 1894,” and insert in lieu thereof the words, “The first day of March, 1896.” Sec. 289, code, and ch. 56, 25 G. A., amended.

SEC. 2. Strike out of said section 290 as amended by chapter 56 of the acts of the 25th General Assembly of Iowa the words “on the fourth day of April, 1894,” and insert in lieu thereof the words, “on the first day of March, 1896.” Sec. 290, code, and ch. 56, 25 G. A., amended.

SEC. 3. All acts and parts of acts inconsistent with this act are hereby repealed. Repealing clause.

SEC. 4. This act being deemed of immediate importance shall take effect and be in force from and after publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa. Publication.

Approved February 24, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register February 28, 1896, and the Des Moines Leader February 27, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 77.

H. F. 349. AN ACT to amend section 4, chapter 143, acts 16th General Assembly, relating to appointment of judges of superior courts.

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

Sec. 4, ch. 143,
16 G. A.,
amended.

Disability of
judge superi-
or court.

Publication.

SECTION 1. That section 4, chapter 143, acts of 16th General Assembly be and the same is hereby amended by adding to the end of said section the following words: "And in case of the inability of any judge to act, through sickness or other cause, a judge shall be so appointed to hold during such inability."

SEC. 2. 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 the city of Des Moines, Iowa.

Approved March 24, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader March 28, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 78.

H. F. 119. AN ACT to amend chapter 91 of the Twenty-fifth General Assembly of Iowa, relating to the extermination of Russian thistles.

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

Sec. 2, ch. 91,
25 G. A.,
amended.

Time for de-
stroying Rus-
sian thistles.

Sec. 3, ch. 91,
25 G. A.,
repealed.
Substitute.

Duty to notifi-
owner or
agent in writ-
ing.

Notice to
township
trustees.

Notice to
mayor or
clerk.

SECTION 1. That section 2 of chapter 91 of the Twenty-fifth General Assembly of Iowa be amended as follows: by striking out the following words in the 7th line thereof, to-wit: "the 25th day of Aug. and the 10th day of September," and insert the following in lieu thereof: "25th day of July and 10th day of August.

SEC. 2. That section 3 of said act be repealed and the following enacted in lieu thereof: "That it shall be the duty of all persons knowing of the presence of Russian thistles upon any premises, lands, lots, streets, highways, or elsewhere, in any township at any time after the 10th day of August and before the 15th day of August to give notice in writing to the owner, occupant, persons or corporation in possession or control thereof, and if not destroyed by such owner, occupant, or persons in possession by the 20th day of August, to give notice in writing immediately after the 20th day of August, of that year to any member of the board of township trustees in which said thistles are growing; or if within a city or incorporated town then to give notice in writing to the mayor, recorder, or clerk thereof; who shall, on or before the 5th

day of September, cause the same to be cut, burned, or otherwise totally destroyed.

The reasonable costs of destroying said thistles and of serving said notices aforesaid shall be paid out of the general county fund on the certificate of the board of township trustees or city or town council of the amount of the same, which certificate shall describe the lands or lots upon which said thistles were destroyed and the amount of costs for destroying the same on each tract, together with the costs of serving said notices thereon, and upon the filing of the certificate in the auditor's office the county board of supervisors shall cause the amount so paid to be levied as a special tax against the premises on which said thistles have been destroyed, and against the persons or corporation owning said premises, and the county treasurer shall collect the same as any other tax, and return it to the county fund. The costs for serving said notices on said officers shall be the same as original notices in justice's court, but only one such charge for serving said notices shall be taxed against each owner of said land.

To be destroyed.

Cost of destroying.

Tax levied against premises and persons owning. County treasurer collect.

Costs.

Approved April 10, 1896.

CHAPTER 79.

AN ACT to amend section 4752 of the Code of 1873, and to amend section 4783 of the Code of 1873 as amended by the 16th, 17th, and 18th, General Assemblies, relating to salaries of certain officers. S. F. 273.

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

SECTION 1. That section 4752 of the Code of 1873 be and the same is hereby amended by striking out the word "five" after the word "of" in the fifth line thereof and inserting the word "forty" in lieu thereof.

Sec. 4752, code, amended. Bond of clerk of penitentiary.

SEC. 2. That section 4783 of the Code, as amended by the acts of the 16th, 17th, and 18th General Assemblies be and the same is hereby amended by striking out the word "seventy" after the word "clerk" in the sixth line thereof and insert the words, "one hundred."

Sec. 4783, code, amended.

Salary of clerk of penitentiary.

SEC. 3. All acts and parts of acts inconsistent with this act are hereby repealed.

Repealing clause.

SEC. 4. This act being deemed of immediate importance shall take effect from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa.

Publication.

Approved April 17, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, May 2, and the Des Moines Leader, May 5, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 80.

S. F. 4.

AN ACT for the better protection of fish.

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

Not allowed
to use house,
shed or other
protection
against
weather.

SECTION 1. No person shall have, erect, or use while fishing on or through the ice any house, shed, or other protection against the weather, or have or use any stove or other means for creating artificial heat.

Not to use
more than
two lines
with one
hook each.
Fine and
costs.
Jail.

SEC. 2. No person shall use more than two lines with one hook upon each line in still fishing, trolling or otherwise.

SEC. 3. Any one who shall violate any provision of this act shall upon conviction pay a fine of not less than ten nor more than fifty dollars and costs of prosecution for each offense, or be imprisoned in the county jail for not less than one day nor more than thirty days.

Publication.

SEC. 4. 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 the Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved February 14, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, February 20, and the Des Moines Leader, February 19, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 81.

S. F. 69.

AN ACT to amend section 1078 of the Code of 1873 providing for transfer of corporate stock when used as collateral security.

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

Sec. 1078, code,
amended.

SECTION 1. That section 1078 of the Code is hereby amended by adding thereto the following: "And provided further that when any shares of stock shall be transferred to any corporation as collateral security, such corporation may notify the secretary of the corporation whose stock is transferred as aforesaid, and from the time of such notice and until notice that said stock shall have ceased to be held as collateral security said stock so transferred and noticed as aforesaid shall be considered in law as transferred on the books of the corporation which issued said stock without any actual transfer on the books of such corporation of such stock. In such case it shall be the duty of the secretary or cashier of the corporation to which such stock shall have been transferred as collateral security at once upon its ceasing to be so held to inform the secretary of the corporation issuing such stock of such fact.

Notify secre-
tary of other
corporation
of transfer of
stock.

Notice of
transfer to be
considered as
transferred on
books of
corporation.

Duty of secre-
tary to notify.

The secretary of the company whose stock is transferred as collateral shall keep a record showing such notice of transfer as collateral, and notice of discharge as collateral, subject to public inspection; and *provided*, further, that no holder of stock as collateral security shall be liable for assessments on the same.

Secretary keep record showing notice of transfer as collateral. Not liable for assessment.

Approved April 14, 1896.

CHAPTER 82.

AN ACT to amend section 4091 of the Code of Iowa, relating to nuisances.

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

SECTION 1. That section 4091 of the Code of Iowa be amended as follows, to-wit: Insert after the word "others" in the fourth line thereof the following: "or houses resorted to for the use of opium or hasheesh."

Sec. 4091, code, amended. Resorts for use of opium or hasheesh.

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

Publication.

Approved April 17, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 23, and Des Moines Leader, April 22, 1896.

W. M. MCFARLAND, Secretary of State.

CHAPTER 83.

AN ACT to amend section 3844 of the Code of 1873, relative to offices, fuel and stationery for county officers.

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

SECTION 1. That section 3844 of the Code be amended by inserting after the word "auditor" in the third line thereof the words "county attorney," and after the word "officers" in the sixth line thereof insert the words "except the county attorney" and at the end of said section add the following, "nothing herein shall be construed

Sec. 3844, code, amended. Office and stationery for county attorney.

to include the law-books or library of the county attorney."

Office may be with practicing attorney.

Approved April 20, 1896.

CHAPTER 84.

AN ACT relating to the creation of liens upon exempt personal property.

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

SECTION 1. No incumbrance of personal property which may be held exempt from execution by the head of a family, if a resident of this state, under the provisions

Incumbrance on personal property exempt from execution.

Invalid unless in writing and signed by wife.

of law, shall be of any validity unless the same be by written instrument and unless the husband and wife if both be living concur in and sign the same joint instrument.

Approved April 10, 1896.

CHAPTER 85.

H.F. 378.

AN ACT defining building and loan or savings and loan associations and providing for the organization, regulation, examination and control, and providing a penalty for the violation of said regulations, and repealing acts and parts of acts inconsistent with this act.

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

What constitutes building and loan and savings and loan associations.

Domestic local associations.

Does business only in one county, city or town.

City or town in more than one county.

Domestic associations.

Not restricted to one county, city or town.

Foreign associations.

Incorporated in other state or country.

Five residents may incorporate.

Capital.

Commence business when 100 shares are subscribed.

SECTION 1. Corporations organized for the purpose of furnishing money to their members upon sufficient security shall be known as building and loan or savings and loan associations. Domestic local building and loan or savings and loan associations shall include corporations, societies, organizations, or associations, incorporated under the laws of this state for the purpose of and doing business only within the county in which is situated the town or city named in its articles of incorporation as its principal place of business; *Provided* that where the town or city named in its articles of incorporation as the principal place of business is situated in more than one county and the business of the association is restricted to the town or city and to the county within which is located its principal office, said association shall be deemed a domestic local building and loan or savings and loan association within the meaning of this act. Domestic building and loan or savings and loan associations shall include corporations, societies, organizations or associations incorporated under the laws of this state for the purposes herein provided, the business of which is not restricted to the county in which is situated the town or city named in its articles of incorporation as its principal place of business. Foreign building and loan or savings and loan associations shall include corporations, societies, organizations, or associations incorporated under the laws of another state, territory, country or nation for the purposes specified herein.

SEC. 2. Any number of persons not less than five, residents of the state of Iowa may become incorporated as building and loan or savings and loan associations under the general incorporation laws of this state, except as otherwise herein provided and upon complying with the provisions of this act.

SEC. 3. The capital named in the articles of incorporation shall be taken to mean the authorized capital, and the association may commence business when one hundred shares thereof have been subscribed and the other provisions of this act in relation thereto have been complied

with. Such associations shall be governed by a board of directors who shall be elected annually by the stockholders and who shall hold their office for not less than one nor more than five years, and if for a longer period than one year it shall be so arranged that the terms of an equal number thereof, as nearly as may be, shall expire each year.

Governed by board of directors.
Elected annually for from one to five years.

SEC. 4. The articles of incorporation shall show:

What articles of incorporation shall show.

1. The names and residences of the incorporators.
2. The name of the association and its principal place of business
3. The purpose for which such association is formed.
4. The terms and plan of becoming and continuing a member.
5. The plan of making loans.
6. The plan of distributing profits.
7. The plan of equalizing losses.
8. The plan and terms of withdrawal of members.
9. The plan of providing for payment of expenses.
10. The number of shares into which capital stock is to be divided.
11. The classes into which its capital stock is to be divided and the terms of paying for the same by subscribers.
12. The term of corporate existence.
13. The manner of electing officers and filling vacancies.

SEC. 5. Such articles of incorporation, with the by-laws of the association, shall be presented to the executive council, and if it finds that they are in conformity with the law, it shall attach thereto its certificate of approval, and thereupon such articles and by-laws shall be filed in the office of the auditor of state, who shall issue a certificate authorizing the association to transact business. Amendments to such articles of incorporation may be made from time to time at any regular or special meeting of the stockholders and shall in like manner be submitted to the executive council and approved by it. The council shall keep a record of its proceedings with reference to such associations.

Articles of incorporation and by-laws to be approved by executive council.
Attach certificate.
Filed in office auditor of state.
Auditor to issue certificate.
Amendments. Approved by executive council.
Executive council keep record of proceedings.

SEC. 6. The officers of any domestic building and loan or savings and loan association who sign or endorse checks or handle any funds or securities of such association shall give such bonds or fidelity insurance for the faithful performance of their duties in such sum as the board of directors may require, and no such officer shall be deemed qualified to enter upon the duties of his office until his bond is approved by the board of directors and by the state auditor. Said bond shall be deposited and filed with the auditor of state. All such bonds shall be increased or additional securities required by the board of directors or the auditor of state when it becomes necessary to protect the interests of the association or its members, and no

Officers of domestic associations to give bonds.
Directors and auditor of state approve bonds.
Additional security for bonds.

director shall be accepted as surety on such bonds and no person shall be accepted as surety on the bond of more than one officer of said association. The directors shall be individually liable for loss to the association or its members caused by their failure to require a compliance with the provisions of this section.

Directors individually liable for loss on failure of duty. **Officers of domestic local associations to give bonds.** **SEC. 7.** The officers of any domestic local building and loan or savings and loan association who sign or endorse checks or handle any funds or securities of said association shall give such bond or fidelity insurance for the faithful performance of their duties in such sum as the board of directors may require, and no such officer shall be deemed qualified to enter upon the duties of his office until his bond is approved by the board of directors and the clerk of the district court of the county of the principal place of business of said association. Said bond shall be deposited with the said clerk, and it is hereby made the duty of the said clerk to approve said bonds and to receive the same as herein provided. No person shall be accepted as surety on the bond of more than one officer of said association. All such bonds shall be increased or additional securities required by the board of directors or by the clerk of said district court when it shall be deemed necessary to protect the interests of the association or its members. The directors shall be individually liable for loss to the association or to its members caused by their failure to require a compliance with the provisions of this section.

Board of directors and clerk district court approve bond. **Bond deposited with clerk district court.** **Sureties on bonds. Additional security for bonds.** **SEC. 8.** It shall be unlawful for any building and loan or savings and loan association to receive deposits of money without issuing shares of stock for the same, or to transact a banking business.

Directors individually liable for loss on failure of duty. **Unlawful to receive deposits without issuing shares of stock.** **SEC. 9.** All building and loan or savings and loan associations upon receiving the certificate from the auditor shall have power, subject to the terms and conditions contained in their articles of incorporation and by-laws, to issue stock to members to be paid for in single, stated or monthly payments, but not more than ten thousand dollars of stock computed at par value of any kind shall be issued to one person; to assess and collect from members such dues, membership fees, fines, premiums, and interest on loans as may in the articles of incorporation and by-laws have been provided, and the same shall not be held to be usurious; to permit members, other than holders of guaranty stock, to withdraw all or a part of their stock deposits upon such terms and at such times as the articles of incorporation and by-laws may provide; to acquire, hold, encumber, and convey such real estate and personal property as may be necessary for the transaction of their business; to make loans to members on such terms, conditions, and securities as the articles of incorporation and by-laws provide, said loans to be made only on real estate security or on the security of their own shares of stock not to exceed

Power to issue stock. **Payments on stock. Not more than \$10,000 to be issued to one person.** **To collect dues, fees, fines, etc.** **Not to be held as usurious.** **To permit withdrawal of stock.** **To acquire, hold, encumber and convey real and personal property.** **To make loans on real estate and stock not exceeding 90 per**

ninety per cent of the withdrawal value thereof. In case of foreclosure the borrower shall be charged with the full amount of the loan made to him, together with the dues, interest, premium, and fines for which he is delinquent, and he shall be credited with the same value of his pledged shares as if he had voluntarily withdrawn the same.

SEC. 10. All funds except those necessary to defray the expenses of the association shall be invested for the benefit of the shareholders. For every loan made a non-negotiable note or bond secured by first mortgage on real estate shall be given, unless the prior mortgage is to the same association, then a second mortgage may be taken to secure said note, except when such loan is on the withdrawal value of stock only. Said note or bond shall be accompanied by the transfer of the shares of stock of the borrower to the association to be held as collateral security.

SEC. 11. Each member shall have one vote for each one hundred dollars of stock par value owned and held by him at any election and may vote the same by proxy, but no person shall vote more than ten per cent of the outstanding shares at the time of said election. Any one depositing or transferring stock to the association as collateral security shall be deemed the owner of such stock within the meaning of this section.

SEC. 12. Any guardian, executor, administrator, or trustee shall have the right to vote, manage and control the shares held by him in his representative capacity.

SEC. 13. The expenses of every such association shall be paid from the earnings, or from a fixed charge provided for in the by-laws, and said expenses shall not exceed eight dollars for the maturing of every one hundred dollars of installment stock, said sum to be equitably distributed over the maturity period; and two dollars per year for every one hundred dollars for full paid or prepaid stock. The net earnings of such association shall be apportioned as a dividend, annually, semi annually or quarterly to members in such manner as the articles of incorporation and by-laws may provide. Membership fees and expenses incurred in making loans shall not be deemed a part of the expenses of the association.

SEC. 14. Dues, fines, premiums and interest less current expenses shall accrue to the shareholders and any net loss shall be deducted before declaring any dividend.

SEC. 15. At least once in each year the auditor of state shall, by himself or some competent person appointed by him, make an examination of all domestic and foreign building and loan and savings and loan associations doing business in this state and may examine under oath any officer, agent or employe of the association or other person, and may compel the production of its books and papers, and for this purpose such examiner shall have

cent of withdrawal value. Foreclosure.

Investment of funds.

Loan on note or bond secured by first mortgage.

Transfer of stock to the association by borrower.

One vote for each \$100 of stock.

One person not to vote more than 10 per cent of outstanding shares of stock.

Owner of transferred or deposited stock.

Rights of guardian, executor, etc.

Expenses paid from earnings or by fixed charge.

Not to exceed \$8 for maturing of \$100 or \$2 for prepaid stock.

Net earnings apportioned.

Membership fees and expenses in loaning not expenses of association.

Dues, fines, etc., accrue to shareholders.

Auditor of state to examine domestic and foreign associations.

Have same power as district court to secure witnesses and papers.

Expense of examination paid by association.

Not to exceed \$200 for any one year.

Auditor to keep record of examinations.

Refusal to submit to examination.

Auditor to examine domestic local associations on application.

Auditor report condition of associations biennially.

What report shall contain.

When business is conducted illegally auditor to notify attorney-general.

Attorney-general to take steps to wind up affairs of association.

Foreign associations to furnish executive council with copy of articles of incorporation and by-laws, state laws

the same power as the district court to secure the attendance of witnesses and the production of such books and papers, and to punish as for contempt. If the examination is made by the auditor in person he shall receive his actual expenses. If by another, his actual expenses and five dollars per day, which in either case shall be paid by the association examined; *provided*, the expense charged for such examination to any one association shall not exceed two hundred dollars for any one year. A record of such examination shall be kept in the auditor's office showing in detail as to each association all matters connected with the conduct of the business, its financial standing, and everything touching its solvency, plan of business and integrity. If the report is made by another than the auditor it shall be under oath. Examinations may be made at such other times as the auditor may order. If any such association refuse to submit to such examination the auditor shall revoke its certificate of authority.

SEC. 16. When twenty shareholders of any domestic local building and loan or savings and loan association shall in writing request the auditor of state, he shall have the same authority and shall proceed to make an examination of the affairs of such association in the manner provided in this act for the examination of domestic associations and the costs and penalties shall be the same.

SEC. 17. The auditor shall, in his biennial report to the governor, state the general conduct and condition of the building and loan or savings and loan associations doing business in the state with such suggestions as he may deem expedient. Such report shall also include the information contained in the statements of the associations arranged in tabulated form, with the names and compensation of the clerks employed by him, the entire income, the source whence derived and the expense during the year ending on the thirty-first day of December in detail.

SEC. 18. When any building and loan or savings and loan association is conducting its business illegally or in violation of its articles of incorporation or by-laws, or is practicing deception upon its members or the public, or is pursuing a plan of business that is injurious to the interests of its members, or its affairs are in an unsafe condition, the auditor of state shall notify the directors thereof, and if they shall fail to put its affairs upon a safe basis, he shall advise the attorney-general thereof who shall take the necessary steps to wind up its affairs in the manner provided by law.

SEC. 19. If any foreign building and loan or savings and loan association as herein defined desires to transact business within this state, it shall furnish to the executive council a certified copy of its articles of incorporation, or charter and by-laws, and a certified copy of the state laws under which it is organized, together with a

report for the year next preceding, verified by its president, vice-president, secretary and at least three directors, which report shall show: and report of business.

1. The amount of its authorized capital stock and the par value of each share. What report shall show.

2. The number of shares sold during the year.

3. The number of shares cancelled or withdrawn during the year.

4. The number of shares in force at the end of the year.

5. A detailed statement of all funds received during the year and all disbursements.

6. The salaries paid each of its officers.

7. A detailed statement of its assets and liabilities at the end of such year and the nature thereof.

8. Any other matters of fact which the council may require, upon receipt of such report the council, if it finds therefrom that the association is properly managed, that its financial condition is satisfactory, and that its business is conducted upon a safe and reliable plan, shall so certify upon such copy and statement, and, the same being filed with the auditor, he shall issue a like certificate as in the case of domestic associations. Council certify on copy and file with auditor of state, who shall issue certificate.

SEC. 20. Every such foreign building and loan or savings and loan association before the state auditor shall issue to it a certificate shall comply with the following provisions:

1. It shall deposit with the auditor of state one hundred thousand dollars either in cash or bonds of the United States of the state of Iowa, or of any county or municipal corporation of the state of Iowa, or notes secured by first mortgage on real estate, or a like amount in such other security as shall be satisfactory to said auditor. Foreign associations deposit with auditor of state \$100,000 in bonds or other securities.

2. Such foreign association may collect and use the interest on any securities so deposited as long as it fulfills its obligations and complies with the provisions of this act. It may also exchange them for other securities of equal value and satisfactory to said auditor. May collect and use interest on securities.

SEC. 21. The deposit made with the auditor shall be held as security for all claims of resident shareholders of the state of Iowa against said association, and shall be liable for all judgments or decrees thereon and subject to the payment of the same. Deposits with auditor of state to be security for resident shareholders.

SEC. 22. Such foreign association shall also file with the auditor of this state a duly authenticated copy of a resolution adopted by the board of directors of such association, stipulating and agreeing that if any legal process of notice affecting such association be served on the said state auditor and a copy thereof be mailed, postage prepaid, by the party procuring and issuing the same, or his attorney, to said association, addressed to its home office, File with auditor copy of resolution in case of legal process of notice.

Legal notice to be in duplicate; one filed one mailed to home office.

Amendments of articles of incorporation filed with auditor of state.

Fees paid by foreign associations.

Fees paid by domestic associations.

Fees paid by domestic local associations.

Report on or before February 1st to auditor.

What report shall show.

then such service and mailing of such process or notice shall have the same effect as personal service on said association within this state. When proceedings have been commenced against or affecting any foreign building and loan or savings and loan association, as contemplated herein, and notice has been served upon the auditor of the state, the same shall be by duplicate copies, one of which shall be filed in his office and the other mailed by him, postage prepaid, to the home office of such association.

SEC. 23. All foreign building and loan or savings and loan associations shall file with the auditor of state within ten days after their adoption a duly certified copy of any amendment or amendments to their articles of incorporation or by-laws that may have been adopted.

SEC. 24. Foreign building and loan or savings and loan associations shall pay to the auditor of state the following fees, which shall be paid by him into the state treasury; For each application to do business in this state, one hundred dollars; for each certificate of authority and each annual renewal thereof, fifty dollars; for filing each annual statement of the assets of the association, as shown by the statement filed, amounts to fifty thousand dollars or less, three dollars; if more than fifty thousand dollars and less than one hundred thousand dollars, five dollars; if more than one hundred thousand dollars and less than two hundred and fifty thousand dollars, ten dollars; if more than two hundred and fifty thousand dollars and less than five hundred thousand dollars, twenty dollars; if more than five hundred thousand dollars and less than one million dollars, thirty dollars, and if more than one million dollars, fifty dollars. Domestic building and loan or savings and loan associations shall pay to the auditor of state the sum of twenty-five dollars for each certificate of authority and each renewal thereof, and for filing each annual statement, ten dollars. Domestic local building and loan or savings and loan associations shall pay to the auditor of state, for filing each annual statement, the sum of five dollars.

SEC. 25. All building and loan or savings and loan associations doing business in this state shall on or before the first day of February of each year file with the auditor of state a detailed report and financial statement of their business for the year ending the thirty first day of December next preceding, and such report shall be verified by the president and secretary or by three directors of the association, and such report shall show:

1. The date when the association was incorporated and the par value of each share of stock.
2. The number of shares sold during the year.
3. The number of shares cancelled or withdrawn during the year.

4. The number of shares in force at the end of the year.

5. A detailed statement of receipts and disbursements showing specifically from what source received and in what manner applied.

6. A statement of the assets and liabilities at the end of the year.

7. The salaries paid to its officers during the year.

8. All foreign building and loan or savings and loan associations shall in addition to the above, report the names of each shareholder of such association residing within the state of Iowa, together with the postoffice address of each and the number of shares owned by each of said persons on the first day of January preceding, and the cash value of each of said shares on said date.

Name and address of shareholders and shares owned by each.

SEC. 26. If an association shall fail or refuse to furnish to the auditor of the state the report above required it shall forfeit the sum of twenty-five dollars for every day such report shall be withheld and the auditor of state may maintain an action in the name of the state to recover such penalty and the same shall be paid into the treasury of the state.

Failure to report.

Penalty.

SEC. 27. When by the laws of any other state, territory, country, or nation, or by the decisions or rulings of the appropriate and proper officers thereof, any greater taxes, fines, penalties, licenses, fees, deposits of money or other securities, or other obligations or prohibitions, are demanded of building and loan or savings and loan associations of this state as a condition to be complied with before doing business in such other state, territory, country, or nation or their agents therein than are imposed upon foreign associations doing business in this state, so long as such laws continue in force the same requirements, obligations, and prohibitions of whatever kind shall be imposed on all building and loan or savings and loan associations of such other state, territory, country, or nation doing business in this state and upon their agents. It is hereby made the duty of the auditor of state to enforce the provisions of this section.

When fees in other states exceed, Iowa fees to be increased thereto.

Auditor of state to enforce.

SEC. 28. If a certificate of authority to do business shall have been issued to any association, and it shall violate any of the provisions of this chapter, the auditor of state shall revoke the same.

Revocation of certificate.

SEC. 29. If any officer, director, or agent of any building and loan or savings and loan association shall knowingly and willfully swear falsely to any statement in regard to any matter in this chapter required to be made under oath, he shall be guilty of perjury. If any director of any such association shall vote to declare a dividend greater than has been earned, or if any officer or director or any agent or employe of any such association shall issue, utter or offer to utter any warrant, check, order, or

Perjury for false swearing to statements.

Penalty for declaring un-earned dividend; for issuing or cancelling any paper or collecting money without authority; for embezzling; for doing business without a certificate; for making false entries; for soliciting business for association without having a certificate; amount of fine.

promise to pay of such association, or shall sign, transfer, cancel, or surrender any note, bond, draft, mortgage or other evidence of indebtedness belonging to such association, or shall demand, collect, or receive any money from any member or other person in the name of such association without being authorized to do so by the board of directors in pursuance of its lawful power, or if any such officer, director, agent or employe shall embezzle or convert to his own use, or shall use or pledge for his own benefit or purpose any moneys, securities, credits or other property belonging to the association, or shall knowingly do or attempt to do any business for such association that has not procured and does not hold the certificate of authority therefor as in this chapter provided, or shall knowingly make or cause to be made any false entries in the books of the association, or shall with the intent to deceive any person making an examination in this chapter required to be made, exhibit to the person making the examination any false entry, paper or statement, or shall knowingly do or solicit business for any building and loan or savings and loan association which has not procured the required certificate therefor, he shall be fined in any sum not exceeding ten thousand dollars or imprisoned in the penitentiary not exceeding ten years, or punished by both such fine and imprisonment.

Foreign associations furnish copy of articles within sixty days.

SEC. 30. Within sixty days after the taking effect of this act, each foreign building and loan or savings and loan association doing business in this state, shall furnish the auditor of state with a copy of its articles of incorporation and by-laws, accompanied by a report as in this act required and shall make a deposit of securities as provided in this act and obtain a certificate authorizing it to transact business, and for failure or refusal to do so shall forfeit its right to do business in this state.

Forfeit rights on failure.

Domestic and domestic local associations to re-incorporate.

SEC. 31. Within sixty days after the taking effect of this act all building and loan or savings and loan associations organized under the laws of this state, shall re-incorporate or so amend their articles of incorporation and by-laws as to comply with the provisions of this chapter, and upon the failure or refusal to do so its authority to do business shall be revoked; provided that domestic local building and loan or savings and loan associations shall not be required to publish their articles of re-incorporation or amendments thereto.

Forfeit rights on failure.

Right to close up business.

SEC. 32. All building and loan or savings and loan associations having heretofore transacted business in this state, which shall not have complied with the provisions of this act, within the time herein prescribed shall have the right to close up their business and fulfill their contracts heretofore entered into with the residents of this state without being subject to the penalties prescribed in this act.

SEC. 33. Shares of stock issued by building and loan or saving and loan associations shall be classified as moneys and credits for the purposes of taxation. Shares of stock classified as money and credits for taxation.

SEC. 34. All acts and parts of acts inconsistent with this act are hereby repealed. Repealing clause.

Approved April 7 1896

CHAPTER 86.

AN ACT to amend chapter 132 of the Acts of the Twentieth General Assembly. [Bureau of Labor Statistics.] H. F. 33.

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

SECTION 1. That section 3 of chapter 132 of the laws of the Twentieth General Assembly be amended by inserting after the word "annum" in the second line thereof, the following: "And shall be allowed a deputy at a salary of one thousand dollars per annum, in lieu of clerk hire;" and by inserting after the word "for," in the fourth line thereof, the following: "The commissioner or any officer or employe of the bureau of labor statistics, shall be allowed, in addition to their salaries, their actual and necessary traveling expenses while in the performance of their duties; said expenses to be audited by the executive council and paid out of the general fund of the state upon a voucher verified by the commissioner, provided that the total of such expenses for officers and employes shall not exceed \$500 per annum." Sec. 3, ch. 132, 20 G. A., amended. \$1,000 salary allowed. Executive council to audit expenses.

SEC. 2. That section 6 of the chapter 132 of the laws of the Twentieth General Assembly be repealed and the following enacted in lieu thereof: Sec. 6, ch. 132, 20 G. A., repealed.

Section 6. The commissioner of the bureau of labor statistics shall have the power to issue subpoenas, administer oaths, and take testimony in all matters relating to the duties herein required by said bureau; said testimony to be taken in some suitable place in the vicinity to which testimony is applicable. Witnesses subpoenaed and testifying before the commissioner of the bureau shall be paid the same fees as witnesses before a justice court, such payment to be made out of the contingent fund of the bureau in advance, but such expense for witnesses shall not exceed \$100. annually. Any person duly subpoenaed under the provisions of this section, who shall wilfully neglect or refuse to attend or testify at the time and place named in the subpoena shall be deemed guilty of a misdemeanor, and upon conviction thereof before any court of competent jurisdiction, shall be punished by a fine not exceeding \$50 and costs of prosecution, or by imprisonment in the county jail not exceeding thirty days; *provided*, however, that no witness shall be compelled to go outside the county in which he resides to testify. Powers of commissioner defined. Witness must testify.

Sec. 6, ch. 132,
20 G. A.,
amended.

SEC. 3. That said chapter be further amended by adding thereto as section 7 the following:

Commissioner may enter mills or shops.

Section 7. The commissioner of the bureau of labor shall have the power upon the complaint of two or more persons, or upon his failure to otherwise obtain information in accordance with the provisions of this act, to enter any factory or mill, workshop, mine, store, business house, public or private work, when the same is open or in operation, upon a request being made in writing, for the purpose of gathering facts and statistics such as are contemplated by this act, and to examine into the methods of protection from danger to employes, and the sanitary conditions in and around such buildings and places, and make a record thereof; and any owner or occupant of such factory or mill, workshop, mine, store, business house, public or private work, or any agent or employe of such owner or occupant who shall refuse to allow any officer or employe of said bureau to so enter, or who shall hinder him, or in any way deter him from collecting information, shall be deemed guilty of a misdemeanor, and upon conviction thereof before any court of competent jurisdiction, shall be punished by a fine of not exceeding \$100 and costs of prosecution or by imprisonment in the county jail not exceeding thirty days.

Refusal to allow punished.

Ch. 132, 20 G.
A., amended.

SEC. 4. That said chapter be further amended by adding thereto as section 8 the following:

Construction of law.

Section 8. The expressions "factory," "mill," "workshop," "mine," "store," "business house," and "public or private work," as used in this act, shall be construed to mean any factory, mill, workshop, mine, store, business house, public or private work, where five or more wage earners are employed for a certain stipulated compensation.

Ch. 132, 20 G.
A., amended.

SEC. 5. That said chapter be further amended by adding thereto as section 9 the following:

Mill owners shall make report.

Section 9. It shall be the duty of every owner, operator, or manager of every factory, mill, workshop, mine, store, business house, public or private work, or any other establishment where labor is employed as herein provided, to make to the bureau, upon blanks furnished by said bureau, such reports and returns as said bureau may require for the purpose of compiling such labor statistics as are contemplated by this act; and the owner, operator, or business manager shall make such reports or returns within sixty days from the receipt of blanks furnished by the commissioner, and shall certify under oath to the correctness of the same. Any owner, operator, or manager of such factory, mill, workshop, mine, store, business house, public or private work, as herein stated who shall neglect or refuse to furnish to the commissioner of labor such reports or returns as may be required by the following blank shall be deemed guilty of

a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding \$100 and costs of prosecution, or imprisoned in the county jail not exceeding thirty days. \$100 fine.

BLANK.

Name of firm or corporation..... Number of hands employed during year ending December 31,.....; males.....; females.....; apprentices.. ...; Total amount of wages paid during year ending December 31,..... \$. Total amount of wages paid previous year..... \$. Any general increase or reduction of wages during the past year? If so, what per cent of increase or reduction?..... Cause of increase or reduction..... Any increase or decrease of business during past year. \$. What means are provided for the escape of employes in case of fire?..... What measures are taken to prevent accidents to employes from machinery?..... How are buildings ventilated?..... Are separate water closets and wash rooms provided for the different sexes?..... Number of weeks during past year business was run on full time with full force,..... Number of weeks during past year business was run on short time or with reduced force..... Number of weeks during past year business was suspended,..... Number of strikes during year ending December 31,.....; number involved,.....; alleged cause,.....; result,.....; How many days did strike continue, and what was loss of wages in consequence thereof?.....; Was any property destroyed, and if so its value?.....;

SEC. 6. That said chapter be further amended by adding thereto as section 10 the following:

Ch. 132, 20 G. A., amended.

Section 10. In the reports of the commissioner no use shall be made of names of individuals, firms or corporations supplying the information called for by sections 5 and 6 of this act, such information being deemed confidential and not for the purpose of disclosing personal affairs, and any officer or employe of the bureau of labor statistics violating this provision shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not exceeding five hundred dollars and costs of prosecution, or by imprisonment in the county jail not exceeding one year.

Names to be omitted in reports.

SEC. 7. That said chapter be further amended by adding thereto as section 11 the following:

Ch. 132, 20 G. A., amended.

Section 11. No report or return made to said bureau in accordance with the provisions of this act, and no schedule, record or document gathered or returned by its officers or employes, shall be destroyed within two years of the collection or receipt thereof. At the expiration of two years all records, schedules, or papers accumulating in

Reports; final disposition of.

said bureau during said period that may be considered of no value by the commissioner may be destroyed, provided the authority of the executive council be first obtained for such destruction.

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

Approved April 14, 1896

I hereby certify that the foregoing act was published in the Iowa State Register, April 24, and Des Moines Leader, April 21, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 87.

S. F. 144. AN ACT to define and punish the crime of maliciously, wilfully, and feloniously disturbing or interfering with any horse, harness, or vehicle and providing punishment therefor.

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

Unlawful
acts.

SECTION 1. If any person maliciously, wilfully, and feloniously cut, break, sever, or unfasten any tug, strap, line, or other part of any harness attached to any horse or team, or maliciously and feloniously remove, break, unfasten, or injure any part of any vehicle, he shall be imprisoned in the penitentiary not to exceed one year, or be imprisoned in the county jail not to exceed six months, or be fined not to exceed five hundred dollars.

Penalty.

Approved April 8 1896

CHAPTER 88.

H. F. 408. AN ACT to amend section 3956 of the Code of Iowa relative to assisting prisoners to escape

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

Sec. 3956 of
code amend-
ed.

SECTION 1. That section 3956 of the Code of Iowa be amended by inserting after the word "custody" in the fifth line of said section the words "with or without a warrant."

Approved May 2, 1896

CHAPTER 89.

H. F. 47. AN ACT to repeal section 2580 of the Code, and enact a substitute therefor, relating to the venue and change thereof in actions aided by attachment.

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

Sec. 2580 of
code repeal-
ed.

SECTION 1. That section 2580 of the Code be repealed and the following enacted in lieu thereof.

Attachment
of property.

Section 2580. An action against a non-resident of the state when aided by an attachment may be brought in any county of the state, wherein any part of the property

sought to be attached may be found, or wherein any part was situated when the action was commenced, or where the defendant is personally served in this state, and except as hereinafter provided an action against a resident of this state must be brought in the county of his residence, or that in which the contract was to be performed, except that if an action be duly brought against such defendant in any other county by virtue of any of the provisions of this chapter, then such action may, if legal cause for an attachment exist, be aided by attachment.

Should such action be brought against a resident of this state in any other county than that of his residence, he may have the place of trial changed to the district court of the county wherein he resides, in the same manner and upon the same terms as provided in section 2589 of the code, and the property attached shall not be released because said action was brought in the wrong county, but shall be held and subject in the same manner as if said action had been brought in the county of defendant's residence.

Approved March 19th, 1896

CHAPTER 90.

AN ACT to amend section three thousand and sixty-one (3061) of S. F. 317. the Code relating to the rate of interest on judgments where a stay of execution is taken.

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

SECTION 1. That the last sentence of section three thousand and sixty-one (3061) of the Code of 1873 which reads as follows to-wit: "*And provided, further, that all judgments shall bear interest at the rate of ten per cent per annum on which stay is taken,*" is hereby repealed, and the following is enacted in lieu thereof: "*Judgments on which a stay is taken shall draw the same rate of interest as if no stay had been taken.*"

Approved April 30, 1896.

CHAPTER 91.

AN ACT to amend chapter 151 of the acts of the Eighteenth General Assembly of the state of Iowa. [State Board of Health.]

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

SECTION 1. That section 1 of chapter 151 of the acts of the Eighteenth General Assembly be and the same is hereby amended as follows: By adding immediately after the word "health" in the fifth line of said section 1 the following words, to-wit:

But no one of the seven physicians hereafter appointed shall be an officer or a member of the faculty of any

medical school in this state, and the Governor shall have the power to remove any member of the said board for good cause shown.

Approved April 4, 1896.

CHAPTER 92.

S. F. 236. AN ACT to prohibit the sale and use of impure oil in coal-mines and providing penalties for violations thereof.

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

Sale of adulterated oils. SECTION 1. That only pure animal or vegetable oil shall be used for illuminating purposes in any coal mine in this state. If any person, firm, or corporation, either by themselves or agents or employe, shall sell or offer for sale for illuminating in any coal mine in this state any adulterated oil, or any mixture or compound oil, he shall be deemed guilty of a misdemeanor, and upon conviction thereof he shall be fined not less than twenty-five dollars nor more than one hundred dollars for each offense.

Penalty.

Use of adulterated oils by mine owners. SEC. 2. If any mine owner or operator or employe of such owner or operator shall knowingly use, or if any mine owner shall knowingly permit to be used, for illuminating purposes in any coal mine in this state any adulterated, or mixed, or compound oil he shall upon conviction therefor be fined not less than five dollars nor more than

Penalty.

Duty of mine inspector. SEC. 3. It shall be the duty of the state mine inspector, whenever he has reason to believe that oil is being used, or sold, or offered for sale in violation of the provisions of this act, to take samples of the same and have them tested or analyzed and if they are found to be impure he shall make complaint to the county attorney, who shall forthwith commence proceedings against the offender in any court of competent jurisdiction. For the purposes of this act the state board of health shall fix a standard of purity of oils and regulations for testing said oil, and said standard and regulations when so fixed shall be recognized in all the courts in this state.

State board of health to fix standard of purity.

Expenses; how paid.

SEC. 4. All reasonable expenses incurred in testing or analyzing oil under the provisions of sec. 3 of this act shall be paid by the owner of the oil whenever it shall be found that he is selling or offering to sell impure oil in violation of the provisions of this act. Such costs may be recovered in a civil action, and in criminal prosecutions under this act such expense shall be taxed as part of the costs.

SEC. 5. Nothing in this act shall be held to prevent the use of electric lights in any coal mine in this state.

Publication clause.

SEC. 6. 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.

Approved March 19, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, March 26, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 93.

AN ACT to amend an act of the Twenty-sixth General Assembly s. F. 441. entitled "An act to prohibit the sale and use of impure oil in coal mines and providing penalties for violation thereof."

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

SECTION 1. That section one of an act of the Twenty-sixth General Assembly, entitled "An act to prohibit the sale and use of impure oil in coal mines and providing penalties for the violation thereof," be and the same is hereby amended by adding after the word "oil" in the first line thereof, the words "or paraffine." Sec. 1, 26 G. A., amended.

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

Approved April 8, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 16, and Des Moines Leader, April 18, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 94.

AN ACT to amend chapter one hundred and eighty-five of the acts of the Twentieth General Assembly, to apply its provisions to naphtha, benzine, and gasoline, and to increase the powers and duties of the state inspector of oils. S. F. 454.

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

SECTION 1. That chapter one hundred and eighty-five of the acts of the Twentieth General Assembly be and the same is hereby amended as follows: By adding at the end of section one thereof the following words: "For the purposes of this act, naphtha, benzine, and gasoline shall be deemed illuminating oil." Ch. 185, 20 G. A., amended.

SEC. 2. 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. Publication clause.

Approved April 14, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, April 21, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 95.

H. F. 237. AN ACT to punish the keeping and maintaining of resorts for the sale and use of opium and its preparations, and person or persons resorting thereto.

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

Sale and use of opium prohibited.

SECTION 1. That any person who shall keep and maintain in any shop, house, room, or other place, to be resorted to by other persons in which opium or any of its preparations or compounds is sold, or given away to be smoked or used in such place, or who allows opium or any of its preparations to be smoked in such house, shop, room, or other place, and every person who resorts to any such house, shop, room, or other place for the purpose of smoking opium or its preparations and compounds shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars, or by imprisonment in the county jail not exceeding six months, or by both fine and imprisonment.

Fine or imprisonment.

State may introduce evidence.

SEC. 2. The state upon the trial of any person indicted for keeping a place described in section one of this act may, for the purpose of establishing the character of the place so kept by the defendants, introduce evidence of the general reputation of such place as so kept, and such evidence shall be competent for such purpose.

Publication clause.

SEC. 3. 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.

Approved April 4, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, April 7, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 96.

S. F. 7. AN ACT to prohibit the manufacture and sale of cigarettes, cigarette paper, and cigarette wrappers, and providing penalties for the violation of the provisions thereof.

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

Manufacture and sale prohibited.

SECTION 1. No one, by himself, clerk, servant, employe, or agent, shall, for himself or any person else, directly or indirectly, or upon any pretense, or by any device, manufacture, sell, exchange, barter, dispense, give in the consideration of the purchase of any property, or of any services, or in evasion of the statute, or keep for sale any cigarettes, or cigarette paper, or cigarette wrappers, or any paper made or prepared for the purpose of

making cigarettes, or for the purpose of being filled with tobacco for smoking; or own, or keep, or be in any way concerned, engaged or employed, in owning or keeping any such cigarettes or cigarette paper, or wrappers with intent to violate any provision of this chapter; or authorize or permit the same to be done;

SEC. 2. Whoever is found guilty of violating any of the provisions of the preceding section for the first offense shall pay a fine of not less than \$25. nor more than \$50. and costs of prosecution, and stand committed to the county jail until such fine and costs are paid; for the second and each subsequent offense, he shall pay upon conviction thereof a fine of not less than \$100 nor more than \$500 and costs of prosecution, or be imprisoned in the county jail not to exceed six months; *provided*, that the provisions of this act shall not apply to the sales of jobbers doing an interstate business with customers outside of the state.

Approved April 4, 1896.

CHAPTER 97.

AN ACT to amend section two, of chapter three, of the Acts of the Fifteenth General Assembly, relating to the pay of chaplains of the General Assembly. H F. 400.

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

SECTION 1. Section two (2) of chapter three (3), of the acts of the Fifteenth General Assembly is hereby amended by adding thereto the following: Sec 2, ch. 3,
15 G. A.,
amended.

“He shall also issue, upon the certificate of the presiding officer of the house in which any clergyman may officiate as chaplain, a warrant to each such chaplain for the amount of five dollars for each day in which such chaplain shall so officiate.”

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

Approved Mar. 24, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, March 31, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 98.

AN ACT regulating fees for the incorporation and the increase in capital stock of companies and corporations in the state of Iowa. S. F. 1703

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

SECTION 1. Any corporation for pecuniary profit hereafter organized or doing business in Iowa under the laws of the state, shall pay to the secretary of state, before a certificate of incorporation is issued, an incorporation fee Shall pay \$25
fee.

of twenty-five dollars, and for all capital stock in excess of ten thousand dollars an additional fee of one dollar per thousand upon all of its authorized capital stock. *Provided*, that this act shall not apply to building and loan associations, corporations organized for the manufacture of butter, cheese, or other dairy products, and workmen's co-operative associations and farmers' mutual insurance companies; and in no event shall the fees collected under this act exceed the sum of three hundred and fifty dollars for a single incorporation.

Fees shall not exceed \$350.

Articles of incorporation must be filed with secretary of state.

Fees must be paid.

SEC. 2. Any corporation now organized and doing business under the laws of this state that shall increase its capital stock shall pay a fee to the secretary of state of one dollar for each thousand dollars of such increase.

SEC. 3. It shall be unlawful for any corporation to do business unless the articles of any such corporation are filed with the secretary of state; and unless such fee or fees are paid within thirty days from the filing of the same with the proper county recorder, its organization shall be deemed incomplete and shall be held to be invalid as a body corporate.

Inconsistent acts repealed are repealed.

SEC. 4. All acts or parts of acts inconsistent herewith are repealed.

SEC. 5. 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 the Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 10, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 14, and Des Moines Leader, April 15, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 99.

H. F. 361.

AN ACT to repeal sec. 6, chapter 43, of the acts of the Twenty-third General Assembly, and to enact a substitute therefor, in reference to compensation of justices of the peace and peace officers.

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

Sec. 6, ch. 43, 23 G. A., repealed.

SECTION 1. That section 6, chapter 43, of the acts of the 23rd General Assembly be and the same are hereby repealed, and the following enacted in lieu thereof:

Board of supervisors may fix compensation.

SEC. 2. The board of supervisors may at any regular or special session, fix the compensation to be allowed to the officers under this act. To the trial magistrate not exceeding two dollars, and to the peace officer for all services not more than one dollar and mileage as now allowed by law.

Conflicting acts repealed.

SEC. 3. All acts and parts of acts in conflict with this are hereby repealed.

SEC. 4. 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.

Publication clause.

Approved April 4, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, April 8, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 100.

AN ACT authorizing and empowering county auditors to collect and receive moneys due their respective counties. S. F. 162.

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

SECTION 1. All county auditors are hereby authorized to collect and receive all monies due their respective counties, except when otherwise provided by law, and shall be responsible for all public funds received or collected by them.

County auditors authorized to collect moneys.

Approved April 3, 1896.

CHAPTER 101.

AN ACT to provide for the publication of the annual proceedings of the Iowa State Dairy association. H. F. 72.

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

SECTION 1. That the annual proceedings of the Iowa State Dairy association including accepted essays and addresses, together with the reports of the discussions, is hereby authorized and directed to be printed by the state, under the supervision of the association, as the reports of the Agricultural, Horticultural, and Improved Stock Breeders' associations are now published.

Publication of proceedings of Iowa State Dairy association.

SEC. 2. The number of copies to be so published shall be limited to five thousand annually, not exceeding three hundred pages each; five hundred copies shall be bound in cloth, the remainder in double thick paper cover.

5,000 copies.

500 bound in cloth.

They shall be distributed as follows; To the governor, lieutenant governor, secretary of state, state treasurer, each member of the general assembly, the State Horticultural society, the State Agricultural society, the Iowa Improved Stock Breeders' association, the state library, the Iowa State University, and the Iowa State Agricultural College each ten copies; to each county auditor to be kept in the office, to each public library, to each incorporated college in the state, to each president and secretary of each county and district fair two copies each, and each county and district farmers' institute ten copies each; the remainder to be distributed under the direction of the association.

Distribution.

Approved April 10, 1896.

CHAPTER 102.

S. F. 57. AN ACT to revise, amend, and codify the statutes relative to the militia.

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

CHAPTER 1. OF THE MILITIA.

Militia of the state. SECTION 1. The military force of the state shall consist of all able bodied male citizens between the ages of eighteen and forty-five years not exempt from such service under the laws of the United States, except honorably discharged soldiers, sailors, and marines of the United States who shall be exempt from military service in this state at their option. The assessors shall return to the auditor with the annual assessment a complete enumeration of such persons, which may be revised and corrected by the board of supervisors at its June session in each even-numbered year or at such other time as the governor may direct, and the auditor shall certify to the adjutant-general a true copy of such corrected list, and in each odd-numbered year he shall certify the number of names on the list.

Honorably discharged soldiers exempt. Duty of assessors in taking enumeration.

Shall be ordered out when a requisition is made by the president. SEC. 2. When a requisition shall be made by the president of the United States for troops, the governor, as commander-in-chief, shall order into service the active militia or national guard of the state, or such portion thereof as may be necessary, and if insufficient so many of the remainder thereof as is required, designating the same by draft if a sufficient number shall not volunteer, and shall organize the same and commission officers therefor; and while so in service the militia shall be subject to the same regulations and receive from the state the same compensation and subsistence as the army of the United States receives.

Draft. Compensation.

In case of insurrection, etc., may be ordered out. SEC. 3. The commander-in-chief shall have power in cases of insurrection, invasion, or breaches of the peace, or imminent danger thereof, to order into the service of the state such of its military force as he may think proper and under the command of such officers as he shall designate.

Sheriff may call out any company in county. SEC. 4. In case of any breach of the peace, tumult, riot, or resistance to process, or imminent danger thereof, the sheriff of any county may call for aid upon the commanding officer of any military company within his county, immediately notifying the governor of such action, and such officer shall order into service the military force or any part thereof under his command, in aid of the civil authorities.

SEC. 5. The command of any force called into service under this chapter shall devolve upon the senior officer of such force, unless otherwise ordered by the commander-in-chief.

Senior officer to command.

SEC. 6. The active militia shall be designated "The Iowa National Guard," hereinafter referred to as "the guard," recruited by volunteer enlistments, and shall consist of four regiments of infantry and, at the discretion of the commander-in-chief, of two batteries of artillery and two troops of cavalry, with such other officers and enlisted men as are hereinafter prescribed.

"The Iowa National Guard."

How constituted.

SEC. 7. The guard shall be organized into not more than two brigades, each to be commanded by a brigadier-general, to which the commander-in-chief shall assign all regiments, battalions, and companies. All enlistments therein shall be for three years, and re-enlistments for one, two, or three years as the soldier may elect, and made by signing enlistment papers prescribed by the adjutant-general and taking the following oath or affirmation, which may be administered by the enlisting officer, to-wit: "You do solemnly swear (or affirm) that you will bear true allegiance to, and that you will support the constitution of the United States and that of the state of Iowa, and will, as a member of the Iowa National Guard, serve the State of Iowa faithfully during the term of service, unless sooner discharged, or you cease to become a citizen thereof; and that you will obey the orders of the commander in-chief and of such officers as may be placed over you; and the laws governing the military forces of Iowa."

Brigades.

Enlistment for three years.

Form of oath.

SEC. 8. The staff of the commander-in-chief shall consist of an adjutant-general, a quartermaster-general, an inspector-general, a commissary-general, a surgeon-general, a judge advocate-general, a general inspector of small arms practice, a chief of engineers, a chief signal officer, an assistant adjutant-general, a military secretary, and such other officers as he may think proper to appoint. The adjutant-general shall rank as a major-general and shall issue and transmit all orders of the commander-in-chief and shall keep a record of appointments of all officers commissioned by the governor, of all general and special orders and regulations, and of such matters as pertain to the organization of the military force and his duties.

Staff of commander-in-chief.

Duties of adjutant-general.

SEC. 9. The adjutant-general shall reside at the capital, and hold his office at the pleasure of the governor; except in times of war or public danger, he shall perform the duties of quartermaster-general; he shall have charge of the state arsenal and grounds and receive and issue all ordnance stores and camp equipage on the order of the commander-in-chief. He may appoint, with the approval of the governor, an ordnance-sergeant who shall under the direction of the adjutant-general take charge of the

Shall reside at state capital.

Acting quartermaster-general.

Custodian of state arsenal. state arsenal and grounds, and assist him in the discharge of his duties. The adjutant-general shall furnish at the expense of the state such blanks and forms as shall be approved by the commander-in-chief. He shall, in each odd-numbered year, make out a detailed report for the preceding two years of the transactions of his office, the expenses thereof, and such other matters as shall be required by the governor, who may at any time require a similar report.

Adjutant-general to furnish blanks. Biennial report.

Election of brigade commanders. SEC. 10. The commander of each brigade shall be elected by the officers and enlisted men thereof, and shall hold his office for five years, or until he is discharged or is removed by court-martial. On recommendation of the brigade commander, the governor shall appoint and commission the following brigade staff: An assistant adjutant-general, with rank of lieutenant-colonel; a surgeon, with rank of lieutenant-colonel; an assistant inspector-general, with rank of major; a judge advocate, with rank of major; an inspector of small arms practice, with rank of major; an engineer and signal officer, with rank of major; a quartermaster, with rank of captain; a commissary of subsistence, with rank of captain; and two aids-de camp, with rank of first lieutenant, and such other officers as the commander-in-chief may think proper. The brigade commander of each brigade shall appoint by warrant, countersigned by the assistant adjutant-general, such non-commissioned staff officers as the commander-in-chief may think proper, and may enlist two men to serve as orderlies.

Brigade staff. Rank.

Non-commissioned brigade staff.

Number of companies to a regiment. Election of field officers.

SEC. 11. A regiment shall consist of not less than eight nor more than twelve companies. Each field officer of each regiment shall be elected by the officers and enlisted men thereof, and shall hold his office for five years, or until he is discharged or is removed by court-martial.

Regimental staff.

Rank.

SEC. 12. The regimental staff shall be appointed and commissioned by the governor on recommendation of the regimental commander, and shall consist of a surgeon, with rank of major; an adjutant, with rank of captain; an inspector of small arms practice, with rank of captain; an assistant surgeon, with rank of captain; a chaplain, with rank of captain; a quartermaster with rank of first lieutenant; and such other officers as the commander-in-chief may think necessary. The commander of each regiment shall appoint by warrant, countersigned by the adjutant, the non-commissioned staff, consisting of a sergeant-major, a quartermaster-sergeant, a commissary-sergeant, a hospital-steward, a color sergeant, an ordinance-sergeant, a drum-major, a chief musician, a chief trumpeter, and such other non-commissioned staff officers as the commander-in-chief may think necessary. The commissions of staff officers shall expire when the officer nominating

Non-commissioned regimental staff.

Expiration of commissions.

them, or his successor, shall make new nominations for their respective offices, and such nominations shall be confirmed by the commander-in-chief.

SEC. 13. The adjutant-general may cause to be enlisted and organized a band which shall be composed of a chief musician, a drum-major, and not more than thirty-six musicians, under the leadership of such chief musician, and under the command of the adjutant-general, for such military duty as the commander-in-chief may direct. Each regimental commander may cause to be enlisted and organized a band under the leadership of the chief musician of his command, not to exceed twenty-two in number, which shall be subject to the orders of such leader, and under the command of the regimental commander. The members of such bands shall be subject to the same regulations as other enlisted men.

Band under command of adjutant-general.

Regimental bands.

SEC. 14. A company shall consist of a captain, a first lieutenant, a second lieutenant, five sergeants, four corporals, two musicians, and not less than forty nor more than sixty-four privates and non-commissioned officers. A company of cavalry or artillery shall have the same officers and a commissary sergeant, a quartermaster-sergeant, and a saddler-sergeant. The regimental commander, on the recommendation of the captain, shall appoint the non-commissioned officers of each company, by warrant countersigned by the adjutant.

A company. Officers. Enlisted men.

Cavalry and artillery companies.

Non-commissioned officers of company.

SEC. 15. All elections of line officers shall be ordered by the regimental commander. All elections of field and general officers shall be ordered by the commander-in-chief. Such orders shall be sent to the commanding officer of the company in which said election is ordered, who shall issue his order for such election, giving at least six days' notice thereof by posting in three public places accessible to the members of his command, and where practicable the same shall be published in one or more newspapers in the county where said company is located. All voting shall be in person and by ballot, and a majority of all votes cast shall elect. The senior officer present at such election shall preside. The returns of elections attested by the presiding officer shall be made within five days from the date thereof to the commanding officer of the regiment, who shall promptly forward the same through military channels to the adjutant-general, who upon approval by the commander-in-chief shall issue commissions accordingly. At the organization of a new company the election shall be conducted under such regulations as the adjutant-general shall prescribe.

Election of line officers.

Election of field and general officers.

Form of election.

Returns of election.

Organization of a new company; election.

SEC. 15. Every company and regiment may make chapters for its own government not in conflict with this chapter and general orders or regulations.

By-laws.

SEC. 17. Every officer and soldier of the guard shall be held to duty for the full term of his commission or

Held for duty unless discharged.

- enlistment from the time he becomes an active member thereof unless regularly discharged for good and sufficient cause by the regimental commander, approved by the commander-in-chief. All members thereof, serving the full term for which they are commissioned or enlisted in the guard shall, on application, be entitled to an honorable discharge exempting them from military duty except in time of war or public danger.
- Full term of service entitles honorable discharge; exempts from further duty.** SEC. 18. The guard may parade for encampment or drill not less than three nor more than ten days annually, by company, battalion, regiment, or brigade as ordered by the commander-in-chief.
- Encampments.** SEC. 19. The quartermaster general shall provide transportation to and from the encampments and points of active service. The commissary-general, under the direction of the commander-in-chief, shall provide for all forces so engaged subsistence to conform as nearly as practicable to the rations prescribed for the army of the United States, and to be issued in kind.
- Transportation and subsistence.** SEC. 20. The organization, equipment, discipline, and military regulations of the guard shall conform to the regulations for the government of the army of the United States, except as otherwise provided. The commander-in-chief may at any time change the organization of regiments, battalions, or companies so as to conform as nearly as practicable to the organization of the United States army, or that prescribed by the authorized military authority of the United States, or by authority of congress.
- Military regulations.** SEC. 21. The commanding officer of any force of the guard in active service, or at any encampment, may require those under his command to perform any field or camp duty.
- Field and camp duty.** SEC. 22. Any person who shall trespass on the encampment grounds, or the camp grounds of the guard in active service, or interrupt, molest, or interfere with any member of the guard in the discharge of his duties, or sell any malt, spirituous, or other intoxicating liquors within one mile of such encampment or camp, except under permit issued by the district or superior court, shall be guilty of a misdemeanor, and the commanding officer of such force may order the arrest of such person and cause him to be delivered to a peace officer or magistrate as soon as practicable.
- Trespass on camp grounds.** SEC. 23. The commander-in-chief may, whenever the exigencies of the public service require it, detail any officer or soldier for special duty, and the expenses and proper compensation therefor may be paid under such provisions as the commander-in-chief may prescribe. The regimental commander may order monthly or semi-monthly day or evening drills by the companies of his command, but the members shall receive no compensation therefor.
- Sell liquors.**
- Penalty.**
- Details for special duty.**
- Company drill.**

SEC. 24. Upon the organization of any company or regiment of the guard, on the requisition of its commanding officer and the approval of the governor, the adjutant-general shall issue necessary arms and ammunition, and the commanding officer shall deliver to the adjutant-general a bond therefor, payable to the state in sufficient amount, with sureties to be approved by the governor, conditioned for the proper use, and upon request of the proper officer for its return in good order, wear, use, unavoidable loss, and damage excepted. All arms shall be kept at the company or regimental armory.

New company or regiment to receive arms and ammunition.

Bond.

SEC. 25. Such inspections and schools of instruction for officers and non-commissioned officers of the guard shall be held as the commander-in-chief may from time to time direct.

Inspection.

SEC. 26. Any officer or soldier of the guard knowingly making any false certificate or false return of state property in his hands, or wilfully neglecting or refusing to apply all money drawn from the state treasury for the purpose named in the requisition therefor, shall be punished by imprisonment in the penitentiary not exceeding five years, or by fine in the amount of the money not so applied, or by both such fine and imprisonment.

Making false certificate or return punished.

SEC. 27. The guard shall adopt the uniform of the army of the United States, subject to such modifications as shall be prescribed by the commander-in-chief. The field, staff, and line officers thereof shall provide themselves with the uniform prescribed for officers of the same rank in the United States army within ninety days from the date of commission.

Uniform.

SEC. 28. Every member of the guard who shall wilfully neglect to return to the armory of the company, or place in charge of the commanding officer of the company to which he belongs, any arms, uniform, or equipment, or portion thereof, belonging to the state, within six days after being notified by said commanding officer to do so, shall be fined not more than fifty dollars or imprisoned not more than thirty days.

Penalty for neglect to return arms and uniforms to armory.

SEC. 29. Every soldier absent from any tour of active service, parade, drill or encampment, without leave or sufficient excuse, shall be fined two dollars for each day of absence; and for any unsoldierly conduct during any such service he may be fined not more than ten dollars. Such fines shall be collected by civil action, in the name of the state, for the use of the company to which the soldier fined belongs; but in no case shall the state pay the costs of such actions. Any company or band may impose such fines upon its members as it may think proper in its by-laws, which may be enforced in the manner above provided.

Penalty for absence from drill or encampment.

SEC. 30. A judge-advocate with the rank of major shall be appointed for each brigade who shall hold office

Appointment and duty of

judge-advocate general. during the pleasure of the commander-in-chief, and who shall perform the usual duties of such officer in the courts-martial held in his district. No other person shall prosecute in such courts; but when he shall be unable to attend, or shall be disqualified by interest or relationship, the commander-in-chief may designate the judge-advocate of another brigade to act in his place.

Trial by court-martial. SEC. 31. Any member of the guard charged with a military offense as defined in this chapter or in the articles of war and general regulations governing the army of the United States, or any regulations promulgated by the commander-in-chief under authority of this chapter, may be tried by a general court-martial ordered and appointed by the commander-in-chief. The organization of the court and the forms of procedure shall, as far as practicable, be those prescribed in said articles of war and regulations.

Organization of court. Sentence by court. The punishment fixed in the sentence shall not be other than dismissal or dishonorable discharge from the service, reduction to the ranks of a non-commissioned officer, suspension from duty and forfeiture of compensation, or confinement for a period named in the sentence, or reprimand according to the gravity of the offense.

Witnesses. Witnesses duly served with subpoenas, signed by the judge-advocate, shall appear and testify as if duly served with subpoenas to appear and testify in the district court, and shall receive the same fees and mileage therefor, to be taxed as costs, which, with other necessary expenses of the judge-advocate and the court shall be taxed and certified by the president of the court-martial and paid by the state treasurer upon the auditor's warrant issued therefor to the judge-advocate, who shall pay the expenses of the trial.

Inferior court-martials. SEC. 32. Inferior courts-martial are hereby authorized and the constitution, composition, jurisdiction, and proceedings thereof shall be assimilated to courts of the same nature in the army of the United States, but no stoppage of pay or confinement shall exceed that which can be imposed by a general court-martial.

Proceedings of court-martials submitted to commander-in-chief. SEC. 33. The proceedings of all general courts-martial shall be submitted to the commander-in-chief, who shall approve or disapprove the same, or he may mitigate or remit any punishment imposed by the sentence of said court. The proceedings of inferior courts-martial shall be approved or disapproved by the commanding officer on the field of service, who may in like manner mitigate or remit the punishment fixed in the sentence. In all cases, the record of the proceedings of a court-martial, with the order of the commander-in-chief or commanding officer accompanied therewith, shall be deposited and preserved as a permanent record in the office of the adjutant-general.

Records of court-martial preserved by adjutant-general.

SEC. 34. An examining board of three or more competent officers appointed by the commander-in-chief shall convene at such times and places as he shall direct, whose duty it shall be to examine into the capacity, qualifications, propriety of conduct, and efficiency of commissioned officers who shall be ordered before it; and upon the report of said board, if adverse to such officer and approved by the commander-in-chief, the commission of such officer shall be vacated. No officer shall be eligible to sit on such board whose rank or promotion would in any way be affected by the proceedings; and two members at least shall be of equal or superior rank to the officer examined. If any officer shall refuse to report himself before said board when directed, the commander-in-chief may, upon the report of such refusal by such board, vacate his commission.

Examining board.

Duty of board.

Eligibility of members.

SEC. 35. It shall be unlawful for any body of men other than the regularly organized volunteer militia of this state and the troops of the United States, to associate themselves together as a military company or organization, or drill, or parade within the limits of this state without the written permission of the governor, which he may at any time revoke, but this provision shall not prevent social or benevolent organizations from wearing swords.

Unlawful for other than regular organized militia to organize.

Not to apply to benevolent societies.

SEC. 36. Every soldier of the guard shall keep himself provided with a uniform prescribed by law, and subject to such restrictions and changes as the commander-in-chief may direct. Uniforms in kind may be issued by the state under such provisions as the commander-in-chief may direct, or in lieu thereof there may annually be paid to each officer and soldier of the guard the sum of four dollars to be paid under like provisions, but in no event shall the state be liable for the payment of any money in lieu of uniforms, or for any purpose contemplated in this chapter, unless such payment can be made without exceeding the annual appropriation provided by this chapter.

To provide uniform.

Uniforms may be issued by state.

Price of uniforms.

SEC. 37. All uniforms and other military property shall belong to the state, for military purposes only, and each officer and soldier, upon receiving a discharge or otherwise leaving the military service of the state, or upon demand of his commanding officer, shall forthwith surrender his uniform and all other articles of military property in his possession to said commanding officer.

Uniforms to belong to state.

SEC. 38. There shall be allowed annually for postage, stationery, and office incidentals to each brigade headquarters the sum of twenty-five dollars, to each regimental headquarters the sum of twenty-five dollars, and to each company headquarters the sum of ten dollars.

Postage, etc.

- Armory rent, etc. SEC. 39. There shall be allowed annually to each company and band for armory rent, fuel, lights, and like necessary expenses the sum of one hundred dollars.
- Regulations. SEC. 40. The commander-in chief is authorized to make and publish regulations for the government and discipline of the guard not in conflict with existing laws.
- Disband company when below standard. SEC. 41. The commander-in-chief shall disband any company of the guard when it shall fall below a proper standard of efficiency, and he may order special inspections with a view to determining such efficiency.
- Construction of word "soldier." SEC. 42. In this chapter the word "soldier" shall include musicians and all persons in the guard or in the militia when called into service, except commissioned officers, and the word "company" shall include battery of artillery and troop of cavalry.
- Medical staff. SEC. 43. The medical staff of the guard shall have charge of that branch of the service under the supervision of the surgeon-general.
- Surgeon may draw supplies. SEC. 44. A surgeon in charge in the field or at an encampment may make requisition on the quartermaster-general for such medical supplies as may be needed, for which he shall account on forms provided by the quartermaster-general.
- Surgeon general. SEC. 45. The surgeon-general may prescribe the necessary forms and blanks for the work of his department; and all subordinate surgeons of the guard shall obey his orders and report, as often as he may prescribe, the transactions of their departments.
- Loan arms to military schools. SEC. 46. Subject to such regulations as the governor may direct, the adjutant-general may loan the surplus arms and accouterments of the state to military schools and colleges in good standing within the state which include military drill in their course of instruction, but when any arms or accouterments are delivered to such an institution the proper officers thereof shall deliver to the adjutant-general a bond to the state in such amount and with such sureties as the governor approves, conditioned for the proper use of such arms and accouterments and the return of the same in good order, wear and use excepted, upon the request of the adjutant-general.
- Exemption on account of military duty. SEC. 47. Every officer and soldier of the guard shall be exempt from jury duty and poll tax during his term of service, and except in cases of treason, felony, or breach of the peace be privileged from arrest during his attendance at drills, parades, encampments, active service, the election of officers, and in going to or returning from the same. The uniform, arms, and equipments of every member of the guard shall be exempt from attachment, execution, or sale for debt or taxes.
- Penalty for injuring military property. SEC. 48. Every person who shall wilfully or wantonly injure or destroy any article of uniform, arms, equipment, or other military property of the state, and refuse to make

good such injury or loss, or who shall sell, dispose of, secrete, or remove the same with intent to sell or dispose of it, or shall unlawfully break or enter any armory or place where any such arms or equipments are kept or stored with the intent to remove the same therefrom, shall be punished by a fine not exceeding two hundred dollars, or imprisonment in the county jail not exceeding two months or by both fine and imprisonment.

SEC. 49. The adjutant-general shall receive an annual salary of fifteen hundred dollars, and if an ordnance-sergeant is appointed under the provisions of this chapter he shall receive an annual salary not to exceed five hundred dollars, the amount to be fixed by the adjutant-general.

Salary of adjutant-general.

SEC. 50. Such clerical assistance shall be employed in the adjutant-general's office as shall, in the opinion of the governor be actually necessary, and any person so employed shall receive for the time actually and necessarily on duty such compensation as the governor may prescribe.

Clerical assistance for adjutant-general.

SEC. 51. The military force, when in the active service of the state in time of insurrection or invasion, or immediate danger thereof, shall be paid the following compensation for every day actually on duty: Each general, field, and staff officer, four dollars; every other commissioned officer, two and one-half dollars; every non-commissioned officer, two dollars; every other enlisted man, one and one-half dollars; and necessary transportation, subsistence, and quarters; the same to be paid out of any money specially appropriated for that purpose. When in actual service of the state, in case of riot, tumult, or breach of the peace, or imminent danger thereof, pursuant to the order of the governor, they shall receive the same compensation, transportation, subsistence, and quarters out of the state treasury, and for such services rendered upon the call of the sheriff they shall receive the same compensation, transportation, subsistence, and quarters from the treasury of such county, claims being audited and allowed in the former cases by the executive council and in the latter by the board of supervisors at its next session.

Compensation of officers and enlisted men when in actual service.

SEC. 52. For the time spent in each annual encampment or drill, compensation to be paid under such provisions as the commander-in-chief may direct, and graded according to length of continuous service therein shall be allowed as follows: To each officer and soldier of less than three years' continuous service, one dollar per day; to each officer and soldier of more than three and less than five years' continuous service, one and one-half dollars per day; to each officer and soldier of more than five years' continuous service, two dollars per day.

Compensation when attending drills and encampments.

\$45,000 appropriated annually.

SEC. 53. There is appropriated out of any moneys in the treasury not otherwise appropriated the sum of forty-five thousand dollars per annum or so much thereof as may be necessary for the support of the guard under the provisions of this chapter not applying to active service, which shall be drawn by warrants drawn by the auditor of state on the state treasurer, upon certificates of the adjutant-general approved by the governor, showing for what purpose each draft is to be or has been used, and no indebtedness shall be created in excess of such annual appropriation.

Approved April 10, 1896.

CHAPTER 103.

H. F. 503.

AN ACT to, provide additional support for the Iowa National Guard.

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

\$5,200 appropriated for armory rent, etc., for Iowa National Guard.

SECTION 1. For the purpose of carrying out the provisions of chapter 74 of the laws of the 18th G. A. there is hereby made an annual appropriation, in addition to the appropriations heretofore made, the sum of five thousand two hundred dollars (\$5,200); said sum shall be for the purpose of providing additional allowance to the companies and bands of the Iowa National guard for armory, rent, fuel, light, and necessary expenses, out of any money in the state treasury not otherwise appropriated; and the auditor of state is hereby authorized to draw warrants upon the state treasurer upon the certificate of the adjutant approved by the governor.

Approved April 10, 1896.

CHAPTER 104.

S. F. 17.

A BILL for an act to repeal sections one (1) and two (2) of chapter eighty-five (85) of the acts of the Twenty-second General Assembly, as amended by chapter eighty-two of the acts of the Twenty-fifth General Assembly, relating to the rights of aliens and to enact the following in lieu thereof.

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

Secs. 1 and 2, ch. 85, 22 G. A., amended

SECTION 1. Sections one (1) and two (2) of chapter eighty-five (85) of the acts of the Twenty-second (22) General Assembly as amended by chapter eighty-two (82) of the acts of the Twenty-fifth (25) General Assembly are hereby repealed and the following enacted in lieu thereof:

Non-resident aliens and corporations prohibited from owning real estate under certain conditions.

SEC. 2. Non-resident aliens, or corporations incorporated under the laws of any foreign country, or corporations organized in this country, one-half of the stock of which is owned or controlled by non-resident aliens, are prohibited from acquiring title to or holding any real estate in this state, except as hereinafter provided, save

that the widow and heirs and devisees being non-resident aliens of any alien or naturalized citizen who has acquired real estate in this state, may hold the same by devise, de(s)cent, or distribution, for a period of twenty years, and if at the end of that time such real estate has not been sold to a bona fide purchaser for value, or such alien heirs have not become residents of this state, such land shall escheat to the state. *Provided*, that nothing in this act contained shall prevent aliens from having or acquiring property of any kind within the corporated limits of any city or town in the state or lands not to exceed three hundred and twenty acres in the name of one person or any stock in any corporation for pecuniary profit or from alienating or devising the same. The provisions of this chapter shall not affect the distribution of personal property and shall apply to real estate heretofore devised or descended when no proceedings of forfeiture have been commenced.

Present owners may hold twenty years.

Proviso allowing ownership of city lots and 320 acres of land.

Not to affect personal property.

Approved April 14, 1896.

CHAPTER 105.

AN ACT requiring that juvenile prisoners be kept apart from older offenders. S. F. 24.

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

SECTION 1. It shall be the duty of wardens of penitentiaries to keep prisoners under eighteen years of age separate from those above said age, when said prisoners are not engaged in work under the personal supervision of the warden or those having them in charge:

Prisoners in penitentiary under 18 years to be kept from older ones when not at work.

Provided, that any prisoner under said age of eighteen who is likely to, or does, exercise an immoral influence over those with whom he is associated may, at the discretion of the warden, be placed in any apartment provided for prisoners above said age.

Prisoners under 18 years may be kept with older in certain cases.

SEC. 2. It shall be the duty of sheriffs, city marshals, and chiefs of police to keep prisoners in their charge under eighteen years of age separate from those above said age when not under the personal supervision of the sheriff or custodian of said prisoners;

Sheriffs and others to keep prisoners under 18 years separate.

Provided, suitable buildings or jails are now or may hereafter be provided for that purpose; and

Provided, suitable jails are provided.

Provided further, that the sheriff, city marshal, or chief of police may at his discretion place any prisoner under said age who is likely to or does exercise an immoral influence over those with whom he is associated in the apartments provided for prisoners above said age.

Sheriffs may place prisoners under 18 years with older in certain cases.

SEC. 3. The separation of prisoners provided for in sections 1 and 2 of this act shall be such as to prevent personal communication between said two classes of prisoners.

Such separations as will prevent personal communication.

Penalty for failure of officer to perform duty.

SEC. 4. Any warden, sheriff, city marshal, or chief of police who shall neglect, fail, or refuse to discharge and perform the duty imposed upon him by this act, without just cause or excuse, may be suspended and removed from office as provided by law.

Approved April 8, 1896.

CHAPTER 106.

H. F. 39. AN ACT repealing section 3959 of the Code of Iowa, and enacting a substitute therefor, relative to breaking jail.

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

Sec. 3959 of code repealed.

SECTION 1. That section thirty-nine hundred and fifty-nine be and the same is hereby repealed, and the following enacted in lieu thereof.

Offense for breaking and escaping from jail.

“If any person confined in a county jail upon any criminal charge, either before or after conviction for a criminal offense, break such jail and escape therefrom, he shall be imprisoned in such jail not exceeding one year, and fined not exceeding three hundred dollars;

If convicted of original charge, imprisonment to begin on completion of sentence for jail breaking.

Provided, that when such jail breaking occurs during incarceration after conviction or before trial for a criminal offense whereof he is afterwards convicted, in either of such cases, the sentence to commence from and after the expiration of the sentence upon the original charge.

Approved Mar. 17, 1896.

CHAPTER 107.

S. F. 37. AN ACT to amend section 2178 of the Code, in relation to the sale of property by carriers and others for charges.

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

Sec. 2178 of code amended.

SECTION 1. That section 2178 of the Code of 1873 be so amended as to read as follows: That if any personal property shall for three months remain in possession, unclaimed, by any of the persons named in the preceding section, with the just and legal charges unpaid thereon, including car service, the person having charge of the same may, in case the whereabouts of the owner or consignee is not known, go before the nearest justice of the peace and make affidavit, stating the time and place where such property was received, the marks or brands by which same is designated, if any, and if not then such other description as may best answer the purposes of indicating what the property is and shall state the probable value of the same, to whom consigned, also the charges paid thereon, accompanied by a copy of the original receipt for such charges, and a copy of the bill of lading, if one was issued, also the other charges, if any due and unpaid, and

Unclaimed personal property with unpaid charges.

Owner unknown. Possession; furnish justice of peace with description of property with bill of charges.

that the whereabouts of the owner or consignee of such goods is not known to affiant; which affidavit shall be filed by such justice of the peace in his office for the inspection of any person interested in the same, and he shall also enter in his estray book a statement of the contents of the affidavit, and the time and place, where, and by whom the same was made. In case the whereabouts of the owner or consignee is known, the person having the property above mentioned in possession shall, before the expiration of three months from receipt of goods, give notice to such owner or consignee of said fact, and shall also make an affidavit to same, together with description of property before a justice of the peace, and the justice shall make a statement of contents of the affidavit in estray book. In either case above mentioned the justice shall order the property sold as provided in the next section.

Make affidavit.

Justice make entry in estray book.

Give notice to known owner.

Property sold.

SEC. 2. All acts or parts of acts inconsistent with this act are hereby repealed.

Approved April 8, 1896.

CHAPTER 108.

AN ACT fixing the burden of proof in a certain class of actions against telegraph companies. S. F. 219.

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

SECTION 1. In any action against any telegraph company for damages caused by erroneous transmission of telegram or by unreasonable delay in delivery of telegram, negligence on part of telegraph company shall be presumed upon proof of erroneous transmission or of unreasonable delay in delivery, and the burden of proof that such error or delay was not due to negligence upon its part shall rest upon such company;

Action against telegraph company for negligence.

Burden of proof.

Provided, that no action for the recovery of such damages shall be maintained unless a claim therefor is presented in writing to such company, officer or agent thereof, within sixty days from the time cause of action accrues.

No action unless claim be presented in writing in sixty days.

Approved April 30, 1896.

CHAPTER 109.

AN ACT to provide for a general levy for state purposes. S. F. 453.

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

SECTION 1. That there shall be raised by levying a tax by valuation upon the assessed taxable property of the state, the following sums for the purposes hereinafter set forth:

Tax levied for general state purposes.

For general state purposes, to be designated as the general revenue fund, the sum of one million, four hundred thousand dollars (\$1,400,000) upon the assessed value of

property for the year A. D. 1896, and one million, four hundred thousand dollars (\$1,400,000) upon the assessed value of property for the year A. D. 1897, in lieu of the two mill tax.

State board to compute the rate per cent.

SEC. 2. The state board of equalization shall annually compute the rate per cent. required to produce the above amount, anything in any other act providing a different manner of ascertaining the amount of revenue to be required to be levied for state purposes to the contrary notwithstanding; and when so ascertained the auditor of state shall certify to the county auditors the proper rate per cent. thereof, and also such definite rates for other purposes as are now or may hereafter be provided by law, to be levied and collected as state taxes; and all laws or parts of laws in conflict are hereby repealed.

Auditor of state to certify to the county auditor.

SEC. 3. 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 in the Des Moines Leader, newspapers published at the city of Des Moines, Iowa.

Approved April 14, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, May 1, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 110.

S. F. 6.

AN ACT tendering to the United States jurisdiction over certain Indians residing in Iowa, and over their lands, and the privilege of purchasing land in Tama county for Indian school purposes.

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

United States to have the jurisdiction of lands owned by Indians.

SECTION 1. That, except as hereinafter provided, exclusive jurisdiction of the Sac and Fox Indians residing in Iowa and retaining the tribal relation, and of all other Indians dwelling with them, and of all lands now or hereafter owned by or held in trust for them as a tribe, be and the same is hereby tendered to the United States, and that, as soon as the United States shall accept and assume such jurisdiction, all such jurisdiction on the part of the state of Iowa shall cease.

United States may purchase lands for schools.

SEC. 2. Consent is hereby given to the United States to purchase any land in Tama county to be used for and in connection with any school or schools to be established and managed by federal authority for the education of said Indians.

Courts may exercise jurisdiction in criminal cases.

SEC. 3. Nothing contained in this act shall be so construed as to prevent on any of the lands referred to in this act the service of any judicial process issued by or returnable to any court of this state or judge thereof, or to prevent such courts from exercising jurisdiction of crimes against the laws of Iowa committed thereon either by said

Indians or others, or of such crimes committed by said Indians in any part of this state, or to prevent the establishment and maintenance of highways and the exercise of the right of eminent domain under the laws of this state over lands now or hereafter owned by or held in trust for said Indians, or to prevent the taxation of said lands for state, county, bridge, county road, and district road purposes, and such other purposes as the general assembly may from time to time by special statute provide.

Lands may be taxed.

SEC. 4. This act being of immediate importance shall take effect from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers printed and published in Des Moines, Iowa.

Approved Feb. 14th, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, February 20, and Des Moines Leader, February 19, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 111.

AN ACT granting consent to the purchase by the United States of S. F. 44 certain lands, and jurisdiction over the same.

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

SECTION 1. That, pursuant to article one, section eight, clause seventeen, of the Constitution of the United States, consent to purchase is hereby given, and exclusive jurisdiction ceded, to the United States, over and with respect to any lands within the limits of this State, which shall be acquired by the United States for any of the purposes described in said clause of the Constitution of the United States; said jurisdiction to continue as long as the said lands are held and occupied by the United States for public purposes: Reserving, however, to this State a concurrent jurisdiction for the execution upon said lands of all process, civil or criminal, lawfully issued by the courts of the State, and not incompatible with the cession. Provided, that an accurate map or plan, and description by metes and bounds, of said lands, shall be filed in the County Auditor's office of the county in which the same are situate: and Provided, that the State reserves the right to tax all property of any railroad or other corporation having a right of way or location over or upon the said lands.

United States may acquire lands.

State to retain jurisdiction.

Map of said land to be filed with county auditor.

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

Approved Feb. 14th, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, February 20, and the Des Moines Leader, February 19, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 112.

H. F. 329. AN ACT releasing and granting to the city of Dubuque title to certain lands.

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

SECTION 1. That there be and is hereby granted and released to the city of Dubuque all the right, title, and interest vested in the state of Iowa in and to the lands, islands, and in the beds of lakes, sloughs, and ponds of water within so much of sections seventeen (17) and eighteen (18) in township eighty-nine (89) north, of range three (3) east of the 5th principal meridian as lies east of a line commencing at a point where the south line of said section eighteen (18) intersects with the west meandered line of the west shore of Lake Peosta, thence northerly along the meandered line of the west shore of said lake to the north line of said section eighteen (18) as shown by and in accordance with the survey made and recorded by the government of the United States, *provided*, however, nothing in this act shall affect the rights of private individuals holding title from the general government or from this state.

City of Du-
buque to have
lands on west
shore of Lake
Peosta.

SEC. 2. This act shall in no manner limit or impair the jurisdiction of the state of Iowa upon or over the lands and territory hereby granted and released.

Approved Apr. 4 1896.

CHAPTER 113.

S. F. 39. AN ACT to relieve the Asylum for Destitute and Orphaned Children at Andrew, Iowa, from its indebtedness to the State.

WHEREAS, The Fourteenth General Assembly of the State of Iowa did pass an act loaning to the Asylum for Destitute and Orphaned Children, located at Andrew, Jackson county, Iowa, an incorporation for charitable purposes, the sum of five thousand dollars without interest; and

WHEREAS, Said institution has done and is doing great good in furnishing homes to destitute and orphaned children of the state, and at the present time has fifty-six inmates coming from fifteen counties of the state, where they are maintained without expense to the public or the state; therefore,

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

SECTION 1. That the loan from the State of Iowa to the Asylum for Destitute and Orphaned Children at

Andrew, Iowa, of five thousand dollars by the Fourteenth General Assembly, be and the same is hereby donated by the state to the said Asylum for Destitute and Orphaned Children, and they are hereby relieved from the payment of the same to the state. The Andrew Orphan Asylum to be relieved from payment of loan to state.

SEC. 2. It is hereby made the duty of the auditor of state to cancel and surrender to said asylum any and all obligations of said asylum which the state may hold for said loan, and if the mortgage given to secure said loan has been made a matter of record, then and in that event the said auditor shall satisfy said mortgage of record. Auditor of state to cancel loan.

Approved Feb. 14th 1896.

CHAPTER 114.

AN ACT to levy a tax to provide for the erection of necessary buildings for the State university of Iowa. H. F. 188.

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

SECTION 1. That for the purpose of providing for the erection, improvement, and equipment of such necessary buildings as shall be determined upon by the board of regents of the state university there shall be levied a special tax of one-tenth (1-10) of a mill on the dollar upon the assessed valuation of the taxable property of the state for the erection of buildings for the state university; and the proceeds thereof shall be carried into the treasury to the credit of said state university, said levy to commence with the first levy made after the passage of this act; the same levy shall be made annually after said first levy for four (4) successive years. Any amount in excess of the sum of fifty-five thousand dollars raised by any one of such levies shall be paid into the state treasury. Tax of one-tenth of a mill for erection of buildings. Levy to commence with the first levy made after passage of law.

SECTION 2. The money realized from such a levy shall be held by the treasurer of state; and drawn as provided in chapter 31 of the acts of the Twenty-third General Assembly. Money to be held by state treasurer.

SECTION 3. The amounts so realized by said levies shall be in lieu of all appropriations for the erection of buildings for said state university during said period of five years.

Approved Mar. 17th, 1896.

CHAPTER 115.

S. F. 451. AN ACT authorizing the executive council to purchase or condemn a site on which to erect a memorial, historical, and art building, to procure plans and specifications therefor, and take other preliminary steps toward its construction, and making an appropriation therefor.

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

Executive] SECTION 1. That the executive council is hereby author-
council to] ized and empowered to purchase or procure by condem-
procure site.] nation, in the name of the state, real property adjacent to
the capitol building and grounds in Des Moines, Iowa, on
which to erect a memorial, historical, and art building.

Building to be] SEC. 2. The executive council shall, after the purchase
used for his-] of the site for such building, procure suitable plans,
torical art] detailed drawings, and specifications for the construction
collections.] of a fireproof building on such site, and, when built, to be
used for the accommodation and preservation of the
historical art collections, library, and museum of the
historical department now owned by the state, and for the
accommodation and preservation of such other libraries
and collections as may be placed in the custody and con-
trol of said historical department.

Future needs] In the adoption of any plan for such building, the
to be consid-] executive council shall take into consideration the future
ered.] needs of the state, and shall adopt a plan which will readily
admit of such enlargements as may be required in the
future.

Money to] SEC. 3. There is hereby appropriated out of any moneys
carry out the] in the treasury, not otherwise appropriated, the sum of
provisions] twenty-five thousand dollars (\$25,000) to carry out the
of act.] provisions of this act; and should there be any of this
appropriation remaining unexpended, after the purchase
of the site and the procurement of plans and specifications,
the executive council may use the same in such preliminary
preparation as they may deem necessary, looking toward
the construction of said building.

SEC. 4. This act, being deemed of immediate impor-
tance, shall take effect and be in force from and after its
publication in the Iowa State Register and the Des Moines
Leader, newspapers published in Des Moines, Iowa.

Approved April 17, 1896.

I hereby certify that the foregoing act was published in the Iowa
State Register, May 7, and Des Moines Leader, May 6, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 116.

AN ACT to provide for the celebration of the semi-centennial of the admission of Iowa into the union. S. F. 395.

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

SECTION 1. That there shall be appointed by the governor as soon after the passage of this act as may be practicable a commission of three persons, who shall serve without compensation, to arrange for, and in conjunction with a local committee to have charge of, an appropriate celebration of the semi-centennial of the admission of Iowa as a state of the union. Committee appointed by the governor.

SEC. 2. Such celebration shall be held at Burlington, to commence not earlier than Sept. 10th, 1896; provided that not less than ten thousand (10,000) dollars, in addition to the state appropriation, shall be raised therefor by subscription or otherwise, the payment of which shall be guaranteed to the satisfaction of the said commission. Celebration be held at Burlington in 1896.

SEC. 3. The sum of ten thousand (10,000) dollars is hereby appropriated to be paid from the state treasury out of any funds not otherwise appropriated, upon the order of the commission in such sums and at such times as shall be approved by the executive council, to defray the expenses authorized by the said commission, which shall make a full and complete report of all expenditure of said funds. Money to be paid on order of the commission.

SEC. 4. This act being deemed of immediate importance shall be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers of general circulation published at Des Moines, Iowa.

Approved April 17, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, May 1, and Des Moines Leader, April 25, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 117.

AN ACT to aid in bringing the Iowa reports of the Iowa Supreme Court Decisions up to date, and providing compensation therefor. S. F. 257.

WHEREAS, The Iowa reports were over a year behind the decisions of the Supreme Court when the present reporter came into office; and

WHEREAS, there is now lying in the treasury Fifteen hundred dollars of the salary of the last reporter which was withheld because certain reports belonging to his term were not prepared by him; and

WHEREAS, the courts and lawers of the State are seriously hampered and put to extra expense when the official reports are delayed for any considerable time, and the present reporter will be compelled to prepare reports which reports should have been completed before he came into office; now, therefore,

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

Reporter to bring reports up to date.

SECTION 1. That B. I. Salinger shall prepare such of the Iowa reports as do not, equitably, belong to his term of office, and that, for so doing, he shall be paid the sum of eight hundred dollars as full payment for such service out of any moneys not otherwise appropriated.

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

Approved April 14, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 29, and Des Moines Leader, May 1, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 118.

H. F. 481.

AN ACT to provide for a proper recognition of the battleship Iowa.

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

Statement of expense to be filed with auditor.

SECTION 1. There is hereby appropriated the sum of five thousand dollars, or so much thereof as may be necessary, for the purpose of procuring a silver service for the battleship "Iowa;" the same to be expended under the direction of the executive council.

SEC. 2. Vouchers for all disbursements of the moneys appropriated by this act shall be taken by the officers making such disbursements, and the same shall be filed with the auditor of state; and a complete statement of the expenditures under this act shall also be filed with the auditor.

SEC. 3. 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 the Des Moines Leader, newspapers published at Des Moines.

Approved April 17, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 24, and Des Moines Leader, April 25, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 119.

AN ACT to authorize the executive council to sell and convey a part of the lands purchased by the state for the use of the Iowa State Agricultural Society in Polk county, Iowa, under the provision of chapter 199 of the 20th General Assembly, and to purchase other lands for the use of said society. H. F. 191.

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

SECTION 1. That the executive council be and is hereby authorized and empowered to sell and make conveyance to the purchaser thereof, not to exceed one hundred acres on the east part of the tract of land heretofore purchased by the state of Iowa for the use of the State Agricultural Society, in accordance with chapter 199 of the acts of the 20th General Assembly. Executive council authorized to sell part of land used by State Agricultural society.

SEC. 2. Said executive council are also authorized and empowered to purchase for the state of Iowa with the proceeds derived from the sale of any of the property above referred to not exceeding thirty acres of land, adjoining lands owned by the state and used by the Iowa State Agricultural Society. Such lands shall be purchased for the use of said agricultural society for the same purpose as those purchased under chapter 199 of the acts of the 20th General Assembly. Any balance of the proceeds arising from the sale of said lands remaining after paying for said purchased lands shall be turned into the state treasury. Council authorized to purchase other lands.

SEC. 3. This act being deemed of immediate importance shall take effect from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 4, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 9, and Des Moines Leader, April 11, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 120.

AN ACT to declare Spirit, and the Okoboji lakes, in Dickinson county, to be public, navigable waters, and to provide for their preservation and improvement for navigation, for the benefit of the public health, and for the culture of fish therein. S. F. 341.

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

SECTION 1. Spirit and the Okoboji lakes in Dickinson county are hereby declared to be public, navigable waters, and their preservation and improvement in the manner hereinafter provided for the purpose of navigation, for the benefit of the public health, and for the culture of fish. Lakes declared to be navigable and public for benefit of health, etc.

therein, are hereby declared to be matters of public concern and importance.

Fish commissioner authorized to erect a dam.

SEC. 2. For the purpose of improving and maintaining the waters in said lakes for the purposes aforesaid, the fish commissioner of the state is hereby authorized and directed, from funds appropriated or contributed for that purpose as herein authorized, to erect and maintain either within the limits of the public highway as now laid out and established along the southern boundary of the east Okoboji lake, and at the ring outlet of said lake, so-called, or at the outlet of Lake Minnewashta, or at the outlet of lower Gar lake, as said fish commissioner shall deem best and determine, a dam which will maintain the waters of said lakes at ordinary high water mark; and said fish commissioner is required and authorized to maintain upon the crest or top of such dam such screen or other appliance or device as shall prevent the escape of fish from the waters of said lakes through the said outlet thereof.

Screen to be on top of dam.

High water mark.

SEC. 3. Ordinary high water mark in said lakes for the purposes of this act is hereby defined to be the point along the shores and banks of said lakes up to which there has been occupation by said waters long enough to wrest said banks and shores from vegetation so far as to destroy their value for agriculture and to prevent the growing and harvesting of grass or other staple products of the country thereon.

Commissioner is authorized to expend additional sum.

SEC. 4. In addition to any sum or sums of money appropriated therefor by the state, the said fish commissioner is authorized to receive and expend any additional sum or sums that may be contributed by any person or persons to aid in defraying the expenses of the erection and maintenance of said dam, but neither the state nor any person or persons so contributing money therefor shall incur any liability for damages by reason of the erection and maintenance of said dam.

District court to pass on claims for damage.

SEC. 5. If any owner of real estate along the shores of said lakes or any of them, or upon the waters below the said outlet from said lakes, either above or below such dam, shall claim that his property is or will be injuriously affected by the said dam, he may apply by petition to the district court of Dickinson county, Iowa, for an order of said court to equitably control the erection or maintenance of said dam, which petition shall be entitled "In the matter of A. B. Petitioner, against dam at the Rings outlet, (or the Minnewashta outlet or at the outlet of Lower Gar lake as the case may be,) of Spirit and the Okoboji lakes;" and of which petition and proceeding the fish commissioner shall have the same notice as for other actions and proceedings in the district courts of the state, and in which proceeding the said fish commissioner may appear

Form of petition.

by counsel and represent and defend the interests of the state and the public.

Thereupon a trial shall be had by and to the court without the intervention of a jury as in equitable proceedings under the provisions of the Code of 1873, and the court shall thereupon make and enter such order and decree as is just and equitable and as will enforce and protect the rights of all parties in the premises. From such decree an appeal shall be allowed to the supreme court by either party as in other cases. But no person or party shall be entitled to any relief in such proceeding, if it shall be shown that the said dam has been erected and maintained within the limits of the authority conferred by this act, and that the shores and banks of said lakes are not affected by said dam otherwise than authorized by this act. If the petitioner therein shall be successful, the costs of such proceeding shall be paid by the county, but if the petitioner shall be unsuccessful judgment shall be rendered against him for the costs.

Trial by court.

When petitioner is successful.

SEC. 6. The said fish commissioner is also authorized to open and maintain a passage between Spirit Lake and Little Spirit Lake through and across the highway now laid out and extending between said lakes, at such point as shall be deemed judicious by him, to the end that the waters of the said Little Spirit Lake may be accessible as spawning ground for the fish in said Spirit Lake and for the purpose of maintaining a better supply of food fishes in the said lakes.

May open and maintain passage from Spirit lake and Little Spirit lake.

SEC. 7. Said fish commissioner is authorized to use the waters of said lakes for the increase, growth, and propagation therein of food fish of such varieties as he shall find best adapted thereto, and he is authorized at all times in his judgment and discretion to take fish by seine or otherwise from the waters of said lakes for the purpose of maintaining the propagation of fish in the state hatcheries under his control, and of stocking from said hatcheries the rivers, streams, and other waters of the state with food fish, and of increasing the supply of such fish in its said waters.

Commissioner may stock other waters with fish.

SEC. 8. If any person shall destroy, tear down, either in whole or in part, or injure the said dam or appliances, or fill up or destroy the said passage between Spirit Lake and Little Spirit Lake, whether under a claim of right or otherwise, except under the judicial proceedings hereinbefore authorized, he shall be guilty of the crime of malicious mischief and shall be punished as provided in section 3978 of the Code of 1873.

Penalty for injury to dam by any one.

SEC. 9. There is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of one thousand dollars to be expended by and under the direction of said fish commissioner in and about the

Money that is appropriated.

erection and maintenance of said dam and other improvements hereby authorized.

SEC. 10. This act, being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 17, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, May 1, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 121.

H. F. 251.

AN ACT creating the Twentieth judicial district of the state of Iowa and providing for the appointment of one judge and the election of two judges therein; and also providing for an election of four judges in the Second and three judges in the Sixth judicial districts, defining the jurisdiction of said courts therein and for holding terms of court in said districts.

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

SECTION 1. That the counties of Des Moines, Henry, and Louisa shall hereafter constitute the Twentieth judicial district of the state of Iowa and shall be entitled to two judges.

SEC. 2. That the county of Lee shall hereafter constitute the First judicial district of the state of Iowa and shall have one judge.

SEC. 3. That the counties of Lucas, Monroe, Wapello, Jefferson, Davis, Van Buren, and Appanoose shall hereafter constitute the Second judicial district of the state of Iowa and shall have four judges.

SEC. 4. That the counties of Jasper, Poweshiek, Mahaska, Keokuk, and Washington shall hereafter constitute the Sixth judicial district of the state of Iowa, and shall have three judges.

Election in
1899 and every
four years
thereafter.

SEC. 5. That there shall be elected by the qualified electors of the First judicial district as defined in this act at the general election in the year 1899, and every four years thereafter one district judge, who shall receive the same compensation as other district judges, and said district judge shall enter upon the discharge of the duties of his office on the first day of January 1900, and shall hold his office until his successor is elected and qualified.

Election in
1898 and every
four years
thereafter.

SEC. 6. That there shall be elected by the qualified electors of the Second judicial district as defined in this act at the general election in the year 1898 and every four years thereafter four district judges, who shall receive the same compensation as other district judges, and they shall enter upon the discharge of the duties of the office on the first day of January, 1899, and shall hold said office for four years and until their successors are elected and qualified.

SEC. 7. That there shall be elected by the qualified electors in the Sixth judicial district as defined by this act at the general election in 1898, and every four years thereafter, three district judges who shall receive the same compensation as other district judges and shall enter upon the discharge of the duties of the office on the first day of January, 1899, and shall hold the office until their successors are elected and qualified. Election in 1898.

SEC. 8. That there shall be elected by the qualified electors of the Twentieth judicial district as defined by this act at the general election in 1896 and every four years thereafter one district judge who shall receive the same compensation as other district judges and shall enter upon the discharge of the duties of his office upon the first day of January, 1897, and hold said office until his successor is elected and qualified. Election in 1896.

SEC. 9. That there shall be elected by the qualified electors of the Twentieth judicial district, as defined by this act, at the general election in the year 1898 and every four years thereafter one district judge who shall receive the same compensation as other district judges and shall enter upon the discharge of the duties of his office on the first day of January, 1899, and hold said office until his successor is elected and qualified. Election in 1898.

SEC. 10. The office of one of the district judges of the Twentieth judicial district, as defined by this act, is hereby declared vacant. The office of one declared vacant.

SEC. 11. The vacancy in the said office of district judge in the Twentieth judicial district created by this act shall be filled by the governor and the person appointed shall hold his office until the first day of January, 1897, and until his successor is elected and qualified, and he shall receive the same compensation as other district judges. Vacancy filled by governor.

SEC. 12. The judges of the Twentieth judicial district, created by this act and appointed and elected under the provisions of this act, shall have full jurisdiction in the counties of Des Moines, Henry, and Louisa. Have jurisdiction in certain counties.

SEC. 13. The district court shall be held in the First, Second, Sixth, and Twentieth judicial districts as hereinbefore provided by law and shall have full jurisdiction in all the counties comprising said districts prior to the passage and approval of this act until the first day of January, 1899; after which time the jurisdiction of the judges of the said First, Second, Sixth, and Twentieth judicial districts shall conform and extend to such districts as herein provided. District court to have jurisdiction until 1899.

SEC. 14. On or before the 4th day of July, 1896, the judges of the First, Second, Sixth, and Twentieth judicial districts shall make an order in their respective districts assigning the terms of court in their respective districts for the period now covered by law for the duration of such assignment of terms of court. An order arranging terms of court.

SEC. 15. That acts and parts of acts in conflict with this act and provisions are hereby repealed.

SEC. 16. This act being deemed of immediate importance, it shall take effect and be in force from and after its publication in the Iowa State Register, and the Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 20, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, May 9, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 122.

H. F. 92. AN ACT to amend section three (3) of chapter one hundred and thirty-four (134) of the Acts of the Twenty-first General Assembly, to transfer Marshall county from the eleventh to the seventeenth Judicial District, and to provide a second Judge for the Seventeenth Judicial District.

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

SECTION 1. That section three (3) of Chapter one hundred and thirty-four (134) of the Acts of the Twenty-first General Assembly be amended as follows:

First. By striking out from the eleventh paragraph thereof the word "Marshall",

District to be composed of the counties of Benton, Tama and Marshall.

Second. By repealing paragraph seventeen thereof, and inserting in lieu thereof the following: "Seventeenth": The seventeenth District shall consist of the Counties of Benton, Tama, and Marshall, and shall have two Judges."

Governor to appoint.

SEC. 2. The Governor shall appoint a Judge for said seventeenth Judicial District in conformity herewith, who shall hold his office until the election and qualification of his successor as herein provided.

First judge to be elected in 1896.

At the general election in 1896 a Judge shall be elected in said District, whose term of office shall expire at the same time as does the other Judge in said District, and thereafter the term of office of said Judge shall be four years.

Order for terms of court.

SEC. 3. On or before the 20th day of April, A. D. 1896, the Judges of said eleventh and seventeenth Districts shall make an order in their respective districts assigning the terms of Court in the respective districts for the period as now provided by law for duration of such assignments of terms of Court.

SEC. 4. All acts and parts of acts in conflict with this act and provisions are hereby repealed.

SEC. 5. This act being deemed of immediate importance shall be in force from and after its passage and

publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

Received at the Executive Office April 4, 1896.

Wm. H. Fleming, Private Secretary.

This bill having remained with the Governor three days (Sunday excepted), the General Assembly being in session, has become a law this 8th day of April, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 16, and Des Moines Leader, April 18, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 123.

AN ACT relinquishing an escheat in Hamilton County to Mrs. S. F. 384.
Winnifred J. Byrne.

WHEREAS, Francis Harrison died intestate Dec. 30, 1882, in La Salle County, Ill., being seized and in possession at the time of his death in fee simple of the following described real estate, situated in Hamilton County, to wit: The $w \frac{1}{2}$ S E $\frac{1}{4}$ of Sec. 22, Township 89, range 24, West of the 5th P. M.; and,

WHEREAS, at the time of his death he had no child or children, father or mother, brothers or sisters, or descendants of either him surviving, or others upon whom descent would be cast, except his wife Mary Anne Harrison; said Mary Anne Harrison, died intestate Oct 2, 1886, and at the time of her death had no father or mother, brothers or sisters, or descendants of either her surviving, or others upon whom descent would be cast, except her daughter by a former husband, Mrs. Winnifred J. Byrne, who now survives her; and

WHEREAS, an undivided one-half of said real estate would escheat to the State of Iowa, and

WHEREAS, It is but just that said Mrs. Winnifred J. Byrne, the only surviving heir of the said Francis Harrison, should hold and possess in her own right the entirety of said estate; therefore,

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

SECTION 1. That the State of Iowa does hereby relinquish all right or title, which it now has or might acquire by right of escheat, in and to the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Sec. 22, Twp. 89, Range 24, West of the 5th P. M., Hamilton County, Iowa, by reason of the death of Francis Harrison and Mary Anne Harrison aforesaid, and hereby grants the same and relinquishes its right therein to the said Winnifred J. Byrne, the only surviving heir of the said Francis Harrison and Mary Anne Harrison, and to her heirs, assigns, and vendees.

SEC. 2. This act, being deemed of immediate importance, shall take effect from and after its publication in

the Iowa State Register, and the Webster City Weekly Graphic, anything in the statutes to the contrary notwithstanding, providing such publication shall be without expense to the state.

Approved April 8, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register April 15, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 124.

S. F. 423.

AN ACT fixing the number of senators in the general assembly, apportioning them among the several counties according to the number of inhabitants in each and dividing the state into senatorial districts.

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

SECTION 1. That the number of senators in the general assembly is hereby fixed at fifty, and they are hereby apportioned among the several counties according to the number of inhabitants in each, and under said apportionment the state is hereby divided into fifty senatorial districts, each district to have one senator, as follows:

1. Lee county shall constitute the First district.
2. Jefferson county and Van Buren county shall constitute the Second district.
3. Appanoose county and Davis county shall constitute the Third district.
4. Wayne county and Lucas county shall constitute the Fourth district.
5. Ringgold county, Decatur county, and Union county shall constitute the Fifth district.
6. Taylor county and Adams county shall constitute the Sixth district.
7. Page county and Fremont county shall constitute the Seventh district.
8. Mills county and Montgomery county shall constitute the Eighth district.
9. Des Moines county shall constitute the Ninth district.
10. Henry county and Washington shall constitute the Tenth district.
11. Warren county and Clarke county shall constitute the Eleventh district.
12. Poweshiek county and Keokuk county shall constitute the Twelfth district.
13. Wapello county shall constitute the Thirteenth district.
14. Mahaska county shall constitute the Fourteenth district.
15. Marion county Monroe county shall constitute the Fifteenth district.

16. Madison county and Adair county shall constitute the Sixteenth district.

17. Audubon county and Dallas county and Guthrie county shall constitute the Seventeenth district.

18. Cass county and Shelby county shall constitute the Eighteenth district.

19. Pottawattamie county shall constitute the Nineteenth district.

20. Muscatine county and Louisa county shall constitute the Twentieth district.

21. Scott county shall constitute the Twenty-first district.

22. Clinton county shall constitute the Twenty-second district.

23. Jackson county shall constitute the Twenty-third district.

24. Jones county and Cedar county shall constitute the Twenty-fourth district.

25. Johnson county and Iowa county shall constitute the Twenty-fifth district.

26. Linn county shall constitute the Twenty-sixth district.

27. Webster county and Calhoun county shall constitute the Twenty-seventh district.

28. Marshall county shall constitute the Twenty-eighth district.

29. Jasper county shall constitute the Twenty-ninth district.

30. Polk county shall constitute the Thirtieth district.

31. Story county and Boone county shall constitute the Thirty-first district.

32. Woodbury county shall constitute the Thirty-second district.

33. Buchanan county and Delaware county shall constitute the Thirty-third district.

34. Harrison county, Monona county, and Crawford county shall constitute the Thirty-fourth district.

35. Duquesne county shall constitute the Thirty-fifth district.

36. Clayton county shall constitute the Thirty-sixth district.

37. Wright county, Hamilton county, and Hardin county shall constitute the Thirty-seventh district.

38. Black Hawk county and Grundy county shall constitute the Thirty-eighth district.

39. Butler county and Bremer county shall constitute the Thirty-ninth district.

40. Allamakee county and Fayette county shall constitute the Fortieth district.

41. Mitchell county and Worth county and Winnebago county shall constitute the Forty-first district.

42. Winneshiek county and Howard county shall constitute the Forty-second district.

43. Cerro Gordo county, Franklin county, and Hancock county shall constitute the Forty-third district.

44. Floyd county and Chickasaw county shall constitute the Forty-fourth district.

45. Tama county and Benton county shall constitute the Forty-fifth district.

46. Ida county and Cherokee county and Plymouth county shall constitute the Forty-sixth district.

47. Kossuth county, Emmet county, Dickinson county, Clay county, and Palo Alto county shall constitute the Forty-seventh district.

48. Carroll county, Sac county, and Greene county shall constitute the Forty-eighth district.

49. O'Brien county, Osceola county, Lyon county, and Sioux county shall constitute the Forty-ninth district.

50. Buena Vista county, Pocahontas county, and Humboldt county shall constitute the Fiftieth district.

Approved May 2, 1896.

CHAPTER 125.

H. F. 496.

AN ACT to apportion the state into representative districts and declare the ratio of representation.

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

SECTION 1. That one representative from every twenty-two thousand inhabitants is hereby constituted the ratio of apportionment, and that each representative district shall be as hereinafter described.

SEC. 2. Lee county shall be the first district and entitled to two representatives (39,528).

SEC. 3. Van Buren county shall be the second district and entitled to one representative (16,829).

SEC. 4. Davis county shall be the third district and entitled to one representative (15,015).

SEC. 5. Appanoose county shall be the fourth district and entitled to one representative (25,383).

SEC. 6. Wayne county shall be the fifth district and entitled to one representative (16 155).

SEC. 7. Decatur county shall be the sixth district and entitled to one representative (16,639).

SEC. 8. Ringgold county shall be the seventh district and entitled to one representative (14,065).

SEC. 9. Taylor county shall be the eighth district and entitled to one representative (17,347).

SEC. 10. Page county shall be the ninth district and entitled to one representative (22,025).

SEC. 11. Fremont county shall be the tenth district and entitled to one representative (17,176).

SEC. 12. Mills county shall be the eleventh district and entitled to one representative (15,187).

SEC. 13. Montgomery county shall be the twelfth district and entitled to one representative (17,119).

SEC. 14. Adams county shall be the thirteenth district and entitled to one representative (12,934).

SEC. 15. Union county shall be the fourteenth district and entitled to one representative (17,043).

SEC. 16. Clarke county shall be the fifteenth district and entitled to one representative (11,515).

SEC. 17. Lucas county shall be the sixteenth district and entitled to one representative (13,545).

SEC. 18. Monroe county shall be the seventh [seventeenth] district and entitled to one representative (15,790).

SEC. 19. Wapello county shall be the eighteenth district and entitled to one representative (33,293).

SEC. 20. Jefferson county shall be the nineteenth district and entitled to one representative (16,405).

SEC. 21. Henry county shall be the twentieth district and entitled to one representative (18,278).

SEC. 22. Des Moines county shall be the twenty-first district and entitled to two representatives (37,639).

SEC. 23. Louisa county shall be the twenty-second district and entitled to one representative (12,780).

SEC. 24. Washington county shall be the twenty-third district and entitled to one representative (18,845).

SEC. 25. Keokuk county shall be the twenty-fourth district and entitled to one representative (23,732).

SEC. 26. Mahaska county shall be the twenty-fifth district and entitled to one representative (32,496).

SEC. 27. Marion county shall be the twenty-sixth district and entitled to one representative (23,191).

SEC. 28. Warren county shall be the twenty-seventh district and entitled to one representative (18,506).

SEC. 29. Madison county shall be the twenty-eighth district and entitled to one representative (16,597).

SEC. 30. Adair county shall be the twenty-ninth (29th) district and entitled to one representative (15,594).

SEC. 31. Cass county shall be the thirtieth district and entitled to one representative (20,926).

SEC. 32. Pottawattamie county shall be the thirty-first district and entitled to two representatives (46,024).

SEC. 33. Harrison county shall be the thirty-second district and entitled to one representative (23,091).

SEC. 34. Shelby county shall be the thirty-third district and entitled to one representative (17,798).

SEC. 35. Audubon county shall be the thirty-fourth district and entitled to one representative (12,836).

SEC. 36. Guthrie county shall be the thirty-fifth district and entitled to one representative (17,958).

SEC. 37. Dallas county shall be the thirty-sixth district and entitled to one representative (21,023).

SEC. 38. Polk county shall be the thirty-seventh district and entitled to two representatives (72,888).

SEC. 39. Jasper county shall be the thirty-eighth district and entitled to one representative (25,591).

SEC. 40. Poweshiek county shall be the thirty-ninth district and entitled to one representative (18,524).

SEC. 41. Iowa county shall be the fortieth district and entitled to one representative (18,964).

SEC. 42. Johnson county shall be the forty-first district and entitled to one representative (23,563).

SEC. 43. Muscatine county shall be the forty-second district and entitled to one representative (25,339).

SEC. 44. Scott county shall be the forty-third district and entitled to two representatives (45,869).

SEC. 45. Cedar county shall be the forty-fourth district and entitled to one representative (19,008).

SEC. 46. Clinton county shall be the forty-fifth (forty-fifth) district and entitled to two representatives (43,398).

SEC. 47. Jackson county shall be the forty-sixth district and entitled to one representative (23,471).

SEC. 48. Jones county shall be the forty-seventh district and entitled to one representative (20,608).

SEC. 49. Linn county shall be the forty-eighth district and entitled to two representatives (49,905).

SEC. 50. Benton county shall be the forty-ninth district and entitled to one representative (24,244).

SEC. 51. Tama county shall be the fiftieth district and entitled to one representative (22,966).

SEC. 52. Marshall county shall be the fifty-first district and entitled to one representative (27,320).

SEC. 53. Story county shall be the fifty-second district and entitled to one representative (19,930).

SEC. 54. Boone county shall be the fifty-third district and entitled to one representative (27,039).

SEC. 55. Greene county shall be the fifty-fourth district and entitled to one representative (16,299).

SEC. 56. Carroll county shall be the fifty-fifth district and entitled to one representative (19,493).

SEC. 57. Crawford county shall be the fifty-sixth district and entitled to one representative (20,069).

SEC. 58. Monona county and Ida county shall be the fifty-seventh district and entitled to one representative (27,430).

SEC. 59. Woodbury county shall be the fifty-eighth district and entitled to two representatives (46,202).

SEC. 60. Cherokee county shall be the fifty-ninth district and entitled to one representative (15,664).

SEC. 61. Sac county shall be the sixtieth district and entitled to one representative (15,868).

SEC. 62. Calhoun county shall be the sixty-first district and entitled to one representative (15,784).

SEC. 63. Webster county shall be the sixty-second district and entitled to one representative (26,945).

SEC. 64. Hamilton county shall be the sixty-third district and entitled to one representative (18,514).

SEC. 65. Hardin county shall be the sixty-fourth district and entitled to one representative (20,576).

SEC. 66. Grundy county shall be the sixty fifth district and entitled to one representative (13,418).

SEC. 67. Black Hawk county shall be the sixty-sixth district and entitled to one representative (26,941).

SEC. 68. Buchanan county shall be the sixty-seventh district and entitled to one representative (20,593).

SEC. 69. Delaware county shall be the sixty-eighth district and entitled to one representative (18,103).

SEC. 70. Dubuque county shall be the sixty-ninth district and entitled to two representatives (60,177).

SEC. 71. Clayton county shall be the seventieth district and entitled to one representative (26,570).

SEC. 72. Fayette county shall be the seventy-first district and entitled to one representative (24,794).

SEC. 73. Bremer county shall be the seventy-second district and entitled to one representative (15,403).

SEC. 74. Butler county shall be the seventy-third district and entitled to one representative (16,966).

SEC. 75. Franklin county shall be the seventy-fourth district and entitled to one representative (15,679).

SEC. 76. Wright and Hancock counties shall be the seventy-fifth district and entitled to one representative (27,165).

SEC. 77. Humboldt and Pocahontas counties shall be the seventy-sixth district and entitled to one representative (23,873).

SEC. 78. Buena Vista county shall be the seventy-seventh district and entitled to one representative (15,029).

SEC. 79. Plymouth county shall be the seventy-eighth district and entitled to one representative (21,991).

SEC. 80. Sioux county shall be the seventy ninth district and entitled to one representative (21,406).

SEC. 81. O'Brien and Lyon counties shall be the eighthieth district and entitled to one representative (27,293).

SEC. 82. Osceola, Emmet and Dickinson counties shall be the eighty first district and entitled to one representative (21,019).

SEC. 83. Clay and Palo Alto counties shall be the eighty second district and entitled to one representative (23,386).

SEC. 84. Kossuth county shall be the eighty-third district and entitled to one representative (18,345).

SEC. 85. Cerro Gordo county shall be the eighty-fourth district and entitled to one representative (18,302).

SEC. 86. Floyd county shall be the eighty-fifth district and entitled to one representative (17,114).

SEC. 87. Chickasaw county shall be the eighty-sixth district and entitled to one representative (15,696).

SEC. 88. Allamakee county shall be the eighty-seventh district and entitled to one representative (17,981).

SEC. 89. Winneshiek county shall be the eighty-eighth district and entitled to one representative (22,748).

SEC. 90. Howard county shall be the eighty-ninth district and entitled to one representative (13,221).

SEC. 91. Mitchell county shall be the ninetieth district and entitled to one representative (14,431).

SEC. 92. Worth, Winnebago counties shall be the ninety-first district and entitled to one representative (20,992).

Approved May 2, 1896.

CHAPTER 126.

S. F. 457. AN ACT making appropriations for the payment of state and judicial officers, state expenses, and other bills.

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

Appropriation to pay state officers.

SECTION 1. That there is hereby appropriated out of any money in the state treasury, not otherwise appropriated an amount sufficient to pay the salaries of the various officers whose salaries are now fixed by law, and payable from the state treasury, and the auditor of state shall draw warrants therefor in favor of the officers entitled thereto, in monthly installments, when not otherwise provided by law.

Money not expended to be covered into the state treasury.

SEC. 2. There is further appropriated from the state treasury, for a term of two years ending March 31, 1898, the following sums, or so much thereof as may be necessary, to-wit; provided that on the first day of April succeeding the meeting of the regular session of the general assembly, all moneys appropriated in this act, and remaining unexpended, shall be and are hereby covered into the state treasury.

SEC. 3. To the several state and judicial officers the following sums, or so much thereof as may be necessary, for the following purposes, to-wit:

Auditor.

To the auditor of state for clerical help, nineteen thousand dollars, (\$19,000).

Attorney-general.

To the attorney-general for legal assistance thirty-four hundred dollars (\$3,400).

For clerical help.

To the attorney-general for clerical help, twenty-six hundred dollars, (\$2,600).

Mine inspector.

To the state mine inspector for clerical help, two thousand dollars, (\$2,000).

Railroad commissioners, expenses and clerical help. For railroad maps.

To the railroad commissioners for clerical help and expenses, eight thousand dollars, (\$8,000).

To 15,000 railroad commissioners' maps, nine hundred dollars, (\$900).

To the clerk of the supreme court for clerical help, three thousand, four hundred dollars, (\$3,400).

To the chief justice of the supreme court for the incidental expenses of said court, three thousand, five hundred dollars, (\$3,500).

To the dairy commissioner for clerical help and expenses, under the direction and with the approval of the executive council, eight thousand dollars, (\$8,000).

To the treasurer of state for clerical help, four thousand, five hundred dollars, (\$4,500).

To the secretary of state for clerical help, ten thousand dollars, (\$10,000).

To the superintendent of public instruction for clerical help, four thousand, five hundred dollars, (\$4,500).

Provided that each of said officers shall furnish vouchers therefor, containing the items of such expenditures, to the auditor of state, before any warrants shall issue therefor, and the amounts thereof, and to whom paid, shall be reported to the next general assembly. Officer to furnish vouchers.

SEC. 4. For the contingent expenses of the executive office the sum of ten thousand dollars (\$10,000), for the payment of room rent for the governor the sum of twelve hundred dollars (\$1,200), and for the expenses of employing additional counsel, when necessary, under the provisions of section fifty-nine (59) and sixty (60) of the code, two thousand dollars (\$2,000), to be drawn and accounted for in the manner provided for the contingent fund. Contingent expenses of the executive officers.

SEC. 5. For the payment of office janitors and mail carriers of the capitol, the sum of twenty thousand dollars (\$20,000), or so much thereof as may be necessary, to be expended under the direction of the executive council. For payment of office janitors.

SEC. 6. For providential contingencies, the sum of ten thousand dollars (\$10,000), said amount to be under the control of the executive council, and all payments from said sum shall first receive its unanimous approval. Any expenditures under this section shall be reported in detail by the auditor of state in his biennial report. Providential contingencies.

SEC. 7. For the purpose of paying the interest on the indebtedness of the state to the permanent school fund, the sum of thirteen hundred, thirteen dollars (\$1,313), which is to be in full of such interest on said indebtedness, and the auditor of state shall draw warrants for the above appropriations, as said interest shall become due. To pay interest.

SEC. 8. To the members of the executive council for extra services for the years 1896 and 1897, the sum of one thousand dollars (\$1,000) each, and warrants therefor shall be issued monthly at the end of each month. For extra services of executive council.

SEC. 9. To Callaghan & Co. to pay for 28 McClain's Code, 3 vols., and 125 McClain's Code, 3 vols. in 2 vols., thirteen hundred, seventy-seven dollars (\$1,377), said money to be drawn from the treasury by the secretary of Pay for McClain's Codes.

state, on warrants drawn by the auditor of state upon vouchers duly presented to and approved by the secretary of state.

SEC. 10. To Matt Parrott, lieutenant-governor, as president of the senate, eleven hundred dollars, (\$1,100).

SEC. 11. To H. W. Byers, speaker of the house, the sum of five hundred, fifty dollars (\$550), which sum shall be in addition to his salary as member of the house.

To pay chaplains of senate and house.

SEC. 12. To the chaplains of the senate and the house the sum of seven hundred fifty dollars (\$750), or so much thereof as may be necessary, warrants therefor to be drawn in favor of the persons entitled thereto, who shall be determined by the auditor of state upon the certified statement of the president of the senate and speaker of the house.

For indexing journals.

SEC. 13. To the secretary of the senate and chief clerk of the house, for making up, writing, and indexing the journals of their respective houses, and superintending the printing of the same, the sum of four hundred fifty dollars (\$450) each, one half to be paid upon the certificate of the secretary of state that the index has been completed, and the balance, when the written, certified, original journal is filed in the office of the secretary of state. Warrants therefor shall be issued under the direction of the executive council.

When paid.

SEC. 14. To Iowa Printing Co. for 300 House bill files, 300 Senate bill files, 230 House journal files, 202 Senate journals four hundred, seventy-two and 80-100 dollars (\$472.80).

SEC. 15. To L. Harbach for 8 storm sashes, Senate chamber, five hundred, twenty-eight dollars (\$528); for two chairs for President of the Senate and Speaker of the House, one hundred dollars (\$100).

SEC. 16. For paying the cost of paving the streets on the east, south, and west of the capitol grounds, and for the purpose of repairing sidewalk laid along said streets, and for repairing sidewalk along the south side of the capitol grounds, the sum of ten thousand dollars (\$10,000), or so much thereof as may be necessary, to be paid on vouchers approved by the executive council.

SEC. 17. To Mrs. L. L. Babcock, paper-folder, April 6 to April 9, 1894, three days at \$2.50 per day, seven and fifty one-hundredths (\$7.50).

SEC. 18. To Miss Ida Kittleman, paper-folder, April 6, to April 9, 1894, three days at \$2.50 per day, seven and 50-100 dollars (\$7.50).

SEC. 19. To J. L. Thompson, file clerk, two days, at \$4 per day, eight dollars (\$8).

SEC. 20. To W. H. Fleming, work on revenue report, fifteen dollars, (\$15).

SEC. 21. To O. E. Doubleday, as presiding officer of the House, one day, five dollars (\$5).

SEC. 22. To John Morrison, temporary Speaker of the House one day, five dollars (\$5).

SEC. 23. To Warren S. Dungan, lieutenant-governor as president of the Senate, four days, forty dollars (\$40).

SEC. 24. For the purpose of defraying the costs and expenses of the Iowa and Missouri boundary line survey, to be paid on the requisition of the commissioner, and on the approval of the executive council, twenty-five hundred dollars, (\$2,500), or so much thereof as may be necessary. Expense of the Iowa and Missouri boundary line.

SEC. 25. For new roof for arsenal, repairing walks, and improving grounds, the sum of five hundred dollars (\$500).

SEC. 26. For the purchase of apparatus to enable state superintendent of weights and measures to comply with the requirements of law relating to county and town standards, two hundred fifty dollars (\$250). For purchase of apparatus.

SEC. 27. To the employees of the Senate and House for services required after adjournment, as ordered by resolution of either house, seventy-five dollars (\$75), or so much thereof as may be necessary, to be certified to by the President of the Senate and Speaker of the House, and the auditor of state shall draw warrants therefor upon certification of said officers. For pay of employees after adjournment.

SEC. 28. 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.

Approved April 11, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 14, and Des Moines Leader, April 15, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 127.

AN ACT making appropriations for the State Agricultural College. H. F. 75.

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

SECTION 1. That there is hereby appropriated for the Iowa State Agricultural College, out of any moneys in the state treasury not otherwise appropriated, the following sums, for the following purposes, to-wit:

Emergency fund for deep well	\$ 15,000
Equipment of water works, including power and steel iron tank	21,000
Greenhouse.	6,000
Forge shops and foundry with fixtures	5,000
Farm barns	4,000
Sewerage disposal system	3,500

SEC. 2. Any sum remaining after the other specified objects for which this appropriation is made shall be used so far as it may be necessary for forge shop and fixtures Sums remaining to be controlled by executive council.

subject, however, to the discretion of the executive council.

How drawn. SEC. 3. The money hereby appropriated shall be drawn from the state treasury in accordance with the provisions of chapter 31, of the laws of the Twenty-third General Assembly.

SEC. 4. 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 the Des Moines Leader newspapers published in Des Moines, Iowa.

Approved April 10, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 16, and Des Moines Leader, April 18, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 128.

H. F. 200. AN ACT to make an appropriation to the Iowa State Agricultural society.

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

Amount appropriated. SECTION 1. That there be, and is hereby, appropriated for the Iowa State Agricultural society, out of any money in the state treasury not otherwise appropriated, the sum of seven thousand dollars for the year 1896; the same to be used for the erection, maintaining, insuring, and repairing buildings on the state fair grounds belonging to the state of Iowa.

How used.

Paid out on order of president and secretary. SEC. 2. The money herein appropriated shall be paid out on the order of the president and secretary of the said Iowa State Agricultural society, on or after May first, 1896.

Finance committee by executive council. SEC. 3. And it is further provided that a committee to consist of three members shall be appointed annually by the executive council, to be known as the finance committee, whose duty it shall be to pass upon all financial business of the Iowa State Agricultural society prior to the annual meeting thereof, and make due report to the governor.

Publication clause. SEC. 4. 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 at Des Moines, Iowa.

Approved March 24, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, March 31, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 129.

AN ACT making appropriations for the Iowa School for the Deaf at H. F. 314.
Council Bluffs, Iowa

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

SECTION 1. That there is hereby appropriated for the Iowa School for the Deaf, out of any money in the state treasury not otherwise appropriated, the following sums and amounts, or so much thereof as may be necessary, for the following purposes, to wit:

For library.....	\$	£00
For furniture in school and study rooms.....		200
For boiler and engine house and additional boiler..		10,000
For repairs to children's dining room.....		200
For icehouse.....		500
For repair fund.....		2,000
For reservoir, cistern, and pump.....		2,000
For strengthening west or boys' wing.....		1,500
For sidewalks and grounds.....		500

SEC. 2. Any sum remaining after the specified object for which it is appropriated shall have been completed may be used, so far as it may be necessary, for any other items, subject, however, to the written approval of the executive council of the state. Other expenditures to be approved by executive council.

SEC. 3. The money hereby appropriated shall be drawn from the state treasury on the order of the board of trustees of the Iowa School, for the Deaf, at such times and in such sums as the executive council may deem necessary. How drawn.

SEC. 4. 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 the Des Moines Leader, newspapers published in Des Moines, Iowa. Publication clause.

Approved April 10, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 15, and Des Moines Leader, April 18, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 130.

AN ACT making appropriations for the support of the Soldiers' Home at Marshalltown, Iowa, for the construction of certain buildings, making improvements and providing a contingent fund therefor. H. F. 302.

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

SECTION 1. That there is hereby appropriated out of any money in the state treasury, not otherwise appropriated, for the Soldiers' Home at Marshalltown, fifty-one Amount appropriated.

thousand, eight hundred dollars (\$51,800), in the following sums, or so much thereof as may be necessary for the following purposes, to-wit:

For finishing a portion of attic in woman's building	\$ 200
For new boiler	1,000
For new dynamo	1,000
For residence for commandant	2,000
For residence for the surgeon	2,000
For new floor in main building	1,600
For painting buildings now erected	500
For new hospital building	40,000
For furniture for hospital and other new buildings	2,000
For contingent fund	1,500

Money drawn on order of commissioners.

SEC. 2. The money herein appropriated shall be drawn out on the order of the commissioners of said home, at such time and in such amounts as may by them be deemed necessary for the use and purpose herein mentioned; Provided, that no money shall be drawn out of the state treasury by virtue of this act until needed for the purpose or purposes for which appropriated and only in such sums as needed; Provided, also, that all contracts let for the erection of buildings shall be let only after proper publication and to the lowest bidder under such restrictions as shall be adopted by the commissioners.

Report surplus to state treasurer.

SEC. 3. In all cases where the money appropriated by this act shall not be needed for the specific purposes named therein, the commissioners of said home, shall, as soon as the amount of such excess is determined, report the same to the state treasurer, who shall transfer said sum or sums to the account of the contingent fund herein provided for said home, and said commissioners shall take the same up as a part of said contingent fund to be used and accounted for as such.

SEC. 4. 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 the Des Moines Leader, papers published in Des Moines, Iowa.

Approved April 17, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 24, and Des Moines Leader, April 23, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 131.

H. F. 187.

AN ACT to make appropriations for the Soldiers' Orphans' Home and Home for Indigent Children, at Davenport, Iowa.

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

Amount of appropriation.

SECTION 1. That there is hereby appropriated for the Soldiers' Orphans' Home and Home for Indigent Children,

at Davenport, Iowa, out of any money in the state treasury, not otherwise appropriated, \$18,800, in the following sums, or so much thereof as may be necessary for the following appropriations, to-wit:

For remodeling cottages.....	\$ 8,000
For industrial building and equipments.....	1,500
For furnishing enlarged cottages.....	1,000
For general furniture.....	500
For contingent and repairs.....	3,000
For library.....	300
For completing steam heating.....	1,500
For cement walks.....	1,000
For ice house.....	1,000
For wagon and tool house.....	500
For dental and oculist fund.....	500

SEC. 2. The money herein appropriated shall be paid on the written order of the trustees of said home; Provided, that not more than one-fourth thereof shall be drawn before October 15, 1896, nor more than one-half before April 15, 1897, and not more than three-fourths of said sum before Oct. 15, 1897. Paid on order of trustees.

SEC. 3. 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. Publication clause.

Approved April 10, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 15, and Des Moines Leader, April 17, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 132.

AN ACT making appropriations for the Iowa Industrial School, H. F. 195, boys' department, at Eldora, Iowa.

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

SECTION 1. That there is hereby appropriated for the Iowa Industrial School, boys' department, at Eldora, Iowa, out of any money in the state treasury not otherwise appropriated, the sum of eighteen thousand five hundred dollars (\$18,500), in the following sums, or so much thereof as may be necessary, for the following purposes, to-wit: Amount of appropriation.

For one family building for sixty boys.....	\$ 9,000
For furnishing same.....	1,000
For electric light.....	150
For general repair and contingent fund.....	3,500
For new roof and gutters on main building.....	1,000
For repair and improvement of three family buildings.....	1,650
For tile and sewer pipe.....	400
For fencing wire lumber and posts.....	300
For new dynamo.....	500

For painting barn and all outside wood work.....	\$ 300
For library and school books.....	400
For chaplains' fund.....	300

Total\$18,500

Paid on order of school.

SEC. 2. The money herein appropriated shall be paid on the written order of the board of trustees of said school: Provided, that not more than one-half thereof shall be drawn before December 31, A. D. 1896.

Publication clause.

SEC. 3. 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.

Approved April 10, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 15, and Des Moines Leader, April 18, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 133.

S. F. 240. AN ACT making appropriation for the State Industrial School, girls' department, at Mitchelville, Iowa

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

Amount appropriated.

SECTION 1. That there is hereby appropriated for the State Industrial School, girls' department at Mitchelville, Iowa, out of any money in the state treasury, not otherwise appropriated, seventeen thousand dollars (\$17,000) in the following sums, or so much thereof as may be necessary, for the following purposes, to-wit:

Assembly room and school rooms.....	\$12,000
For seating same.....	600
For heating and lighting same.....	1,300
For contingent and repair fund.....	2 500
For chaplain fund.....	300
For library and school books.....	100
For furnishing and furniture for all buildings.....	200

Total\$17,000

How and when drawn.

SEC. 2. The money herein appropriated, except for the first three items hereof, shall be drawn and paid on the order of the trustees of said school; *provided*, that not more than one-fourth of said sums shall be drawn before October 15th, 1896, nor more than one-half before April 15th, 1897, and not more than three-fourths thereof before October 15th, 1897.

Paid on order of trustees.

SEC. 3. The money herein appropriated for the erection of the assembly room and school rooms, and for seating, heating, and lighting the same, shall be drawn and paid on the order of the trustees of said school; *provided*, that not more than one-half of the same herein appropriated

shall be drawn before June 1st, 1896, and the remainder thereof not before October 1st, 1896.

SEC. 4. 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 the Des Moines Leader, newspapers published at Des Moines, Iowa.

Publication clause.

Approved April 17, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 24, and Des Moines Leader, April 23, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 134.

AN ACT making appropriation for the penitentiary at Anamosa, H. F. 233. Iowa.

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

SECTION 1. That there is hereby appropriated for the penitentiary at Anamosa, Iowa, out of any money in the state treasury not otherwise appropriated, the following sums and amounts, or so much thereof as may be necessary for the following purposes, to-wit:

Appropriation.

- For completion of the center building now under construction \$32,348
- For foundation of the north wing of the cell house. 23,000
- For contingent and repairs 6,000
- For furniture and repairs of warden's house 250
- For transportation of discharged convicts 3,000
- For rotary oven for new bakery 1,600

SEC. 2. Any sum remaining after the specified object for which it is appropriated shall have been completed, may be used so far as it may be necessary, for any other items, subject, however, to the approval of the executive council of the state.

How used.

SEC. 3. The money hereby appropriated shall be drawn from the state treasury on the order of the warden of the penitentiary at such times and in such sums as he may deem necessary; Provided, that not more than one-half of said amount shall be drawn during the year 1896, and the balance may be drawn in the year 1897.

How and when drawn.

SEC. 4. 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 the Des Moines Leader, newspapers published in Des Moines, Iowa.

Publication clause.

Approved April 10, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 16, and Des Moines Leader, April 18, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 135.

S. F. 286. AN ACT making appropriation for the penitentiary at Fort Madison, Iowa.

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

Amount of appropriation.

SECTION 1. That there is hereby appropriated for the penitentiary at Fort Madison, Iowa, out of any money in the state treasury not otherwise appropriated thirteen thousand two hundred dollars (\$13,200) in the following sums, or so much thereof as may be necessary for the following purposes:

Transportation of discharged convicts	\$ 4,000
For contingent and repair fund	7,500
For warden's house fund.	200
For new pump house in connection with the river.	1,500

Total\$13,200

To be paid on order of warden.

SEC. 2. The money herein provided shall be drawn and paid on the order of the warden of said penitentiary; *provided*, that no more than one-fourth shall be drawn before October 15, 1896, nor more than one-half before April 15, 1897, and not more than three-fourths before October 1, 1897; *provided*, that the two hundred dollars for warden's house shall be immediately available.

To pay for prison library.

SEC. 3. The warden is hereby authorized to pay from the prison library fund the sum not exceeding two thousand (\$2,000) dollars for the construction of a new barn.

Conveyance for Sabbath school teachers.

SEC. 4. The warden is hereby authorized to pay from the contingent fund a sum not exceeding one hundred and fifty (\$150) dollars to provide a suitable conveyance for transporting the Sabbath school teachers to and from the prison.

SEC. 5. 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 the Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 17, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 23, and Des Moines Leader, April 25, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 136.

AN ACT making appropriation for enlarging the cell capacity and yard of the penitentiary at Fort Madison, Iowa. H. F. 422.

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

SECTION 1. That there is hereby appropriated, out of the money in the state treasury not otherwise appropriated, \$51,000, in the following sums, or so much thereof as may be necessary for the following purposes:

For placing new tier of steel cells and fixtures	\$30,000
For extension of yard wall, to be built of stone	18,000
For building wall of cell house and raising roof one story,	3,000

Total \$51,000

SEC. 2. The money herein provided shall be paid on the order of the warden of the penitentiary as the needs of construction require. How paid.

SEC 3. 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 the Des Moines Leader, newspapers published in Des Moines, Iowa. Publication clause.

Approved March 24, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, March 31, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 137.

AN ACT making appropriations for the State Normal School at Cedar Falls, Iowa. S. F. 106.

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

SECTION 1. That there is hereby appropriated, out of any money in the state treasury not otherwise appropriated, thirty-nine thousand (\$39,000) dollars, in the following sums, or so much thereof as may be necessary for the following purposes, to-wit:

For teachers' fund additional for two years,	\$22,000
For contingent fund for two years,	12,000
For library fund for two years,	1,000
For repairs,	2,000
For librarian and assistant,	1,000
For military instruction and expenses,	1,000

SEC. 2. That there is appropriated out of any money in the state treasury not otherwise appropriated, in addition to the sum appropriated in section one (1) hereof, the Amount of appropriation.

sum of nine thousand dollars (\$9,000), or so much thereof as shall be necessary for the following purposes, to-wit:

For addition to boiler house, new boilers, and steam heating,.....	\$ 3,000
For sewer,.....	5,000
For library furniture, cases, tables, chairs, fixtures,	500
For biological laboratory, museum cases, tables, and apparatus.....	500

How and when paid.

SEC. 3. The itemized appropriations specified in section one (1) of this act shall be paid on the order of the board of directors of the said normal school; *provided*, that not more than one-fourth thereof shall be drawn before October 15, 1896, nor more than one-half before April 15, 1897, and not more than three-fourths of said sums shall be drawn before October 15, 1897.

Paid on order of board of directors.

SEC. 4. The itemized appropriation in section two (2) of this act, making provision for addition to boiler house, new boilers, and steam heating, shall be paid on the order of the board of directors of the said normal school; *provided*, not more than one-half shall be drawn before July 1, 1896, and the other one-half shall not be drawn before October 15, 1896.

SEC. 5. The itemized appropriation in section two (2) of this act, making provision for sewer shall be paid on the order of the board of directors of said normal school; *provided*, that not any of said amount shall be drawn until the city of Cedar Falls, Iowa, shall adopt a sewerage system, and shall expend an equivalent amount of five thousand dollars (\$5,000) on the extension of said sewer to the normal school grounds; and *provided*, also, that none of said appropriation shall be drawn before April 15, 1897.

SEC. 6. The itemized appropriation in section two (2) of this act, making provision for library furniture, cases, tables, chairs, and fixtures, and for biological laboratory, museum cases, tables, and apparatus, shall be paid on the order of the board of directors of said normal school; *provided*, that it shall not be drawn before April 15, 1897.

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 the Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 17, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 24, and Des Moines Leader, April 25, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 138.

AN ACT making appropriation for the Industrial Home for the Blind at Knoxville, Iowa. H. F. 402.

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

SECTION 1. There is hereby appropriated for the Industrial Home for the Blind at Knoxville, Iowa, out of any money in the state treasury, not otherwise appropriated, eighteen thousand dollars (\$18,000), in the following sums or so much thereof as may be necessary for the following purposes, to-wit:

For salary and subsistence fund.....	\$ 12,000
For manufacturing fund.....	3,000
For contingent fund.....	3,000

SEC. 2. The money herein appropriated shall be paid on the order of the trustees of said home; Provided, that not more than one-fourth of the sums appropriated for salary and subsistence and contingent fund, shall be drawn before October 1st, 1896; nor more than one half thereof before April 1st, 1897, and not more than three-fourths of said sums appropriated for salary and subsistence and contingent funds be drawn before October 1st, 1897.

SEC. 3. 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 at Des Moines, Iowa.

Approved April 10, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 16, and Des Moines Leader, April 18, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 139.

AN ACT making appropriation to purchase land for the site of the Hospital for the Insane at Cherokee. S. F. 118.

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

SECTION 1. That whereas the board of commissioners, appointed under the provisions of chapter 80 of the acts of the Twenty-fifth General Assembly, did in pursuance of the provisions of said chapter obtain from N. T. Burroughs of Cherokee, Iowa, an option for the state to take of said N. T. Burroughs: The east half of the northeast quarter, and the northwest quarter of the northeast quarter, and the east half of the southwest quarter of the northeast quarter and the southwest quarter of the southeast quarter, and the east half of the northwest quarter of the southeast quarter, and the west half of the east half of

the southeast quarter of section twenty-eight (28) in township ninety-two (92) north of range forty (40) west, situated in Cherokee county, Iowa, [the same being two hundred and forty (240) acres of land,] for the price of twelve thousand five hundred dollars (\$12,500); and

Amount paid.

WHEREAS, The said board of commissioners paid three hundred and sixty dollars (\$360) on said price; Therefore, the sum of twelve thousand one hundred and forty dollars (\$12,140) is hereby appropriated out of money in the state treasury not otherwise appropriated to pay for the above described land.

When paid.

SEC. 2. The money shall be so paid as soon as the said N. T. Burroughs shall make, execute, and deliver a full warrantee deed for said land to the state of Iowa, together with an abstract showing a full and complete title to said land free of all incumbrances in the said Burroughs.

Publication clause.

SEC. 3. This act being deemed by the General Assembly of immediate importance shall be in full force and effect after publication in the Iowa State Register, a newspaper published at Des Moines, Iowa, and the Cherokee Times, a newspaper published at Cherokee, Iowa.

Approved April 17, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register and Cherokee Times, April 23, 1896.

W. M. McFARLAND,
Secretary of State.

CHAPTER 140.

S. F. 119.

AN ACT making an appropriation to construct the hospital for the insane at Cherokee.

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

Appropriation for hospital at Cherokee.

SECTION 1. For the purpose of hastening the completion of the hospital for the insane at Cherokee, there is hereby appropriated, out of any money in the state treasury not otherwise appropriated, the sum of twenty-five thousand dollars (\$25,000) to be used in the year 1896, twenty five thousand dollars (\$25,000) to be used in the year 1897, seventy-five thousand dollars (\$75,000) to be used in the year 1898, and seventy-five thousand dollars (\$75,000) to be used in the year 1899, to be expended in the erection of the hospital for the insane at Cherokee.

Amount of appropriation. When available.

Is an additional appropriation.

SEC. 2. This appropriation is in addition to the amount appropriated by chapter 136 of the acts of the Twenty-fifth General Assembly.

Approved April 17, 1896.

CHAPTER 141.

AN ACT making appropriation for the Hospital for the Insane at H. F. 287. Clarinda, Iowa.

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

SECTION 1. That there is hereby appropriated for the Iowa Hospital for the Insane at Clarinda, out of any funds in the state treasury not otherwise appropriated, in the following sums, for the following purposes, to-wit:

New violent and infirmary wards on female wing (fire proof).....	\$109,000
Electric light, ventilation and furnishing.....	8,000
Extra engines and dynamos.....	4,800
Improvement of grounds, new pavilion, and walks	2,500
Finishing and furnishing of violent and infirmary wards under construction.....	13,500
Repairs and improvements.....	4,500
Library and amusements.....	500
Additional water supply and storage capacity....	17,500
Steam heating and plumbing, old and new building, and new boilers.....	22,200
Ventilating.....	4,300
Sewerage.....	1,000
Industrial shop and additional machinery.....	3,000
Painting old buildings.....	2,000
Additional laundry machinery.....	1,500
Electric wiring and light fixtures for new building	3,000
Contingent fund.....	2,000

SEC. 2. The money appropriated by this act shall be drawn and paid in eight equal installments on the requisition of the board of trustees of said hospital, presented quarterly, on or after February 15th, May 15th, August 15th, and November 15th of the years 1896 and 1897.

The board of trustees are hereby authorized to commence in 1896 and proceed with the construction and improvements, authorized by this act.

SEC. 3. Any sum remaining after the specified object for which it is appropriated shall have been completed may be used, so far as it may be necessary, for any other item, subject, however, to the written approval of the state executive council.

SEC. 4. The money hereby appropriated shall be drawn from the state treasury in accordance with law.

SEC. 5. 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 in Des Moines, Iowa.
 Approved April 17, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 24, and Des Moines Leader, April 23, 1896.
 W. M. MCFARLAND,
 Secretary of State.

CHAPTER 142.

H. F. 239. AN ACT making appropriations for the Hospital for the Insane at Mt. Pleasant, Iowa.

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

Appropriation.

SECTION 1. There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, for the hospital for the insane at Mount Pleasant, Iowa, the following amounts for the following purposes, viz:

For water supply	\$ 10,000
For one infirmary building	20,000
For cement walks	1,500
For improvement of grounds	500
For furniture	1,000
For painting	1,000
For repair and contingent fund	6,000
For new slate roof on one section of the old building	2,500
For repairing walls of old building	5,600
For library and diversions	1,000

When paid.

SEC. 2. The money herein appropriated shall be paid on the written order of the trustees of the hospital; Provided, that not more than one-half the amount appropriated shall be drawn during the year 1896.

Publication clause.

SEC. 3. 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 the Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 10, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 16, and Des Moines Leader, April 18, 1896.
 W. M. MCFARLAND,
 Secretary of State.

CHAPTER 143.

S. F. 156. AN ACT making an appropriation for the Hospital for the Insane at Independence.

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

Appropriations.

SECTION 1. That there is hereby appropriated for the hospital for the insane at Independence, out of any money in the state treasury not otherwise appropriated, the following sums for the following purposes; to-wit:

- For a general repair and contingent fund for two years, the sum of six thousand dollars (\$6,000). General repair.
- For radiators and steam pipes, the sum of one thousand, two hundred and fifty dollars (\$1,250). Radiators and steam pipes.
- For hot water tank, the sum of six hundred dollars (\$600). For tank.
- For painting and varnishing, the sum of one thousand dollars (\$1,000). For painting.
- For paving and plastering basement, the sum of seven hundred dollars (\$700). Paving and plastering.
- For bedsteads and mattresses, the sum of one thousand, two hundred dollars (\$1,200). Bedsteads and mattresses.
- To equip armory and gymnasium, the sum of three hundred dollars (\$300). Equip armory
- For books for library and reading room, the sum of two hundred and fifty dollars (\$250).
- For improving the grounds, the sum of one thousand dollars (\$1,000).
- For industrial building and machinery, the sum of five thousand dollars (\$5,000.)
- For eighty acres of land, the sum of two thousand dollars (\$2,000).

SEC. 2. The money herein appropriated shall be drawn and paid on the order of the trustees of said hospital, at such times as may be deemed necessary by said trustees; *provided*, that not more than one-fourth thereof shall be drawn before October 15, 1896, nor more than one-half before April 15, 1897, and not more than three-fourths of said sums shall be drawn before October 15, 1897. How and when paid.

SEC. 3. 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 the Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 17, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, May 1, and Des Moines Leader, April 23, 1896.

W. M. MCFARLAND.
Secretary of State.

CHAPTER 144.

AN ACT making appropriations for the better support of the State University in its several departments and chairs, and in aid of the income fund, and for the development of the institution, and for completion of buildings. S. F. 176.

University in its several departments and chairs, and in aid of the income fund, and for the development of the institution, and for completion of buildings.

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

SECTION 1. That there be and is hereby appropriated out of any funds in the state treasury, not otherwise appropriated, for the further support of the State University in its several departments and chairs, and in aid of the income fund, and for the development of the institution, Appropriation.

How and when paid. the sum of twelve thousand, five hundred dollars (\$12,500) annually hereafter, said sum to be payable in quarterly installments on the order of the board of regents, the first installment to be payable on the first of September, 1896.

Sum appropriated. SEC. 2. There is hereby appropriated, in addition to the amount appropriated in section one (1) of this act, in support of the State University, in the several departments, twenty-one thousand dollars (\$21,000) in the following sums, or so much thereof as may be necessary for the following purposes, to-wit:

For general library,.....	\$ 2,500
For law library,.....	1,000
For physical laboratory,.....	1,000
For repair and contingent fund,.....	10,000
For completion and equipment of homeopathic medical building,.....	4,000
For completion and equipment of dental building,..	2,500

Total.\$21,000

When and how paid. SEC. 3. The itemized appropriations provided for in section two (2) hereof shall be paid on the order of the board of regents of said university, *provided*, that not more than one-fourth thereof shall be drawn before October 15, 1896, nor more than one-half before April 15, 1897, and not more than three-fourths of said sum shall be drawn before October 15, 1897.

Publication clause. SEC. 4. 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 the Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 17, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, May 1, and Des Moines Leader, April 25, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 145.

S. F. 193. AN ACT making appropriations for the Institution for Feeble-Minded Children at Glenwood, Iowa.

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

Appropriation. SECTION 1. That there is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, for the Institution for Feeble-minded Children at Glenwood, Iowa, the following sums, or so much thereof as may be necessary, for the following purposes:

For a new system of water supply,.....	\$ 10,000
For school supplies,.....	400
For remodeling cold storage, and making two additional schoolrooms,.....	1,000
For kitchen supplies,.....	400

For painting,.....	\$ 500
For contingent and repair fund,.....	3,500
For bedsteads and bedding,.....	1,500

Total,.....\$ 17,500

SEC. 2. There is hereby appropriated out of any money in the state treasury not otherwise appropriated, in addition to the sum specified in section one (1) hereof, the sum of forty-five thousand dollars (\$45,000) for extensions to the asylum building, and three thousand five hundred dollars (\$3,500) for furnishing the same. Amount appropriated.

SEC. 3. The itemized appropriations specified in section one (1) hereof shall be paid on the order of the trustees of said school for Feeble-minded; *provided*, that not more than one-fourth thereof shall be drawn before October 15, 1896, nor more than one-half before April 15, 1897, and not more than three-fourths of said sums shall be drawn before October 15, 1897. How and when paid.

SEC. 4. The money appropriated by section two (2) of this act shall be paid on the order of said trustees, provided that the first half of the appropriation therein specified shall not be drawn before July 15, 1896, and the second half shall not be drawn before October 15, 1896. Paid on order of trustees.

SEC. 5. 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 the Des Moines Leader, newspapers published at Des Moines, Iowa. Publication clause.

Approved April 17, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, May 2, and Des Moines Leader, May 5, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 146.

AN ACT making appropriations for the College for the Blind at S. F. 208, Vinton, Iowa.

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

SECTION 1. That there be and is hereby appropriated, for the college for the blind at Vinton, Iowa, out of any money in the state treasury not otherwise appropriated, the sum of ten thousand five hundred dollars (\$10,500), or so much thereof as may be necessary, for the purposes as are hereinafter named in the following sums, to-wit: \$10,500 appropriated.

For brick laundry and slate roof,.....	\$ 5,000
For contingent and repair fund,.....	3,000
For bedding and furniture,.....	1,000
For inside and outside painting,.....	500
For library and school apparatus,.....	500
For special teacher for Linnie Haguewood,.....	500

Total.....\$10,500

How and when paid.

SEC. 2. The money herein appropriated shall be paid only on the order of the trustees of said college, at such times and in such sums as may be deemed necessary and advisable by said trustees; *provided*, however, that not more than two thirds of said amount shall be drawn during the year 1896, and the balance during the year 1897.

Publication clause.

SEC. 3. 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 in Des Moines, Iowa.

Approved April 17, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 24, and Des Moines Leader, April 25, 1896.

W. M. MCFARLAND.
Secretary of State.

CHAPTER 147.

S. F. 315.

AN ACT to provide for the payment of the mileage of the committees appointed to visit the state institutions.

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

\$766 appropriated.

SECTION 1. That there be and hereby is appropriated, out of any money in the state treasury not otherwise appropriated, the sum of seven hundred and sixty-six dollars (\$766) to the persons visiting the different state institutions, for mileage, as per attached schedule.

Amount due.

We, your committee appointed to report the amount of mileage due the various visiting committees, beg leave to report as follows:

AGRICULTURAL COLLEGE, AMES.

W. B. Perrin.....	\$ 3.75
Thos. F. Nolan.....	3.75
W. E. Hauger.....	3.75
	<hr/>
	\$11.25

STATE UNIVERSITY, IOWA CITY.

H. L. Waterman.....	\$12.10
Samuel Mayne.....	12.10
J. F. Grote.....	12.10
	<hr/>
	\$36.30

STATE NORMAL SCHOOL, CEDAR FALLS.

W. F. Harriman.....	\$11.00
W. G. Ray.....	11.00
H. K. Evans.....	11.00
	<hr/>
	\$33.00

HOSPITAL FOR INSANE, INDEPENDENCE.

A. C. Hotchkiss.....	\$18.50
F. B. Manahan.....	18.50
Wireman Miller.....	18.50
	<hr/>
	\$55.50

HOSPITAL FOR INSANE, MT. PLEASANT.

J. R. Gorrell.....	\$17.00
J. J. Lowrey.....	17.00
N. A. Wells.....	17.00
	<hr/>
	\$51.00

HOSPITAL FOR INSANE, CLARINDA.

A. B. Funk.....	\$26.10
R. T. St. John.....	26.10
J. T. Jay.....	26.10
	<hr/>
	\$78.30

FEEBLE MINDED AT GLENWOOD.

W. O. Mitchell.....	\$21.00
Claude R. Porter.....	21.00
M. L. Temple.....	21.00
	<hr/>
	\$63.00

DEAF AND DUMB AT COUNCIL BLUFFS.

Warren Garst.....	\$14.20
J. F. Reed.....	14.20
J. T. P. Power.....	14.20
	<hr/>
	\$42.60

COLLEGE FOR BLIND AT VINTON.

B. F. Carroll.....	19.60
C. F. Bailey.....	19.60
Thos. Lambert.....	19.60
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	\$58.80

INDUSTRIAL HOME FOR BLIND, KNOXVILLE.

L. M. Kilburn.....	\$3.50
G. H. Van Houten.....	3.50
J. L. Wilson.....	3.50
	<hr/>
	\$10.50

INDUSTRIAL SCHOOL FOR BOYS, ELDORA.

Samuel Druet.....	\$12.70
J. B. Classen.....	12.70
James M. Clark.....	12.70
	<hr/>
	\$38.10

INDUSTRIAL SCHOOL FOR GIRLS, MITCHELLVILLE.

E. M. Sargent.....	\$1.70
S. N. Hinman.....	1.70
J. B. Hazen.....	1.70
	<hr/>
	\$5.10

SOLDIERS' HOME, MARSHALLTOWN.

J. S. Lothrop.....	\$12.00
P. A. Smith.....	12.00
N. A. Merrell.....	12.00
	<hr/>
	\$36.00

PENITENTIARY, FT. MADISON.

H. L. Byers.....	\$20.75
M. J. Davis.....	20.75
W. W. Cornwall.....	20.70
	<hr/>
	\$62.25

PENITENTIARY, ANAMOSA.

J. A. Rigger.....	\$17.60
Chas. L. Early.....	17.60
Frank F. Merriam.....	17.60
	<hr/>
	\$52.80

SOLDIERS' ORPHAN HOME, DAVENPORT.

L. A. Ellis.....	\$17.50
M. DeDonald.....	17.50
G. M. Putnam.....	17.50
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	\$52.50

FISH HATCHERY, SPIRIT LAKE.

J. E. Rowen.....	\$26.00
W. G. Ladd.....	26.00
L. S. Huntley.....	26.00
	<hr/>
	\$78.00

BENEDICT HOME, DES MOINES.

S. Williams.....	\$1.00
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Publication
clause.

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

Approved March 3, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, March 6, and the Des Moines Leader, March 5, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 148.

AN ACT appropriating funds for the support of the State Fish Commission. s. F. 394.

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

SECTION 1. That for the purpose of maintaining the state fish commission for the ensuing biennial period there is hereby appropriated the sum of six thousand dollars out of any funds not otherwise appropriated; Provided, that said fund be under the control of and audited by the executive council. \$8,000 appropriated.

SEC. 2. 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 the Des Moines Leader, newspapers published in Des Moines, Iowa. Publication clause.

Approved April 17, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, April 23, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 149.

AN ACT to provide for an exhibit of the resources of the State of Iowa at the Trans-Mississippi and International Exposition to be held at Omaha in the year 1898. H. F. 482.

WHEREAS, Congress has passed a bill authorizing and encouraging the holding of the Trans-Mississippi and International Exposition at the city of Omaha in the state of Nebraska in the year 1898; and,

WHEREAS, It is very desirable that the agricultural, mineral, mechanical, industrial, and educational, and every resource and advantage of the state of Iowa shall be credibly represented in such exposition; therefore,

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

SECTION 1. That the executive council be and is hereby authorized and directed to appoint an exhibit commission to be known as the Iowa Trans-Mississippi and International Exposition committee. Such commission shall consist of eleven members, to be selected one from each congressional district in the state, not more than six of whom shall be from the same political party, and shall have full power to devise and execute plans for the said exhibit herein contemplated, and take charge of the same and dispose of the appropriations. It may appoint such officers as it in its judgment may deem necessary for the carrying out of the purposes of this act, including the right to delegate to the exhibit committee the duty and Council to appoint commission.

Number of Commission to appoint officers.

power to execute all or any plans that may be devised or ordered by said commission. One member thereof shall be chosen to act as treasurer and who shall be ex-officio custodian of the moneys herein appropriated, but before entering upon the duties of such office he shall furnish a bond subject to the approval of the executive council, and in favor of the state of Iowa, in a penal sum equal to the amount herein appropriated. Any vacancy occurring in said commission shall be filled by the executive council by a choice of some citizen residing in the congressional district wherein such vacancy occurs.

Treasurer. The commission herein created shall serve without compensation.

To give bond. SEC. 2. The sum of ten thousand dollars is hereby appropriated out of any money in the state treasury, not otherwise appropriated, for the purpose of carrying into execution the intent of this act. All payments of money must be made upon complete vouchers and under conditions to be fixed by said commission. At the close of its services, the commission shall make to the governor a statement of its proceedings, which shall include a list of all disbursements with complete vouchers therefor. Provided, further, no appointment under this act shall be made, nor shall any money herein appropriated be drawn or any charge or expense made until it is definitely known that Congress has made a substantial appropriation for the Trans Mississippi and International Exposition. Provided, further, that said commission shall be restricted in expenses to the sum herein appropriated, and no contracts shall be made or money expended except upon approval of the executive council.

Vacancy, how filled.

Compensation.

Amount of appropriation.

Vouchers.

Statement made to governor.

Expended on approval of executive council.

Approved April 17, 1896.

CHAPTER 150.

S. F. 148. AN ACT to provide for the payment of the claim of Scott county against the state of Iowa for expenses incurred in the care, restraint, and transportation of insane persons not having a known residence in Iowa.

WHEREAS, The laws of the 21st General Assembly of the state of Iowa taking effect July 4, A. D. 1886, provides for the reimbursement of counties for the expenses incurred in sending insane patients to the hospitals for the insane in said state, having no legal settlement in this state or whose legal settlement cannot be ascertained; and

Amount claimed. WHEREAS, Said Scott county has found since the taking effect of said act for such expense the sum of \$1,003.79 for which it has not been reimbursed by the state in the following cases:

Helen M. Chittenden,	\$57.70
Marie Nelsen,	76.35

Peter Honn,.....	\$64.55
Trena Blumer,.....	76 24
Annie Jagschitz,.....	72.50
Mary Burns,.....	62.05
Minnie Endner,.....	67.10
Willie Henderson,.....	66.10
Mamie B. Jennings,.....	55.80
Thomas Bresnehan,.....	60.65
Samuel Honecker,.....	79.90
Julian Schaner,.....	85 95
Franz Jacobs,.....	62.70
Lydia Neeson,.....	67.95
B. Edelman,.....	78.25

and,

WHEREAS, Said claim has been filed by said county with the auditor of said state, who is prohibited from auditing and paying the same without an act of the legislature of said state; therefore,

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

SECTION 1. That there be, and hereby is, appropriated out of any money in the state treasury not otherwise appropriated, the sum of four hundred and twelve dollars and eighty-nine cents, and the auditor of the state is hereby authorized to draw a warrant for said sum payable to the auditor of Scott county, Iowa, and the treasurer of the state is hereby authorized to pay the sums as herein provided, which sum shall be received in full satisfaction and discharge of said claim.

Appropriation.

To whom payable.

Approved April 17, 1896.

CHAPTER 151.

AN ACT to appropriate money to pay the claims of individuals and counties in Iowa, for making the exhibit at the World's exposition in New Orleans. S. F. 396.

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

SECTION 1. That the sum of \$12,000 dollars be appropriated, or so much thereof as may be necessary, out of any money in the State Treasury not otherwise appropriated, to be paid in the manner hereinafter provided, to such individuals and counties in Iowa that contributed money and have claims for making the exhibit of Iowa at the World's Exposition in New Orleans in 1884-5.

\$12,000 appropriated.

For exhibit at New Orleans.

SECTION 2. That the disbursement of said above named sum, or so much thereof as may be needed, shall be made by the executive Council of State, who shall examine into the report made to the Governor of Iowa by the Commissioner and Treasurer of the Iowa Commission at said exposition and into each item thereof, and if said report is found correct, said Council shall determine

Executive council to disburse same.

No claim for a personal exhibit allowed. which of said claims remain unpaid; no claim shall be allowed for any expenditure for a personal or firm exhibit at said exposition; all claims for actual cash furnished by individuals shall take precedence over appropriations made by counties; and, after deducting therefrom any payments heretofore made thereon by the General Assembly of Iowa, shall certify the same to the Auditor of State, who shall thereupon issue warrants upon the Treasurer of State for such sums found due and in favor of such persons and counties as said Council shall determine to be entitled to the same. No claim shall be paid except to the actual owner thereof upon proof of ownership, and if the same is presented by an assignee of the original holder thereof such assignee shall make proof of his ownership, and the amount paid for the same, and in no case shall more be allowed to such assignee than the amount he paid therefor. Provided, that no payment shall be made to any person, firm, or company for personal expenses or salary for any private exhibit.

Principal only to be paid. SECTION 3. The principal only shall be paid on said claims, and the amount to be expended under this act shall not exceed the sum of twelve thousand dollars. Approved May 2, 1896.

CHAPTER 152.

H. F. 317. AN ACT to pay the expense of procuring badges for certain employes of the 26th General Assembly. *Be it enacted by the General Assembly of the State of Iowa:*

\$59 appropriated for badges. SECTION 1. There is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of fifty-nine dollars (\$59.00) to be expended in paying the following itemized account for badges for employes of the 26th General Assembly, and the auditor of state is authorized to draw a warrant therefor:

2 sargent-at-arms badges	\$ 7.00
2 sargent-at-arms badges	5.00
20 page badges	15.00
16 door-keeper badges.....	32.00
	\$59.00

Publication clause. SEC. 2. 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 in Des Moines, Iowa. Approved April 14, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, April 18, 1896.
 W. M. MCFARLAND,
 Secretary of State.

CHAPTER 153.

AN ACT to reimburse the members and heirs of members of the S. F. 353.
Second and Third Iowa infantry for "Gray" uniforms purchased during the war.

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

SECTION 1. That there be and is hereby appropriated ^{\$2,500 appro-} out of the money in the treasury, not otherwise appropriated, ^{riated.} the sum of twenty-five hundred dollars or so much thereof as may be necessary, for the refunding to any member, or the heirs of any member, of the Second and Third Iowa infantry regiments, for money paid by them, or deducted from their wages, for what was known as the "gray" uniform.

SEC. 2. It shall be the duty of the adjutant-general to ^{Adjutant-} ascertain by referring to the original rolls now on file in ^{general to} the office of the paymaster-general of the U. S. A., or the ^{ascertain the} official rolls of the adjutant-general's office of the state of Iowa, the amount deducted from the pay of each soldier of the said Second and Third Iowa regiments on account of the gray uniforms furnished said regiments, and that he be required to make out such certificates for the amount deducted, and not refunded, as shown by said rolls and records; and if any member so entitled to such certificate be dead the same shall be given to his widow, if any, and ^{May be paid} if there be no widow then his child or children, if any. ^{to wife or}

SEC. 3. That the auditor of the state be and is hereby ^{Auditor to} directed to issue warrants on the state of Iowa for the ^{issue war-} amount as certified to by the adjutant-general. ^{rants.}

Approved April 17, 1896.

CHAPTER 154.

AN ACT to reimburse Cedar county, Iowa, for the maintenance of H. F. 411.
Stella Lupton, a soldiers orphan, at the Soldiers Orphans Home at Davenport, Iowa.

Whereas; On July 26, 1881, Stella Lupton was admitted to the Soldiers' Orphans' Home at Davenport, Iowa, and the cost of her maintenance was charged to the account of Cedar county, Iowa, from July 26, 1881 to June 20, 1893.

Whereas; The said county of Cedar paid the state of Iowa for the maintenance of the said Stella Lupton the sum of one thousand one hundred and ninety-three dollars and six cents (\$1,193.06) as is shown by the records of the auditor of state; therefore,

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

\$1,193.06 ap-
propriated.

SECTION 1. That said Cedar county be reimbursed for the maintenance of the said Stella Lupton in the sum of one thousand one hundred and ninety-three dollars and six cents (\$1,193 06), and the auditor of state be and is hereby authorized to draw a warrant for said amount in favor of said Cedar county.

Approved April 17, 1896.

CHAPTER 155.

S. F. 27.

AN ACT to pay the widow of Hon. L. O. Hatch, late judge of the 13th judicial district of Iowa, the salary of the office from the date of his death to the time his successor was appointed and qualified.

Whereas, The Hon. L. O. Hatch was in the year 1890 elected judge of the district court for the Thirteenth judicial district of Iowa for the term commencing on the 1st day of January, 1891, and ending on the first day of January, 1895, and

Whereas, By reason of certain accidental physical injuries received by him during his incumbence as such judge, about January 4, 1894, he was prostrated and permanently disabled, and as a result of such injuries died about July 25, 1894; and

Whereas, The Hon. E. E. Cooley was appointed August 24, 1894, by the governor to fill the unexpired term of said office for five months;

Whereas, The salary for the time from the date of the death of Judge Hatch to the date of the appointment of his successor amounts to \$228.50 and was not drawn by any person; therefore,

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

\$228.50 apprc-
priated.

SECTION 1. That the sum of \$228.50-100 be and the same is hereby appropriated to Albina Hatch, widow of Hon. L. O. Hatch, deceased, as compensation for said period, and that the auditor of state be directed to draw a warrant therefor.

Approved April 17, 1896.

CHAPTER 156.

H. F. 351.

AN ACT to reimburse Woodbury county, Iowa for the maintenance of F. G. and Jennie Laughlin, soldier's orphans, at the Soldiers' Orphans' Home at Davenport, Iowa.

WHEREAS, On February 25, 1888, F. G. and Jennie Laughlin were admitted to the Soldiers' Orphans' Home at Davenport, Iowa, and the cost of their maintenance was charged to the account of Woodbury county, Iowa, from February 25, 1888, to June 30, 1893; and

WHEREAS. The said F. G. and Jennie Laughlin were on June 30, 1893, transferred to the account of the state of Iowa, satisfactory proof having been furnished the board of trustees of said Orphans' Home that they were orphans of a soldier in the war for the union; and

WHEREAS, The said county of Woodbury paid the state of Iowa, for the maintenance of the said F. G. and Jennie Laughlin, the sum of one thousand and sixty-nine dollars and seventy-six cents (\$1,069.76) as is shown by the records of the auditor of state; therefore

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

That said Woodbury county, be reimbursed for the maintenance of the said F. G. and Jennie Laughlin in the sum of one thousand and sixty nine dollars and seventy-six cents (\$1,069.76), and the auditor of state be and is hereby authorized to draw a warrant for said amount in favor of said county. ^{\$1,069.76 ap-propriated.}

Approved April 17, 1896.

CHAPTER 157.

AN ACT making an appropriation for Benedict Home at Des Moines H. F. 163. Iowa.

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

SECTION 1. There is hereby appropriated for the support of Benedict Home, at Des Moines, Iowa, out of any money in the state treasury not otherwise appropriated, the sum of nine thousand two hundred dollars (\$9,200), or so much thereof as may be necessary, to be expended as directed by the executive council; provided, that not more than one-half the amount herein appropriated shall be drawn during the first half of the biennial period. ^{\$9,200.} ^{When paid.}

SEC 2. 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 the Des Moines Leader, newspapers published at Des Moines, Iowa. ^{Publication clause.}

Approved April 10, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 16, and Des Moines Leader, April 18, 1896.

W. M. McFARLAND,
Secretary of State.

CHAPTER 158.

AN ACT making an appropriation for the support of the Iowa Weather and Crop Service. H. F. 233.

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

SECTION 1. That there is hereby appropriated, out of any money in the treasury not otherwise appropriated, the sum of twenty seven hundred dollars (\$2,700) per year, ^{\$2,700 appro-riated.}

for the biennial term ending March 31, 1898, or such portion of said sum as may be necessary for the support of the Iowa Weather and Crop Service; the same to be drawn and expended in the manner provided by chapter 29 of the laws of the 23rd General Assembly.

Publication clause.

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

Approved March 24, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, March 31, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 159.

S. F. 383.

AN ACT making repairs on, and keeping in repair, the State Capitol building, and other improvements.

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

\$2,100 appropriated.

SECTION 1. That there is hereby appropriated for repairs on, and keeping in repair, the State Capitol building, and other improvements, out of any money in the state treasury not otherwise appropriated, two thousand, one hundred dollars (\$2,100), or so much thereof as may be necessary for the following purposes, to-wit:

What for.

For painting walls in committee rooms Nos. 1, 2, 3, 4, 5, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 28, and 29, and for painting walls in post-office lobby and water-closet, second floor.

Painting domes. For Welsbach burners.

SEC. 2. That there is appropriated out of any money in the state treasury not otherwise appropriated, in addition to the sum appropriated in section one (1) hereof, the sum of two thousand, five hundred dollars (\$2,500) for painting outside work and domes, and the further sum of two thousand, five hundred dollars (\$2,500) for fitting Capitol with Welsbach burners.

To request bids.

SEC. 3. The executive council shall request bids for the doing of the work called for in section one (1), and let the same to the lowest responsible bidder. The appropriations made in sections one (1) and two (2) hereof shall be paid at such time and in such manner as the executive council may decide, and be paid by warrant drawn by the Auditor of State.

How paid.

Publication clause.

SEC. 4. This act, being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 17, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, May 2, and Des Moines Leader, May 5, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 160.

AN ACT appropriating money to defray the expenses of the inaug- s. F. 199.
ural ceremonies.

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

SECTION 1. That there be and hereby is appropriated, \$276.96 appro-
out of any money in the state treasury not otherwise priated.
appropriated, the sum of two hundred seventy-six and
ninety-six one-hundredths dollars (\$276.96), or so much
thereof as may be necessary, to pay the expenses incurred For inaug-
on account of the inauguration ceremonies. Warrants uration cere-
shall be drawn upon the treasurer for the sum herein monies.
appropriated in favor of the adjutant-general, upon the
filing of vouchers therefor with the auditor of state.

SEC. 2. This act, being deemed of immediate impor- Publication
tance, shall be in force and effect from and after its publi- clause.
cation in the Iowa State Register and Des Moines Leader,
newspapers published in the city of Des Moines, Iowa.

Approved February 28, 1896.

I hereby certify that the foregoing act was published in the Iowa
State Register and Des Moines Leader, February 29, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 161.

AN ACT appropriating money to pay the expenses of the Iowa S. F. 314.
Shiloh battlefield commission appointed by the governor of the
state to locate and mark the positions held by the Iowa regiments
at the battle of Shiloh, incurred in the discharge of their duties
as such, and to reimburse them for moneys expended in perform-
ing said duties.

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

That there be and hereby is appropriated out of any \$870.28 appro-
funds in the state treasury not otherwise appropriated, priated.
the sum of eight hundred seventy and 28-100 (\$870.28)
dollars to reimburse the several members of the Iowa
Shiloh battlefield commission appointed by the governor
of the state to locate and mark the positions held by the
Iowa regiments at the battle of Shiloh for and on account
of expenses paid by them in the discharge of their duty
as follows:—

To G. L. Godfray, commissioner 2nd regiment Iowa To whom
infantry, fifty-one and 03-100 dollars (\$51.03); G. W. Cros- paid.
ley, commissioner 3rd regiment Iowa infantry, eighty-
seven and 62-100 dollars (\$87.62); C. A. Huston, commis-
sioner 6th regiment Iowa infantry, one hundred and
67-100 dollars (\$100.67); J. B. Morrison, commissioner
7th regiment Iowa infantry, fifty-eight and 25-100 dollars

(\$58.25); L. Kinkead, commissioner 8th regiment Iowa infantry, fifty-three and 46-100 dollars (\$53.46); J. H. Munroe, commissioner 11th regiment Iowa infantry, fifty-five and 92-100 dollars (\$55.92) E. B. Soper, commissioner 12th regiment Iowa infantry, one hundred twenty one and 20-100 dollars (\$121.20); C. W. Kepler, commissioner 13th regiment Iowa infantry, eighty-three and 73-100 dollars (\$83.73); William T. Shaw, commissioner 15th regiment Iowa infantry, one hundred three and 10-100 dollars (\$103.10); E. C. Blackmar, commissioner 15th regiment Iowa infantry, eighty-four and 65-100 dollars (\$84.65); John Hayes, commissioner 16th regiment Iowa infantry, seventy and 60-100 dollars (\$70.60).

Auditor to draw warrants.

And the auditor of state is hereby authorized to draw a warrant in favor of each of said commissioners for the said sum above specified as the amount of his expenses, and the treasurer of state is hereby authorized to pay the same, and the same shall be received in full satisfaction and discharge of all claims against the state on account of the services so performed.

Approved April 17, 1896.

CHAPTER 162.

- H. F. 28. A BILL for an act appropriating money to pay G. A. West, for three days' service as mail-carrier after the adjournment of the 25th General Assembly.

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

\$15 appropriated.

That the sum of fifteen dollars be and hereby is appropriated out of any funds in the state treasury, not otherwise appropriated, to pay the claim of G. A. West, for three days' service as mail carrier, being the seventh, eighth, and ninth days of April, A. D. 1894.

Approved February 14, 1896.

CHAPTER 163.

- H. F. 509. AN ACT to provide for the allowance and payment of two hundred seventy five dollars to the widow of the late F. McClelland, a member of this House.

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

SECTION 1. That there is hereby appropriated out of any money in the state treasury not otherwise appropriated as provided in section 2 of this act.

\$275 appropriated. To Mrs. McClelland.

SEC. 2. To Mrs. McClelland, widow of the Hon. F. McClelland, the sum of two hundred seventy five dollars, being in full of the salary to which the late member would have been entitled, had he survived this session of the legislature.

SEC. 3. This act being deemed of importance shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 10, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 16, and Des Moines Leader, April 17, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 164.

AN ACT to reimburse John L. Brown, as auditor of state, during the years 1885 and 1886, for money expended in defense of his said office and of his official rights and duties. H. F. 102.

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

SECTION 1. That for the purpose of reimbursing John L. Brown for money expended by him for attorneys' services necessary in defending his office and his official rights as auditor of the state of Iowa during the years 1885 and 1886, and for interest thereon since paid by him, there is hereby appropriated, out of any moneys in the state treasury not otherwise appropriated, the sum of four thousand dollars, the money hereby appropriated to be paid to John L. Brown; and the auditor of state is hereby authorized and directed to draw his warrant on the state treasurer in favor of John L. Brown for said sum.

SEC. 2. That the acceptance by John L. Brown of the sum appropriated herein shall be taken as full settlement of all claims by said John L. Brown as against the state of Iowa growing out of the matters recited in this act.

SEC. 3. This act being deemed of immediate importance shall take effect and be in force from and after the date of its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 14, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 24, and Des Moines Leader, April 25, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 165.

AN ACT to provide for the payment of the balance of salary due B. Raymond, as reporter of the supreme court for the year ending January 7th, 1895. S. F. 256.

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

SECTION 1. That there is hereby appropriated out of the moneys in the state treasury, not otherwise appropriated, the sum of seven hundred dollars, for the payment of

the balance of salary due N. B. Raymond as reporter of the supreme court for the year ending January 7th, 1895; and the auditor of state is hereby directed to draw a warrant therefor payable to N. B. Raymond; This to be in full of all claims for salary as reporter of the supreme court.

Publication
clause.

SEC. 2. 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 the Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 17, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 24, and Des Moines Leader, April 22, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 166.

H. F. 277.

AN ACT to compensate H. H. Jelly for injuries received while in the employ of the state.

WHEREAS, H. H. Jelly, a citizen of the state of Iowa being employed as a laborer at the Institution for Feeble-Minded Children, for the last four or five years in the capacity of fireman and brick maker at said institution; and,

WHEREAS, On the 24th day of October, 1894, while in the discharge of his duty in loading brick, without any fault or negligence on his part, a portion of the kiln fell carrying him with it and falling on top of him, inflicting bodily injuries, fracturing his right leg so that he is a permanent cripple and unable to perform manual labor,

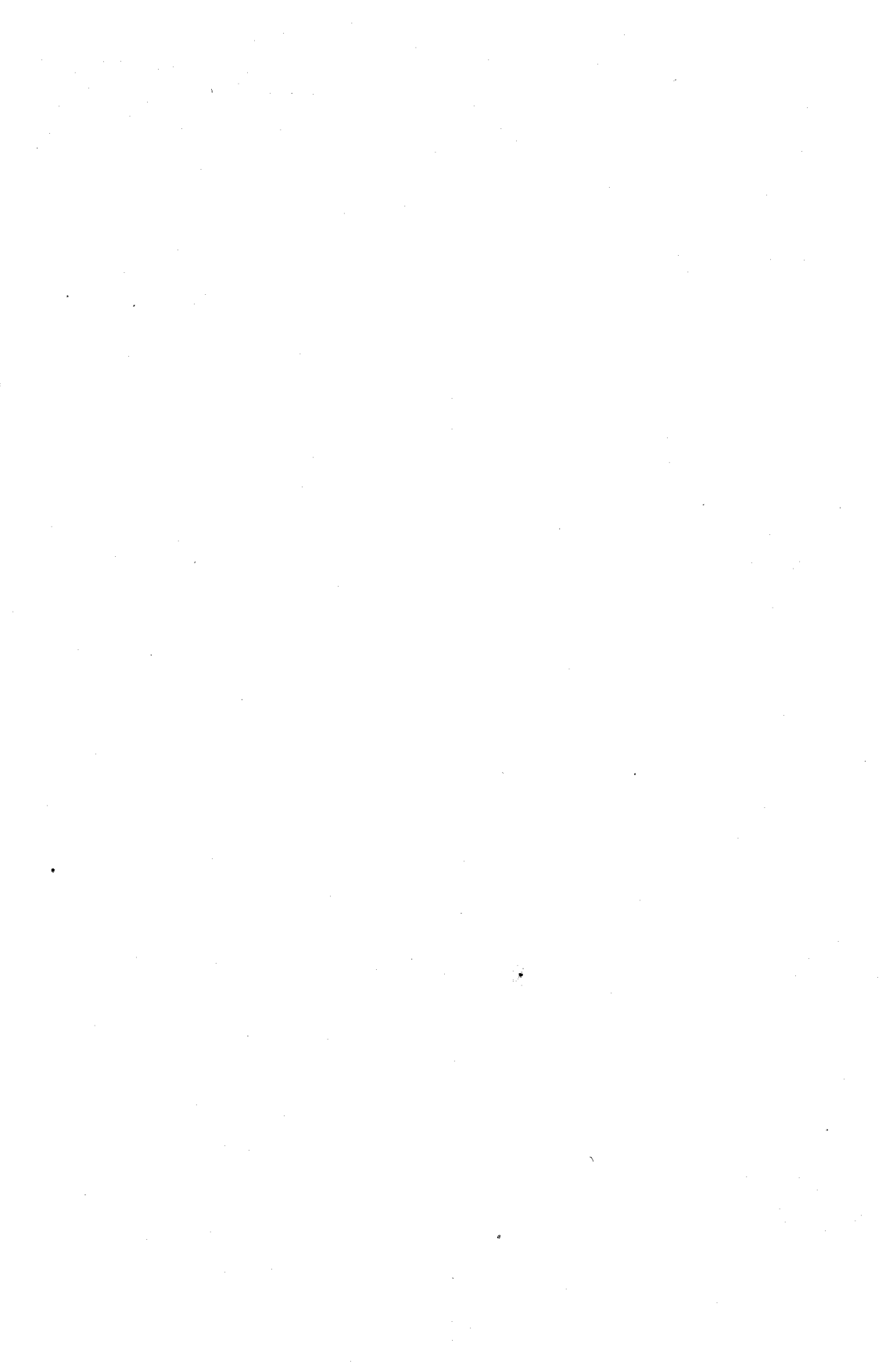
Be it enacted by the General Assembly of the State of Iowa:

\$2,500 appro-
priated.

SECTION 1. That there is hereby appropriated out of the state treasury, from any monies not otherwise appropriated, the sum of twenty-five hundred dollars, as a full compensation to the said H. H. Jelly for the permanent injuries received by him while in the employ of the state.

Approved April 17, 1896.

LEGALIZING ACTS.



CHAPTER 167.

AN ACT to legalize the acts of the board of directors of the independent school district of Eagle, Jefferson county, Iowa, and of the board of directors of the independent school district of Union, Van Buren county, Iowa, in relation to the transfer of territory from one district to the other for school purposes. H. F. 412.

WHEREAS, On the 20th day of September, 1890, the respective boards of directors of the independent school districts of Eagle in Jefferson county, Iowa, and Union in Van Buren county, Iowa, did transfer for school purposes from the independent school district of Eagle, Jefferson county, Iowa, to the independent school district of Union, Van Buren county, Iowa, the following described real estate situated in Jefferson county, Iowa, to-wit: The southwest quarter and the west half of the southeast quarter, all in section 31, township 71, north of range 10 west, and also from the independent school district of Union, Van Buren county, Iowa, to the independent school district of Eagle, Jefferson county, Iowa, the following described real estate situated in Van Buren county, Iowa, to-wit: The northeast quarter of section 5, township 70, north of range 10 west; and, Act illegal.

WHEREAS, Doubts have arisen as to the regularity of the proceedings in relation thereto, and of the legality thereof, and, Act illegal.

WHEREAS, The interests of the school districts aforesaid, and the people residing upon the territory above described, will be subserved by the legalization of the acts of the boards of directors aforesaid; now, therefore;

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

SECTION 1. That the acts of the board of directors of the independent school district of Eagle, Jefferson county, Iowa, and the acts of the board of directors of the independent school district of Union, Van Buren county, Iowa, whereby the southwest quarter and the west half of the southeast quarter, all in section 31, township 71, north of range 10 west in Jefferson county, Iowa, was transferred to the independent school district of Union, Van Buren county, Iowa, for school purposes and the northeast quarter of section 5, township 70, north of range 10, west, in Van Buren county, Iowa, was transferred to the independent school district of Eagle, Jefferson county, Iowa, for school purposes, be and the same are hereby legalized, and made and declared to be effectual, and all the proceedings of each of said boards, in relation to the transfer and setting off of said tracts, respectively, to said independent districts, are hereby declared to be valid and Legalized.

effectual as though all acts of said boards had been in strict compliance with law.

Not affect pending litigation. Publication clause.

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

SEC. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register, a newspaper published at Des Moines, Iowa, and the Birmingham Enterprise, a newspaper published at Birmingham, Van Buren county, Iowa, which publication shall be without expense to the state.

Approved May 2, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, June 6, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 168.

S. F. 430.

AN ACT to legalize the action of the board of directors of the district-township of Poweshiek in Jasper county.

Illegal purchase.

WHEREAS, The board of directors of the district-township of Poweshiek in Jasper county, on or about the 23rd of March, 1895, when not in session as a board, made a contract with one M. A. Blodget to purchase certain school supplies, which act was done in good faith but under a mistaken view of the law; and

Purchase ratified.

WHEREAS, The board of directors of said district-township met on the 27th day of March, 1895, and a majority of all the members elected, by resolution, ratified the purchase made and received the school supplies contracted for and paid for the same, which supplies have been in use in the schools of the district; therefore;

Enacting clause. Act legalized.

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

SECTION 1. That the action of said board of directors of the district-township of Poweshiek in purchasing the supplies and in receiving and paying for the same be and the same is hereby legalized.

No effect on pending litigation. Publication.

Provided, nothing in this act shall in any manner affect any pending litigation.

SEC 2. This act, being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register, a newspaper published in Des Moines, and in the Newton Record, a newspaper published in Newton, the same to be published without expense to the state.

Approved May 2, 1896.

I hereby certify that that the foregoing act was published in the Iowa State Register, June 3, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 169.

AN ACT to legalize the purchase of ground by the Independent Dist. H. F. 478.
No 9 of West Lafayette township, Keokuk Co., Iowa.

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

That the action of the board of directors of school Dist Act legalized.
No 9, West Lafayette township, Keokuk Co., Iowa, in the purchase of additional land, is hereby legalized and made valid, as if done according to law, said purchase being made on the 5. day of March, 1896.

Provided, that nothing in this act shall in any manner affect any pending litigation.

Approved April 30, 1896

CHAPTER 170.

AN ACT to legalize the organization and official proceedings of the H. F. 440.
Independent School District of Cooper in Greene county, Iowa.

WHEREAS, Certain territory in the district township of Organization
Franklin, Greene county, Iowa, was, in the month of Feb- illegal.
ruary, 1896, organized into an independant school district, to be known as the Independent District of Cooper, composed of sections nine (9), ten (10), fifteen (15), and sixteen (16), township eighty-three, range thirty west of the fifth principal meridian of Iowa, comprising within its limits the town of Cooper. A board of directors was duly elected, and other acts performed which by law devolved upon electors and directors of independent districts; and,

WHEREAS, Doubts have arisen concerning the legality of said independent district for the reason that the notices for the election of a separate organization did not contain a proper description of the said territory, and for the reason that the law as we believe was not in all particulars complied with in the holding of said election in said town of Cooper; therefore, Doubts as to notices.

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

SECTION 1. That the organization of the independent district of Cooper, of Greene county, Iowa, the election of directors, and the official acts of said directors be and the same are hereby legalized and made valid the same as though said independent district was organized in strict conformity with all requirements of law. Provided, that nothing herein contained shall affect any pending litigation. Act of board made valid.

SEC. 2. This act being deemed of immediate importance, shall be in force and effect from and after its publication in the Iowa State Register and Jefferson Souvenir. Publication.

newspapers published at Des Moines and Jefferson, Iowa, without expense to the state.

Approved March 11th 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, March 13, and Jefferson Souvenir, March 14, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 171.

S. F. 253. AN ACT to legalize the organization of the independent School-District of Larrabee, Cherokee county, Iowa.

Act illegal. WHEREAS, Certain territory in the district township of Cedar, Cherokee county, Iowa, was in the month of July, 1894, organized into an independent school district known as the independent district of Larrabee, Iowa, said district being composed of the following territory: The west half of the west half of section fourteen (14), and the west half of the west half of section twenty-three (23), all of section fifteen (15), the east half of section sixteen (16), the northeast quarter of section twenty-one (21), the northeast quarter of the southeast quarter of section twenty-one, all of section twenty-two (22), and the north half of section twenty-seven (27), all in township ninety-three (93), range forty (40), west of the fifth P. M., and embracing within its limits the village of Larrabee, Cherokee county, Iowa;

Doubts as to sufficient notice. WHEREAS, Doubts have arisen as to the legality of said organization for the reason that the notice announcing an election for the purpose of determining whether there should be a separate school organization, and describing the boundaries thereof and fixing the time and place of such election, was insufficient, in that said notice was posted seven days before said election instead of ten days as required by law, and

Time. WHEREAS, The said organization has been acting continuously as an independent district since said time, has acquired property, contracted debts, issued its bonds, levied taxes, maintained schools, and done all such other acts as an independent school district is authorized to do; therefore:

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

Acts of board. Legalized. SECTION 1. That all the steps taken and all acts done toward organizing the territory above described are hereby declared to be sufficient to constitute an independent school district, and said territory is hereby declared to be such a district.

Acts binding. SEC. 2. That all acts done by the said independent school district under the said organization are hereby legalized and declared to be binding upon all persons or parties interested therein, the same as if the said acts had

been done in the manner as required by law and the said district had been legally organized as required by law.

Provided that this act shall in no way affect pending litigation.

SEC. 3. This act being deemed of immediate impor- Publication.
tance shall take effect and be in force from and after its publication in the Iowa State Register, a paper published at Des Moines, Iowa, and the Cherokee Herald, a newspaper published at Cherokee, Iowa, without expense to the state.

Approved March 19, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 16, and Cherokee Herald, April 3, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 172.

AN ACT to legalize the organization of the independent school dis- H. F. 423.
trict of Stockport, Van Buren county, Iowa.

WHEREAS, Certain territory in the district township of Illegal.
Cedar and in the district township of Union, all in Van Buren county, Iowa, was in the month of April, 1895, organized into an independent school district to be known as the independent school district of Stockport, such territory being described as follows: The southwest quarter and the west half of the northwest quarter of section eighteen (18) and the west half of section nineteen (19): all in township seventy (70) north of range eight (8), west of the fifth P. M., Iowa; also the south half of the northeast quarter and the southeast quarter of section thirteen (13) and the north half of the northeast quarter, and the southeast quarter of the northeast quarter, and the northeast quarter of the southeast quarter of section twenty-four (24); all in township seventy (70) north of range nine (9) west of the fifth P. M. Iowa; having within its limits the village of Stockport, Iowa; and,

WHEREAS, Doubts have arisen as to the legality of said Doubts.
organization for the reason that full compliance had not been made with the law pertaining to the making of the plat and the recording thereof of the said village of Stockport, and also as to whether or not there were residing one hundred inhabitants within the limits of said village plat at the time of the organization of said independent school district of Stockport; therefore,

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

SECTION 1. That the organization of the independent Organization
school district of Stockport, Van Buren county, Iowa, the made valid.
election of directors and the official acts of said directors, be, and the same are, hereby legalized and made valid, the same as though said district had been organized in strict conformity with all the requirements of law.

SEC. 2. Nothing in this act shall affect in any manner pending litigation relating to the subject matter hereof.

Publication.

SEC. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register, a newspaper published at Des Moines, Iowa, and the Birmingham Enterprise, a newspaper published at Birmingham, Iowa, without expense to the state.

Approved Apr 4, 1896

I hereby certify that the foregoing act was published in the Iowa State Register April 17, and Birmingham Enterprise April 16, 1896

W. M. MCFARLAND,
Secretary of State.

CHAPTER 173.

H. F. 512.

AN ACT to legalize the election at Ames, Iowa, of city officers and the election for the issuance of bonds for sundry purposes.

Submitted to voters.

WHEREAS, At the regular city election held in Ames, Iowa, on the 2nd day of March, A. D. 1896, a proposition to bond the city for five per cent of its assessed valuation, for the purpose of erecting and establishing an electric light plant and extending the water system, was submitted to the voters; and

Women voted

WHEREAS, At said election the women of said city as qualified by chapter 39 of the acts of the twenty-fifth General Assembly were allowed to cast ballots on the proposition to bond the city; and

WHEREAS, The ballots of said women were deposited with the ballots of the male voters, whose ballots expressed their choice for city officers as well as their choice on the question of issuing bonds; and

WHEREAS, The result of said election, excluding the ballots of the women as well as including the same, was largely in favor of the proposition to bond the city; and

But two judges.

WHEREAS, The voting place of the fourth ward was attended by only two judges; and

In doubt.

WHEREAS, By reason of the above irregularities doubts have arisen as to the legality of said election, and the right of the council to issue said bonds and use the proceeds as suggested in the proposition voted on; therefore,

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

Acts of officers legalized.

SECTION 1. That the city election held in Ames, Iowa, on the 2nd day of March A. D. 1896 be and it is hereby legalized, that the acts of the city officers be and they are declared as valid and as binding as though no irregularity had occurred in said election, that the vote on the proposition to bond be and it is declared as legal as though done in strict conformity to law, and that all ordinances passed by the city council in regard to the erection of an electric light plant to be owned by the city

and the extension of its water system be and they are declared to be of full force and effect, provided, that nothing in this act shall in any manner affect pending litigation.

SEC. 2. This act being deemed of immediate impor- Publication.
tance shall be in full force and effect from and after its publication in the Iowa State Register and the Ames Intelligencer newspapers published respectively at Des Moines, Iowa, and Ames, Iowa, such publication to be without expense to the state.

Approved May 2, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, May 14, 1896

W. M. MCFARLAND,
Secretary of State.

CHAPTER 174.

AN ACT to legalize the ordinances and acts of the City Council of S. F. 415.
the town of Clare, Iowa.

WHEREAS, Doubt and uncertainty have arisen as to the Uncertainty.
legality of certain ordinances and by-laws of the incorporated town of Clare, Webster county, Iowa; and,

WHEREAS, Doubt and uncertainty has arisen as to the Doubt.
legality of the acts of the city council of the incorporated town of Clare, Webster County, Iowa; and,

WHEREAS, The records of said town fail to show that Did not show
the ordinances of said incorporated town have been ordinance
properly adopted by the town council; and, adopted.

WHEREAS, Doubt and uncertainty has arisen in regard In doubt.
to the legality of the payment of the salaries of the officers of said town and the drawing of warrants upon the public funds of said incorporated town; and

WHEREAS, On account of said irregularities the validity Question of
of the acts of said council is questioned and likewise the validity of validity of
the ordinances of said town is questioned and warrants.
the validity of the warrants drawn by the officers of said town in question—therefore—

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

SECTION 1. That all ordinances and by-laws of said Legalized.
town of Clare in the County of Webster and State of Iowa and all acts of the Council of said town of Clare, and all acts of any of the officers of said town in the enforcement and carrying into effect of said ordinances, by-laws, resolutions, and acts and all payments of salaries of the officers of said town, and all payments of moneys under warrants drawn by any of said officers are hereby declared to be legal and valid in all respects and to the same extent as though all the provisions of law had been complied with,

Provided, nothing in this act shall in any manner affect any pending litigation.

Approved May 2, 1896.

CHAPTER 175.

S. F. 374. AN ACT to legalize the incorporation of the town of Cascade, Dubuque County, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town from March 17, 1882, to February 26, 1896.

Doubts. WHEREAS, doubts have arisen as to the legality of the incorporation of the town of Cascade, Dubuque County, Iowa, the election of its officers, and the ordinances passed by the said council of said town Therefore

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

Acts of council of Cascade legalized. SECTION 1 That the incorporation of the town of Cascade, Dubuque County, Iowa the election of its officers, and all official acts done and ordinances passed by the council of said town are hereby legalized and are hereby declared to be valid and binding, the same as though the law had in all respects been strictly complied with in the incorporation of said town and in the election of its officers.

Provided nothing in this act shall in any manner affect any pending litigation.

Publication. SEC. 2. This act being deemed of immediate importance shall be in force and take effect from and after its publication in the Iowa State Register and the Cascade Pioneer, newspapers published respectively at Des Moines and Cascade, Iowa, without expense to the state.

Approved April 3, 1896

I hereby certify that the foregoing act was published in the Iowa State Register April 11, and Cascade Pioneer April 10, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 176.

H. F. 245. AN ACT legalizing the acts of the council of the town of Coin, Page county, Iowa, and legalizing the ordinances and resolutions passed and adopted for the government of said town.

WHEREAS, The town of Coin, Page county, Iowa, through its council, passed and adopted ordinances and resolutions and performed such other acts as properly devolve upon said council by law; and,

Did not show members present. WHEREAS, In certain cases the records of such acts, ordinances and resolutions fail to show what members of said council were present at the meeting when such ordinances and resolutions were passed; that a sufficient number of members were present at the meeting to legally pass the same; that the rule was suspended by a three-fourths vote of said council; that the yeas and nays were

called on the passage thereof, and the records of which town also fail to show that such ordinances were in all cases published as required by law; therefore, Record in-complete.

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

SECTION 1. That the ordinances and resolutions of the town of Coin, Page county, Iowa, and the acts of the council of said town of Coin in reference thereto be and the same are hereby legalized and declared to be valid and binding to the same extent as though all the requirements of law had in each and every respect been complied with and the record of such town showed such compliance therefore. Provided, this act shall not affect the rights of parties in any action now pending in any court in this state. Made valid.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register, a newspaper published in Des Moines Iowa, and the Weekly Gazette, a newspaper published in Coin, Iowa, without expense to the state. Publication.

Approved Mar 13 1896.

I hereby certify that the foregoing act was published in the Iowa State Register March 21, and Weekly Gazette, March 26, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 177.

AN ACT legalizing ordinances No. 231, 232, 233, 235, 236, 238, 239, 240, 241, 244, 245, 246, 247, 248, 249, 250, 251, 253, 255, 256, 257, 258, 259, 260, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 278, 279, 280, 282, 284, 285, 286, 287, 289, 290, 292, 295, 296, 297, 298, 299, 300, 301, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, of the city of Clinton Clinton county Iowa. H. F. 488.

WHEREAS, Owing to the fact that the members of the city council of the city of Clinton, Clinton county, Iowa, when they assembled together to organize the said city council on the second Monday after their annual election in the month of March, A. D. 1892, 1893, 1894 and 1895, as provided by section number 522 of the Code of Iowa, failed to elect from their own body a temporary president, and also neglected to appoint from the qualified electors of said city a city clerk as provided by said section 522 of the Code of Iowa, all of the ordinances passed and adopted by said city council subsequent to the 21st day of March, A. D. 1892, were signed by the mayor and the auditor of said city; Failed to elect president.

WHEREAS, By reason of the aforesaid recited facts, doubts have arisen as to the legality of the said ordinances adopted and signed as aforesaid; and Failed to appoint clerk.

WHEREAS; The following ordinances of a public and a general nature, known and designated on the record books of said city of Clinton as chapters numbered as follows, to-wit: 231, 232, 233, 235, 236, 238, 239, 240, 241, 244, 245, 246, 247, 248, 249, 250, 251, 253, 255, 256, 257, 258, 259, 260, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 278, 279, 280, 282, 284, 285, 286, 287, 289, 290, 292, 295, 296, 297, 298, 299, 300, 301, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, were so adopted, passed and signed as hereinbefore set forth, and by reason thereof the legality of the above designated ordinances has been questioned; now, therefore,

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

Ordinances made legal.

SECTION 1. That the ordinances of the city of Clinton, known and designated on the record books of said city as chapters 231, 232, 233, 235, 236, 238, 239, 240, 241, 244, 245, 246, 247, 248, 249, 250, 251, 253, 255, 256, 257, 258, 259, 260, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 278, 279, 280, 282, 284, 285, 286, 287, 289, 290, 292, 295, 296, 297, 298, 299, 300, 301, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, and all of the proceedings had thereunder, be and the

Results made legal.

same are declared to have been legally adopted and passed, and the same are hereby declared to be as legal and valid in all respects as if there had been a duly elected, qualified and acting city clerk and he had signed all of said ordinances, and as if there had been elected by the members of the city council of the said city of Clinton a temporary president prior to the enactment of said ordinances; and it is hereby specially declared that each and every one of the above designated ordinances are legal and valid at the date of the passage of this act.

Not to affect any pending action.

SEC. 2. Provided that nothing herein contained shall in any manner affect any ordinances or proceedings of said city councils relating to paving any of the streets of said cities or issuing bonds therefor, or affect in any manner any pending litigation.

Publication.

SEC. 3. 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 "The Clinton County Advertiser," newspapers published at Des Moines, Iowa, and in the city of Clinton, Iowa, respectively; such publication to be without expense to the state.

Approved April 8 1896

I hereby certify that the foregoing act was published in the Iowa State Register April 11, and The Clinton County Advertiser April 14, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 178.

AN ACT to legalize the incorporation of the town of Colesburg, H. F. 109.
Delaware county, Iowa, and official acts by its officers.

WHEREAS, The inhabitants of the said town of Colesburg, Delaware county, Iowa, did on the 21st day of February, 1893, by a vote of 46 for to 8 against, decide to incorporate said town. and

WHEREAS, Said town of Colesburg held its first election as a corporation on the seventeenth (17th) day of March, 1893, at which election proper officers were elected, who afterwards duly qualified, and who, as well as their successors, have, since their qualification, performed the duties of their respective offices; and

WHEREAS, The council of said town of Colesburg did make and adopt ordinances, resolutions, rules and divers acts, as the council, pertaining to the corporation of said town; and

WHEREAS, Doubts exist as to the regularity of the proceedings in incorporating said town of Colesburg, Delaware county, Iowa, and by reason thereof as to the legality of the acts of the council of said town. Therefore,

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

SECTION 1. That the incorporation of the town of Colesburg, Delaware county, Iowa, be and the same is hereby legalized; that the official acts of the town council of the said town and all ordinances, resolutions, rules, and official acts adopted by the council, and the same are hereby declared to be legal and valid in every respect, as fully as if the law had been strictly complied with; provided, however, that nothing in this act shall in any manner affect any pending litigation.

SEC. 2. That this act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register, a newspaper published at Des Moines, Iowa, and the Colesburg Clipper, a newspaper published at Colesburg, Iowa, as provided by law, without expense to the state.

Approved Mar 5 1896

I hereby certify that the foregoing act was published in the Iowa State Register, March 24, and Colesburg Clipper, March 13, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 179.

H. F. 515. AN ACT to legalize ordinance number 102 of the city of Clarinda, Legalized. Page county, Iowa, granting to the Clarinda Electric Light and Power Company, the right to construct, maintain, and operate electric works in the city of Clarinda.

Ordinance No. 102. WHEREAS, On the seventh day of March, 1896, the city of Clarinda passed ordinance number 102 granting to the Clarinda Electric Light and Power Company the right to construct, maintain, and operate electric works in the city of Clarinda; and

Passed in regular form. WHEREAS, Said Clarinda Electric Light and Power Company has proceeded to erect and put in operation its plant in accordance with the terms of said ordinance; and

WHEREAS, Said ordinance was passed in regular form, except that the question was not submitted to vote of electors; and

Doubts. WHEREAS, Doubts have arisen as to the legality of said ordinance, because no vote was had thereon; now therefore *Be it enacted by the General Assembly of the State of Iowa:*

Ordinance made valid. SECTION 1. That said ordinance number 102 as passed by the city of Clarinda, granting the right to the Clarinda Electric Light and Power Company to construct, maintain, and operate electric works in the city of Clarinda, and all acts done by the city of Clarinda, and all acts and things done by said Electric Light and Power Company by virtue of said ordinance number 102, be and the same are duly legalized and made valid to the same extent as though the question had been submitted to vote taken and majority had in favor of said rights and privileges being granted prior to passage of said ordinance.

SEC. 2. This act shall not affect any suit now pending.

Publication. SEC. 3. That it shall be in force and take effect from and after its publication in the Clarinda Journal, published at Clarinda, Iowa, and in the Iowa State Register, a newspaper published at Des Moines, Iowa, free of expense to the state.

Approved May 2, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, May 15, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 180.

AN ACT to legalize the incorporation of the town of Cumberland, in S. F. 345.
Cass County, Iowa, the election of its officers, its ordinances, and Legalizing
all acts of the town council. act.

WHEREAS, doubts have arisen as to the legality of the Doubts.
incorporation of the town of Cumberland, Iowa, the election
of its officers, the official acts of the council, and the ordi-
nances passed by the council of said town; Therefore

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

SECTION 1. That the incorporation of the town of Acts binding.
Cumberland, in the County of Cass and state of Iowa,
the election of its officers, and all the official acts done
and ordinances passed by the council of said town of
Cumberland, not in contravention with the laws of Iowa,
are hereby legalized, and the same are hereby declared to
be valid and binding, the same as though the law had been
strictly complied with in the incorporation of said town,
the election of its officers, the acts of its council, the pas-
sage of its ordinances, and the publication of the same:

Provided, however, that nothing in this act shall affect
in any manner any pending litigation.

SEC. 2. This act, being of immediate importance, shall Publication.
take effect and be in force from and after its publication in
the Iowa State Register a newspaper published in Des
Moines, Iowa, and the Cumberland Courier, a newspaper
published in Cumberland, Cass County, Iowa.

Approved Mar 19, 1896.

I hereby certify that the foregoing act was published in the Iowa
State Register May 7, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 181.

AN ACT to legalize the acts and ordinances of the incorporated H. F. 73.
town of Minburn, Dallas county, Iowa.

WHEREAS, Certain irregularities have obtained in the
reading of the acts and ordinances passed by the council
of said town of Minburn; and,

WHEREAS, Doubts have arisen as to the legality of the
acts and ordinances passed by the council of said town;
therefore

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

SECTION 1. That all acts and ordinances passed by the All acts
council of the incorporated town of Minburn, Dallas county, made legal.
Iowa, which are not in contravention of the laws of the

state are hereby legalized and declared valid, notwithstanding the irregularities in reading the same, or other irregularities that may have occurred in the passage of the said acts and ordinances; provided, however, that nothing in this act shall in any manner affect any pending litigation.

Publication.

SEC. 2. This act being deemed of immediate importance, shall be in full force and effect after its publication in the Iowa State Register and the Minburn Star, newspapers published respectively in Des Moines and Minburn, Iowa. such publication to be without expense to the state.

I hereby certify that the foregoing act was published in the Iowa State Register March 10, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 182.

H. F. 101.

AN ACT to legalize the incorporation and the acts of the members and the trustees of the Elk Creek Norwegian Lutheran Congregation of Worth county, Iowa.

WHEREAS, Doubts have arisen as to the legality of the Elk Creek Norwegian Lutheran Congregation of Worth county, Iowa; and,

WHEREAS, Doubts have arisen as to the authority of said congregation to increase the number of its trustees from three (3) to five (5) and changing the dates of their annual meeting from the first Monday in October to the month of December; and,

No provisions made for adoption of rules, etc.

WHEREAS, No provision has been made in their original articles of incorporation providing for the adoption of rules or by-laws for the government of said congregation, therefore,

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

Acts of board legalized.

That the original incorporation of the said Elk Creek Norwegian Lutheran Congregation in Worth county, Iowa, and the actions of its members and board of trustees are hereby declared to be legal and valid in all respects and to the same extent as though the original incorporators had conformed to all the legal requirements and no change had been made in the number of the trustees or the dates of holding annual meetings.

Approved Mar 13 1896

CHAPTER 183.

H. F. 209.

AN ACT to legalize the incorporation of the town of Earlham, Iowa, and subsequent actions of the councils of said town.

Illegal.

WHEREAS, The incorporation and plotting of the town of Earlham, Iowa, was not approved by the court as provided by law; and,

WHEREAS, The question is in doubt as to whether said **Doubts.** town had a sufficient number of inhabitants at the time of its incorporation to make it legally eligible to incorporation; and

WHEREAS, Many of the ordinances of said town were not certified to as having been published as provided by law; and

WHEREAS, Many of the ordinances were irregularly **Irregular.** and illegally passed; therefore,

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

SECTION 1. That the incorporation of said town of **All acts and ordinances legalized.** Earlham, and all acts and ordinances of the councils of said town since the date of said incorporation are hereby ratified, confirmed and legalized, and that the same be held valid and binding to the same extent as if the incorporation and acts of the councils of said town had been perfected and passed as required by law.

SEC. 2. This act being deemed of immediate impor- **Publication.** tance will be in full force and effect on and after its publication in the Iowa State Register, a newspaper published in Des Moines, Iowa, and the Earlham Echo, a newspaper published at Earlham, Iowa.

Approved Mar 13 1896

I hereby certify that the foregoing act was published in the Iowa State Register, March 18, 1896

W. M. MCFARLAND,
Secretary of State.

CHAPTER 184.

AN ACT to legalize the incorporation of the town of Gray, Audubon county, Iowa; the election of its officers; and all official acts done and ordinances passed by the council of said town, not in contra- **H. F. 96.** vention of the laws of the state of Iowa.

WHEREAS, **Doubts** have arisen as to the legality of the **Illegal.** incorporation of the town of Gray, Audubon county, Iowa; the election of its officers, and the official acts done, and the ordinances passed by the council of said town; therefore,

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

SECTION 1. That the incorporation of the town of **All acts made legal and binding.** Gray, Audubon county, Iowa, the election of its officers, and all the official acts done, and the ordinances passed by the council of said town, not in contravention of the laws of the state of Iowa, are hereby legalized, and the same are hereby declared to be valid and binding, the same as though the law had in all respects been strictly complied with, in the incorporation of said town, the election of its officers, the official acts done, and the ordinances passed. Provided, however, that nothing in this act shall in any manner affect any pending litigation.

SEC. 2. 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 the Des Moines Leader, newspapers published at Des Moines, Iowa, without expense to the state.

Approved Mar 5 1896.

I hereby certify that the foregoing act was published in the Iowa State Register March 11, and Des Moines Leader March 7, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 185.

H. F. 491. AN ACT to legalize the incorporation of the town of Jolley, Calhoun County, Iowa, the election of its officers and all official acts done and ordinances passed by the council of said town.

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

Considered
illegal.

WHEREAS, On the 10 day of October, 1895, the citizens residing within the following described territory to-wit: all of section thirty-four (34) except the west half (w. $\frac{1}{2}$) of the northwest quarter (n. w. $\frac{1}{4}$) of said section; all of section thirty-five (35); the southeast quarter (s. e. $\frac{1}{4}$) of section twenty-seven (27); the southwest quarter of section twenty-six (26); and the west half (w. $\frac{1}{2}$) of the west half (w. $\frac{1}{2}$) of the southeast quarter (s. e. $\frac{1}{4}$) of section twenty-six, (26), all in township eighty-nine (89) north of range thirty-three (33) west of the 5. P. M.; lots two (2), three (3), four (4), nine (9), and ten (10) of section four (4); lots one (1), two (2), three (3), four (4), five (5), six (6), seven (7), eight (8), nine (9), and ten (10) of section five (5); and lots one (1), five (5), six (6), seven (7), and eight (8) of section six (6); all in township eighty-eight (88) north of range thirty-three (33) west of the 5. P. M., all being in Calhoun county, Iowa, began proceedings in the district court of Calhoun county, Iowa, to have the above described territory incorporated into the incorporated town of Jolley, Calhoun county, Iowa, and

Doubts.

WHEREAS, Doubts have arisen concerning the legality of the incorporation of said town of Jolley, Calhoun county, Iowa, the election of its officers and the official acts done and ordinances passed by the council of said town,

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

Legalized.

SECTION 1. That the incorporation of the town of Jolley, Calhoun county, Iowa, the election of its officers and all the official acts done and ordinances passed by the council of said town not in contravention with the laws of the state, are hereby legalized and the same are hereby declared valid and binding, the same as though the law had in all respects been strictly complied with.

SEC. 2. This act shall not affect pending litigation.

SEC. 3. That this act being deemed of immediate ^{Publication.} importance shall take effect and be in force from and after its publication in the Iowa State Register, a newspaper published in Des Moines, Polk county, Iowa, and the Calhoun County Republican, a newspaper published in Rockwell, Calhoun county, Iowa, without expense to the state.

Approved May 1, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register May 26, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 186.

AN ACT to legalize the ordinances passed by the incorporated town S. F. 76 of Glidden, Carroll county, Iowa.

WHEREAS, Doubts have arisen as to the legality of the ^{Doubts.} ordinances passed by the council of the incorporated town of Glidden, Carroll county, Iowa; therefore

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

SECTION 1. That all ordinances passed by the council ^{Declared} of said town of Glidden not in contravention with the laws ^{valid.} of the state are hereby legalized, and the same are hereby declared valid and binding, the same as though the law had been complied with in all respects in the passage of said ordinances.

SEC. 2. This act being deemed of immediate impor- ^{Publication.} tance, 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, and the Glidden Graphic, a newspaper published in Glidden, Iowa, publication to be paid by the town of Glidden.

Approved February 24, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, February 29; Des Moines Leader, February 27, and Glidden Graphic, February 28, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 187.

AN ACT to legalize and correct an error in the proceedings and acts H. F. 51. incorporating the town of Ionia, in Chickasaw, county, Iowa.

WHEREAS, the district court within and for Chickasaw ^{Thought to} county in the state of Iowa, did on the 14th day of March, ^{be not legal.} A. D. 1891, it being the twelfth day of the March term of said court, appoint commissioners to call an election of the town of Ionia to vote upon the incorporation of said town under the name of "Ionia," and,

WHEREAS, all the requirements of the law were complied with in the incorporation of said town of Ionia,

except the filing of the papers in the recorder's office of the county, as provided by statute; and,

Papers not
filed.

WHEREAS, said papers were not filed until May 24, 1894; and

Clerical
errors.

WHEREAS, by reason of a clerical error in the description of the territory comprising said town of Ionia as published in the notice contemplated in section 423 of code of 1873, doubts have arisen as to the exact limits of said town and as to the legality as to said incorporation, the election of its officers, the acts done and ordinances passed by the council of said town; therefore,

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

Description
of territory.

SECTION 1. That all the territory included in the plat attached to the petition as contemplated in section 421, code 1873, and as the same now appears on record in the office of the clerk of the courts of said county, be and the same is hereby declared as the territory incorporated as the town of Ionia; to wit: East one-third ($\frac{1}{3}$) of north one-half ($\frac{1}{2}$) of northeast one-quarter ($\frac{1}{4}$), sec twenty-three (23) east one-third ($\frac{1}{3}$) of the north one-half ($\frac{1}{2}$) of south one-half ($\frac{1}{2}$) of northeast one-quarter ($\frac{1}{4}$), sec twenty-three (23) northwest one-quarter ($\frac{1}{4}$) of southwest one-quarter ($\frac{1}{4}$) of northwest one-quarter ($\frac{1}{4}$) sec twenty-four (24) and west one-half ($\frac{1}{2}$) of the northwest one-quarter ($\frac{1}{4}$) of northwest one-quarter ($\frac{1}{4}$), section twenty-four (24) also one hundred sixty-five (165) feet wide off the south side of southeast one quarter ($\frac{1}{4}$) of sec fourteen (14) also the railroad ground as far west as the quarter section line of sec twenty-three. All the above described territory being in township ninety-five (95) range fourteen (14) west of the 5th P. M., Chickasaw county, state of Iowa; and the said proceedings to incorporate the territory within said boundaries and in the plat aforesaid are hereby legalized and declared to be of the same force and effect as though the descriptions published in the notice of election conformed to the petition and plat filed in the district court of said Chickasaw county, Iowa, and all the official acts of the acting officers of the town of Ionia, and all the ordinances passed by the acting trustees or town council of said town, be and the same are hereby legalized and declared to be of the same force and effect as though no errors or irregularities had occurred in said proceedings, provided however that nothing in this act shall in any manner affect any pending litigation.

Legalized.

Publication.

SEC. 2. This act being deemed of immediate importance, shall take effect and be in force on and after its publication in the "Des Moines Leader," published at Des Moines, and "The Nashua Reporter," a weekly paper published in the town of Nashua, Chickasaw county, Iowa, without expense to the state.

Approved March 5, 1896.

I hereby certify that the foregoing act was published in the Des Moines Leader, March 7, and the Nashua Reporter, March 19, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 188.

AN ACT to legalize the acts and ordinances of the incorporated H. F. 56.
town of Leland, Winnebago county, Iowa.

WHEREAS, Doubts have arisen as to the legality of cer- Doubts.
tain ordinances No. 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10 of the
incorporated town of Leland, Winnebago county, Iowa,
for the reason that the records of said town do not show
that the yeas and nays were called when said ordinances
were adopted, although they were in fact so called, but
omitted from record; and

WHEREAS, On account of said irregularities the validity
of said ordinances is questioned;

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

SECTION 1. That all ordinances of said town of Leland, All ordi-
in the county of Winnebago, and state of Iowa, and all nances and
acts of any of the officers of said town in the enforcement acts legalized.
thereof, are hereby declared to be legal and valid in all
respects and to the same extent as though all the pro-
visions of the law in regard to the calling of the yeas and
nays, and the suspension of the rules for the passage of
said ordinances and resolutions, had been fully complied
with.

Provided, however, that nothing in this act shall in any
manner affect any pending litigation.

Approved March 5 1896.

CHAPTER 189.

AN ACT legalizing the annexation of the city of Lyons to the city H. F. 489.
of Clinton, in Clinton county, state of Iowa, and all the acts done
and ordinances passed by the city councils of the city of Clinton
and city of Lyons in relation thereto.

WHEREAS, By an ordinance passed by the city council In doabt.
of the city of Clinton, in the county of Clinton, in the
state of Iowa, on the 19th day of February, 1895, being
chapter 308 of the ordinances of said city; and an ordi-
nance passed by the city of Lyons, in the county of Clinton,
in the state of Iowa, on the 5th day of March, 1895, being
ordinance number 146 of said city of Lyons; wherein the
terms and conditions of a certain agreement of annexation
prepared by commissioners appointed on behalf of the city
of Clinton on the 14th day of March, 1893, and on behalf
of the city of Lyons on the 3rd day of April, A. D. 1894,
Ordinance
No. 146.

was ratified, approved, confirmed, and adopted by the city council of each of said cities; and

Report of commissioners published.

WHEREAS The report of said commissioners of the city of Clinton was duly published in the Clinton Daily Bugle, the official newspaper of said city of Clinton, on the 20th day of February, 1895, and the report of said commissioners on behalf of the said city of Lyons was duly published in the "Clinton County Advertiser" and the "Lyons Mirror," newspapers published in Lyons City, and of general circulation in said city of Lyons, on the 14th day of February, 1895; and

Special election held.

WHEREAS By an ordinance duly passed by the city of Clinton on the 12th day of March, 1895, being chapter 309 of the ordinances of said city, it was ordained and directed that a special election should be held in said city of Clinton on the 30th day of April, A. D. 1895, for the purpose of submitting to the qualified voters of said city, the question of such annexation upon the terms and conditions so proposed, ratified, and adopted as hereinbefore set forth; and by an ordinance duly passed by the city of Lyons on the 12th day of March, 1895, being ordinance number 147 of the ordinances of said city of Lyons, it was ordained and directed that a special election should be held in said city of Lyons on the 30th day of April, A. D. 1895, for the purpose of submitting to the qualified voters of said city, the question of such annexation upon the terms and conditions so proposed, ratified and adopted as hereinbefore set forth; and

In Lyons.

Majority voted in annexation.

WHEREAS, At the said special election so held on said 30th day of April, A. D. 1895, a majority of the qualified electors of each of said cities voted in favor of such annexation, and by an ordinance duly passed by the city of Clinton May 4, 1895, being chapter 312 of the ordinances of said city, the city council of said city did declare that a majority of the electors of said city had voted of favor of such annexation upon said terms and conditions, and by an ordinance duly passed by the said city of Lyons on the 25th day of May, A. D. 1895, being chapter or ordinance number 148 of said city, it was ordained and declared by the city council of the said city of Lyons that a majority of the electors thereof had voted for such annexation on the terms and conditions thereof; and

Certified copy filed with auditor.

WHEREAS, A certified copy of the whole proceedings and in relation to such annexation of the said city of Lyons, and the territory comprised within the limits thereof, to the said city of Clinton, was filed with the auditor, the then acting clerk, of said city of Clinton, on the — day of June, A. D. 1895, and by the said auditor, filed with the Secretary of State of the State of Iowa, on the 10th day of June 1895, and in the office of the recorder of Clinton county, Iowa, on the 10th day of June, 1895, as provided by section 432 of the Code of Iowa, as amended

by section 1, of chapter 3, of the acts of the 17th General Assembly and as amended by section 1 of chapter 2 of the acts of the 25th General Assembly, and

WHEREAS, The said city of Clinton did thereafter pass such ordinances and take such proceedings as to carry into effect, and maintain the terms and conditions of said annexation, and ever since said date the territory formerly comprised within the limits of the city of Lyons has been, and is now, governed as part of the said city of Clinton and

Has been and is considered as part of Clinton.

WHEREAS, Owing to the fact that the city council of said city of Clinton, and the city council of the said city of Lyons, had failed to carry out the provisions of section 522 of the Code of Iowa, in this, that upon the organization of their said city councils, as provided by said section 522, of the Code of 1873, they failed to elect from their own body, a temporary president and neglected to appoint in the city of Clinton, a clerk from the qualified electors thereof, and that the said ordinances so passed, as hereinbefore described, were signed by the mayor and clerk of the said city of Lyons, and by the mayor and auditor, the then acting clerk, of said city of Clinton, and the certified copy of the entire proceedings of such annexation, were filed with the auditor of said city of Clinton instead of being filed with the clerk as provided by section 581, of the Code of 1873, as amended by section 1, of chapter 3, of the 17th General Assembly, as amended by section 1, chapter 2, of the acts of the 25th General Assembly, and that by reason thereof, the legality of the annexation of the city of Lyons to the said city of Clinton as hereinbefore set forth, has been questioned. Now, therefore,

Failed to carry out sec. 522 of code.

Legality in doubt.

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

SECTION 1. That the ordinances of the city of Clinton, chapters number 308, 309 and 312, and ordinances of the city of Lyons, number 146, 147 and 148, hereinbefore specified, and all of the proceedings had under and by virtue of which the said annexation of the city of Lyons to the city of Clinton, was effected, be, and the same are hereby declared to have been legally adopted and passed, and the same are as valid in all respects as if there had been a duly elected qualified and acting city clerk, and he had signed all of said ordinances, and the certified copy of said proceedings had been filed with him instead of with the auditor of said city of Clinton, and as there had been elected by the councils of each of said cities, a temporary president, prior to the enactment of said ordinances, and it is hereby specially declared that the completed annexation of the said city of Lyons and the territory comprised within the limits thereof, to the said city

Various ordinances made legal.

Acts of various officers legalized.

of Clinton, is legal and valid as the same exists at the date of the passage of this act.

SEC. 2. Nothing herein contained shall affect pending litigation.

Publication.

SEC. 3. 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 the Clinton Daily Age, newspapers published at Des Moines, Iowa, and the city of Clinton, Iowa respectively; such publication to be without expense to the state.

Approved April 8, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 11, and Clinton Daily Age, April 15, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 190.

S. F. 238.

AN ACT to legalize certain ordinances of the incorporated town of Le Grand, Marshall county, Iowa.

Did not read or suspend rules as required.

Whereas, The town council of the incorporated town of Le Grand, Marshall county, Iowa, between the 13th day of July, 1891, and the 3d day of February, 1896, passed all its ordinances without having them read on three different days, and without suspending the rule requiring them to be read on three different days; and

Whereas, Doubts have arisen as to the validity of such ordinances; therefore,

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

Ordinances declared legal.

SECTION 1. That all the ordinances of the incorporated town of Le Grand, Marshall county, Iowa, adopted between the dates above named, and all acts done under said ordinances, are hereby legalized, and shall be held and declared valid and effectual, to the same extent and effect in all respects, as if in their passage the council of said incorporated town had fully and legally complied with all the requirements of law in that behalf made and provided.

Provided however, that nothing in this act shall in any manner affect any pending litigation.

Publication.

SEC. 2. This act, being of immediate importance, shall take effect and be in force from and after its publication in the Le Grand Record, a newspaper published at Le Grand, Marshall county, Iowa, and in the Iowa Capital, a newspaper published at Des Moines Iowa, without expense to the state.

Approved March 19, 1896.

I hereby certify that the foregoing act was published in the Le Grand Record, March 24, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 191.

AN ACT to legalize the incorporation of the town of Minne Waukon, Iowa, in the election of its officers. S. F. 274.

Whereas, doubts have arisen as to the legality of the incorporation of the town of Minne Waukon, Iowa, because of the failure to elect an assessor on the first election held therein; Therefore, Failed to elect an assessor.

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

SECTION 1. That the incorporation of the said town of Minne Waukon, Iowa, is hereby declared valid and legalized the same as if the office of assessor had been filled at the first election held therein. Declared valid.

Provided, however, that nothing in this act shall in any manner affect any pending litigation.

Approved March 19, 1896.

CHAPTER 192.

AN ACT to legalize the incorporation of the town of Marysville, Marion county, Iowa, and the ordinances passed by said incorporated town. S. F. 270.

Whereas, Doubts have arisen as to the legality of the incorporation of the town of Marysville, Marion Co., Iowa, because of a clerical error of recorder of Marion Co., Iowa, in omitting to record such articles; therefore, Illegal. Doubts.

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

SECTION 1. That the incorporation of the town of Marysville, Marion Co., Iowa, is hereby legalized. Legalized.

SEC. 2. That all ordinances passed by the council of said town of Marysville not in contravention of the laws of the state of Iowa are hereby declared valid and binding the same as though the law had been complied with in all respects in the passage of said ordinances. Made valid.

SEC. 3. Nothing in this act shall apply to any matter now in litigation.

SEC. 4. 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 at Des Moines, Iowa, and the Marysville Independent, a newspaper published at Marysville, Iowa, publication to be without expense to the state. Publication.

Approved March 19, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, March 19, Des Moines Leader, March 26, and Marysville Independent, April 2, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 193.

S. F. 424. AN ACT legalizing the ordinances of the city of Marion, Iowa, adopted and published as revised ordinances, in 1895.

Whereas, During the year 1895 the city council of the city of Marion published, in printed book form ordinances numbered from "one" to "thirty-six," both inclusive, which said ordinances were passed by said city council at various meetings held during the month of March, 1895; and

Whereas, Doubts have arisen as to the legality of said ordinances by reason of the manner in which they were passed or adopted; Therefore

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

Ordinances
legalized.

SECTION 1. That the said ordinances, to-wit: ordinances numbered from "one (1)" to "thirty-six (36)," both inclusive, adopted and published as the revised ordinances of said city of Marion, Iowa, be and the same are hereby legalized and declared to have been legally enacted; and the said ordinances so enacted and published are hereby declared to be in full force and effect from and after the date of their adoption and publication as aforesaid;

Provided, that nothing in this act shall in any manner affect any pending litigation; and

Provided further, that said ordinances are not in contravention of the laws of Iowa.

Publication.

SEC. 2. This act, being deemed of immediate importance shall be in force and effect from and after its publication in the Iowa State Register, a newspaper published in Des Moines, Iowa, and Marion Register, a newspaper printed at Marion, Iowa, without expense to the state.

Approved April 13, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 14, and Marion Register, April 22, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 194.

H. F. 224. AN ACT to legalize the incorporation of the town of Mitchell, Mitchell county, Iowa, and the ordinances and acts of the municipal officers thereof.

WHEREAS, In 1879 the inhabitants of the village of Mitchell, Mitchell county, Iowa, took as they supposed all necessary and legal steps to complete the incorporation of said village; and

WHEREAS, In accordance with said acts a municipal government was organized, known as the town of Mitchell in said county, which government has ever since been maintained; and

WHEREAS, The records of said county do not clearly show that all the preliminary steps necessary to the completion of said incorporation were strictly complied with, and doubts have arisen as to the legality of the incorporation of said town and the acts of its officers since said incorporation; therefore

Record failed to show what was necessary.

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

SECTION 1. That the incorporated town of Mitchell, in the county of Mitchell and state of Iowa, be and the same is declared to be fully and legally organized and incorporated from and after the proceedings for incorporation in A. D. 1879; That said incorporation shall have the same force and effect from said date as though all the provisions of the statutes regulating the incorporation of town and the election of officers thereof had been fully complied with; That all proceedings of the town of Mitchell, Mitchell county, Iowa, done in relation to the incorporation thereof, all ordinances of the town council of said incorporated town so far as they are not inconsistent with the laws of Iowa, and all acts of the officers of said incorporated town done under said ordinances, since the organization of said incorporated town in 1879, are hereby legalized and made valid, as though the specific requirements of the law had been complied with; provided, that nothing in this act shall in any way affect litigation now pending in any court in this state.

Declared legally organized.

Proceeding legalized.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the "Iowa State Register," a newspaper published in Des Moines, Iowa, and the "Temperance Power," a newspaper published in Mitchell, Mitchell county, Iowa, without expense to the state.

Publication.

Approved March 17, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, March 28, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 195.

AN ACT to legalize the incorporation of the town of New Vienna, s. f. 375. Dubuque County, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town since July 20th, 1895.

Whereas, doubts have arisen concerning the legality of the incorporation of the town of New Vienna, Dubuque county, Iowa, the election of its officers, and the ordinances passed by the council of said town, because of the

Doubts.

Articles not filed. fact that its articles of incorporation were not filed with the Secretary of State until October 28th, 1895, Therefore
Be it enacted by the General Assembly of the State of Iowa:

Election of officers and acts legalized SECTION 1. That the incorporation of said town of New Vienna, Dubuque county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town are hereby legalized and declared to be valid and binding the same as though the law had in all respects been strictly complied with in the incorporation of said town, and in the election of its officers and passage of its ordinances.

Nothing in this act shall in any manner affect any pending litigation.

Publication. SEC. 2. This act being deemed of immediate importance shall be in force and take effect from and after its publication in the Des Moines Leader and Dubuque Herald, newspapers published respectively in Des Moines and Dubuque, Iowa, without expense to the state.

Approved April 3, 1896.

I hereby certify that the foregoing act was published in the Des Moines Leader and Dubuque Herald, April 8, 1896

W. M. MCFARLAND,
 Secretary of State.

CHAPTER 196.

S. F. 400. AN ACT to legalize the resolutions and ordinances passed, and elections held, to bond the city of Pella, Marion county, Iowa, to erect water works within said city, and to legalize the occupancy of block No. 36, the same which is known and platted as "West Market Square" in said city, for that purpose.

Whereas, Block No. 36 in the plat of the city of Pella, Marion county, Iowa, which was recorded on June 12, 1848, and in book "A" on page 64 of the records of said county, was dedicated as "West Market Square," by the original owner of the land thus platted, no other right or title thereto having passed to said city, excepting what may have resulted from the recording of the said plat, the same having been unoccupied ever since the said platting; and

Whereas, The heirs of the said original owner have given their written consent and relinquishment of their possible right to object thereto, permitting the city authorities to erect water-works on said block, and the adjacent property holders have given their consent thereto, some in writing, and some verbally only; Therefore

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

Occupancy of land legalized. SECTION 1. That the occupancy by the city of Pella, Marion county, state of Iowa, of said block No. 36, designated as "West Market Square," on the plat of the said city, recorded on June 12, 1848, and in book "A" on page 64 of the records of the said county, for the purpose of

erecting and maintaining water-works thereon, be and the same is hereby legalized, and made valid, the same as though the said city had acquired title thereto by grant or purchase especially for that purpose.

SEC. 2. That the resolutions and ordinances passed by the city council of said city of Pella, and elections therein held, during the year 1895, to bond the city of Pella, Marion county, Iowa, to an amount not exceeding five per centum of the assessed valuation of the property within its corporate limits, and to levy the necessary taxes therefor to pay the principal and interest of said bonds, are hereby legalized, and made of as much effect and in as full force, where not contrary to the laws of the state of Iowa, as though no irregularities existed in any of the said proceedings.

Provided that nothing in this act shall in any manner affect any pending litigation.

SEC. 3. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register, a newspaper published at Des Moines, Iowa, and in the Weekly Pella Blade, a newspaper published at Pella, Iowa, without expense to the state.

Approved May 2, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, May 19, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 197.

AN ACT to legalize the incorporation of the town of Pleasantville, Marion county, Iowa, the election of the officers, and all official acts done and ordinances passed by the council of said town not in contravention with the laws of the State of Iowa. H. F. 333. Legalized.

WHEREAS, Doubts having arisen as to the legality of the incorporation of the town of Pleasantville, Marion county, Iowa, the election of its officers and the official acts done, and the ordinances passed by the council of said town; therefore,

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

SECTION 1. That the incorporation of the town of Pleasantville, Marion county, Iowa, the election of its officers, and all the official acts done, and the ordinances passed by the council of said town, not in contravention with the laws of the state of Iowa, are hereby legalized, and the same are hereby declared to be valid and binding the same as though the law had in all respects been complied with in the incorporation of said town, the election of its officers, the official acts done, and the ordinances passed. Election of officers legalized. Official acts valid.

Publication. SEC. 2. This act shall not affect litigation now pending, if any.

SEC. 3. 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 the Des Moines Leader, newspapers published in Des Moines, Iowa. Said publication shall be without expense to the state.

Approved March 17, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, March 24, and Des Moines Leader, March 21, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 198.

S. F. 32. AN ACT to legalize the incorporation of the town of Pulaski, Davis county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town.

Illegal. Doubts. WHEREAS, Doubts have arisen as to the legality of the incorporation of the town of Pulaski, Davis county, Iowa, and the election of its officers and acts done and ordinances passed by the council of the said town, therefore,

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

Legalized. SECTION 1. That the incorporation of the town of Pulaski, Davis county, Iowa, the election of its officers, and all the official acts, and all the ordinances passed by the council of said town, not in contravention with the laws of the state, are hereby legalized and the same are hereby declared valid and binding, the same as though the law had, in all respects, been strictly complied with.

Provided however that nothing in this act shall in any manner affect any pending litigation.

Publication. SEC. 2. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register, published at Des Moines, Polk county, Iowa, and in the Pulaski Independent, published at Pulaski, Davis county, Iowa, without expense to the state.

Approved March 19, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, March 27, and Pulaski Independent, April 3, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 199.

H. F. 501. AN ACT to legalize certain elections held in the incorporated town of Rose Hill, county of Mahaska, and state of Iowa.

Not legal. Doubts. WHEREAS, Doubts have arisen as to the legality of certain elections for town officers in the incorporated town of Rose Hill, county of Mahaska, and state of Iowa, because

of failure to file certificates of nomination within the time designated by law; therefore,

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

SECTION 1. That the elections held March 5, 1894, ^{Made valid.} March 4, 1895, and March 2, 1896, in the incorporated town of Rose Hill, county of Mahaska, and state of Iowa, for the election of town officers, is hereby legalized and the same is hereby declared valid and binding the same as though the election law had been fully complied with.

SEC. 2. Nothing contained herein shall in any way affect pending litigation in relation to the subject matters hereof.

Approved May 1, 1896.

CHAPTER 200.

AN ACT to legalize the acts of the town council of Roland, Story H. F. 337.
County, Iowa.

WHEREAS, Doubts have arisen as to the legality of certain acts pertaining to the incorporation of the town of Roland, Story county, Iowa, concerning the election of its officers; and,

WHEREAS, The records of said town do not in all cases recite the fact that the ordinances thereof were read the ^{Record did not show yeas and nays.} required number of times, and that the proper number of councilmen were present and voted in all cases when the same were passed, and that the records do not in all cases show that the yeas and nays were called and recorded; nor do they in all cases show the suspension of the rules where the same would have been required, nor of the proper publication of ordinances as required by law, and said records show various other irregularities not affecting the rights of the people of said town; therefore,

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

SECTION 1. That the action of the council of said town ^{Legalized.} of Roland, Story county, Iowa, not in contravention with the laws of the state of Iowa, are hereby legalized and the same are hereby declared to be valid and binding the same as though the law had in all respects been strictly complied with in the passage of said ordinances and in the election of its officers; provided, that nothing in this act shall affect pending litigation.

SEC. 2. This act being deemed of immediate impor- ^{Publication.} tance shall take effect and be in force from and after its publication, without expense to the state, in the Iowa State Register, a newspaper published at Des Moines, Iowa, and the Roland Record, a newspaper published at Roland, Iowa.

Approved March 14, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register and Roland Record, March 20, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 201.

H. F. 292. AN ACT to legalize certain ordinances of the town of Salix, Woodbury County, Iowa.

WHEREAS, Certain ordinances have been passed by the town of Salix, in the county of Woodbury, and state of Iowa, upon one reading only, without a suspension of the rules; and

WHEREAS, A doubt exists as to the legality of the same:

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

Legalized.

SECTION 1. That all ordinances heretofore passed by said town of Salix, upon one reading only without a suspension of the rules, are hereby declared legal and valid, the same and in like manner as if said rules had been suspended and the same duly passed in accordance therewith.

SEC. 2. This law shall not affect any litigation that may be pending at the time of the passage of this act.

Approved March 14, 1896.

CHAPTER 202.

H. F. 495. AN ACT to legalize the official acts of the town council and ordinances of the incorporated town of Scranton, in Greene county, Iowa.

Doubts.

Whereas, Doubts have arisen as to the legality of the official acts and ordinances passed and adopted by the town council of said incorporated town of Scranton, in Greene county, Iowa, by reason of the failure of the recorder of said town to record the yeas and nays on votes taken by said council to dispense with the rule requiring ordinances to be fully and distinctly read on three different days before their passage or adoption, and failure of the record to show that said rule was dispensed with by a vote of the requisite majority of the members of said council, or that the yeas and nays were called and recorded on dispensing with such rule and the passage and adoption of said ordinances; and,

Insufficient record.

Illegal.

Whereas, In some instances the record of the proceedings of said council show that the rule was dispensed with without a sufficient majority of the members of said council voting therefor, and in some instances when there were not a sufficient number of the members of said council present: and by reason of the failure of the mayor and recorder to sign the record of the proceedings of said council and the ordinances or record thereof when or after the same were adopted; and

Whereas, Some of said ordinances have been passed and adopted by said council without containing any titles thereto expressing the subjects contained therein, and most of said ordinances have been recorded in the record or minute books containing a record of the proceedings of said town council and in many instances the same have not been recorded in a book kept exclusively for the recording of ordinances and the only record of the same are among the minutes of the proceedings of said council, and by reason of other irregularities and failures to fully comply with the law in regard to the passage, adoption, recording and authentication of ordinances such doubts have arisen as to the legality of the same; and,

Did not contain title.

WHEREAS, A number of said ordinances have been transcribed from the minute book or record of the proceedings of said council into a book kept for the recording of the ordinances of said town of Scranton, and the same as transcribed have been certified by the recorder and mayor of said incorporated town; now, therefore,

Transcribed.

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

SECTION 1. That all the ordinances of the incorporated town of Scranton, in Greene county, Iowa, and all official acts done under and by virtue of said ordinances by the officers of said town not in contravention with the laws of the state of Iowa, be and the same are hereby legalized and declared to be legal, valid, and binding to the same extent and with the same force as though the laws had in all respects been fully and strictly complied with, in dispensing with the rule requiring ordinances to be fully and distinctly read on three different days, calling and recording the yeas and nays on votes to dispense with the rule, and the passage and adoption of ordinances, the number of members of the town council present and number of votes cast, recording in a book kept for that purpose, signing and authentication of ordinances and the record thereof by the mayor and recorder, keeping a record of the proceedings of the council in dispensing with the rule and adoption of ordinances, clearly expressing the subject of each ordinance in its title and all other requirements of law relative to the passage, adoption, recording, and authentication of ordinances of such towns.

Legalized.

SEC. 2. That the ordinances of said incorporated town of Scranton which have been transcribed into a book kept for recording the ordinances thereof, and which have been or shall hereafter be properly certified as truly and correctly transcribed by the mayor and recorder of said town acting at the time of such transcribing shall have the same force and effect and be receivable in evidence the same as though they had been legally passed and adopted and recorded in such book within the time required by law.

Transcribing of records legalized.

SEC. 3. Nothing herein contained shall affect any litigation now pending.

Publication.

SEC. 4. 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 Scranton Journal, newspapers published at Des Moines, and Scranton, Iowa, without expense to the state.

Approved May 2, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, May 15, 1896.

W. M. McFARLAND,
Secretary of State.

CHAPTER 203.

S. F. 376.
To legalize.

AN ACT to legalize the incorporation of the town of Urbana, Benton county, Iowa, the election of its officers, and all the acts done and the ordinances passed by the Council of said town.

Heretofore incorporated.

Whereas, The town of Urbana, in Benton County, Iowa, was heretofore incorporated under the general laws of this state for the incorporation of cities and towns; and

What records show.

Whereas, The records of said town and of the county show that the petition presented to the district court of said county did not describe the territory proposed to be embraced in said incorporated town with sufficient particularity, and did not furnish satisfactory proofs of the number of the inhabitants within the territory sought to be incorporated, and the orders of the court relative to the incorporation of said town are not as full and complete as they should be, and the notice given by the commissioners was indefinite and signed only by one L. D. Landon, Clerk, and the report of the election held in accordance with said notice was made by said Clerk for said commissioners; and,

Orders of court not full and complete.

Two towns embraced.

Whereas, The territory proposed to be embraced in said incorporated town included the towns of Marysville and Manatheka, and additions thereto, as shown by the recorded plats thereof and more particularly described as follows: Commencing at the Northeast corner of section thirty-four (34) in township eighty-six (86) north of range Nine (9) West of the 5th p. m. and running thence west one hundred and sixty (160) rods, thence south eighty (80) rods, thence east one hundred eighty-three and one-half (183½) rods, thence north Twenty (20) rods, thence east Five hundred and eighty-four (584) feet, thence north seven hundred and forty-three (743) feet, thence east Twenty (20) rods, thence north to public highway running in a northeasterly direction through the southwest quarter of section Twenty-six (26) in said township and range, thence in a south westerly direction along the line of said highway to block six (6) in Manatheka, thence north to the northeast corner of lot one (1) in block one (1) in

Description.

Manatheka, thence west to section line, thence south to place of beginning, and

Whereas, Doubts have arisen as to the legality of the incorporation of said town, because of said and other irregularities, and as to the legality and validity of the ordinances passed and other acts done by the town Council of said town since said incorporation; therefore,

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

SECTION 1. That the incorporation of said town of Urbana, in Benton county, Iowa, the election of its officers, and all the official acts done and ordinances passed by the town Council of said town, not in contravention with the laws of Iowa, are hereby legalized and the same are made valid as though the laws had in all respects been strictly complied with in the incorporation of said town, the election of its officers, and the passing of its ordinances,

Incorporation, acts, ordinances legalized.

Provided; that nothing in this act shall in any manner affect any litigation now pending.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Urbana Monitor and Iowa State Register, newspapers published at Urbana and Des Moines, without expense to the State.

Publication.

Approved April 8, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, May 1, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 204.

AN ACT to legalize the ordinance of the city council of the city of Wapello, granting a franchise to W. H. Prescott and his associates as the Wapello Electric Light and Power company, and to legalize the proceedings of said council under and by virtue of said ordinance.

S. F. 347.

Whereas, The city council of the city of Wapello in Louisa county, Iowa, in the year 1896, adopted, passed, and enacted an ordinance entitled "An ordinance granting rights, and privileges to W. H. Prescott, his associates, successors, and assigns hereafter to be organized by him into a corporation called the Wapello Electric Light and Power company in the city of Wapello;" and

Franchise to Prescott.

Passed an ordinance.

Whereas, Doubts have arisen as to the legality of the proceedings of the city council of said city of Wapello in the submission to said city council, and the adoption, passage, and enactment of said ordinance; and

Doubt.

Whereas, Doubts have likewise arisen as to the legality of the proceedings of, and contracts made by, the city council of Wapello under and by virtue of the aforesaid ordinance; and

Legality in doubt.

Made in good faith. *Whereas, Said ordinance was duly read, adopted, passed, and enacted as provided by law, and the proceedings of, and the contracts made by, said city council were thereafter had and made in good faith by said city council, and on the part of the Wapello Electric Light and Power company; therefore,*

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

Proceedings legalized. SECTION 1. That all proceedings of the city council of the city of Wapello, in Louisa county, Iowa, in relation to the adoption, passage, and enactment of the ordinance granting a franchise unto W. H. Prescott, and the Wapello Electric Light and Power company, are hereby legalized, and shall be held and decreed valid and effectual to the same extent and effect and in all respects as to said proceedings as if the same had fully conformed to the law when the same was had and taken; and all proceedings of the city council of the city of Wapello had and taken subsequent to the adoption, passage, and enactment of said ordinance, and all contracts made by the city council of the city of Wapello under and by virtue of said ordinance shall be held and decreed effectual to the same extent and effect in all respects as if the same had fully conformed to the law when the same were taken and had.

City contracts valid.

Provided that this act shall in no way affect pending litigation.

Publication.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register, a newspaper published in Des Moines, Iowa, and the Louisa County Democrat, a newspaper published in Wapello, Louisa county, Iowa, without expense to the state.

Approved March 19, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, March 27, 1896, and the Louisa County Democrat, March 26, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 205.

H. F. 166. AN ACT to legalize the incorporation of the town of Whitten, Hardin county, Iowa, and to legalize the election of its officers and all acts done and ordinances passed by the council of said town.

Whereas, Doubts have arisen as to the legality of the incorporation of the town of Whitten, in Hardin county, Iowa, the election of its officers, and the ordinances passed by the council of the said town; therefore,

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

Acts legalized.

SECTION 1. That the incorporation of the said town of Whitten in the county of Hardin, and state of Iowa, the

election of its officers, and all the official acts done and ordinances passed by the council of said town of Whitten not in contravention with the laws of the state of Iowa, are hereby legalized, and the same are hereby declared to be valid and binding; the same for all intents and purposes as though the law had been strictly complied with in the incorporation of the said town the election of its officers, and the passing of its ordinances;

Provided however that nothing in this act shall in any manner affect any pending litigation.

SEC. 2. This act being deemed of immediate impor- Publication.
tance shall take effect and be in force from and after its publication in the Iowa State Register, a newspaper published in Des Moines, Polk county, Iowa, and in the Eldora Herald, a newspaper published in Eldora, Hardin county, Iowa, without expense to the state of Iowa.

Approved March 5, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, March 11, and Eldora Herald, March 12, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 206.

AN ACT to legalize the extension and enlargement of the incor- S. F. 337.
porate limits of the incorporate town of Williamsburg in Iowa county, State of Iowa.

Whereas: Under and by virtue of the provisions of Election was
sections one, two, three, and four of chapter forty-seven held in Wil-
of the Sixteenth G. A. of the State of Iowa and the liamsburg.
amendments thereto, proceedings were had, and also an election was held in the said town of Williamsburg, Iowa, on the 15th day of April, 1895, pursuant to resolution, proclamation, and notice upon the question whether or not the limits of said incorporated town should be extended and enlarged as described in said proclamation and resolution, which were published, and all electors within the limits as proposed to be enlarged were given notice of their right to vote, and the result was largely in favor of the extension of the limits aforesaid; and Notice of
right to vote.

Whereas: The resolution as adopted by the council of Boundaries.
the said incorporated town of Williamsburg, Iowa, proposed to add the following boundaries to said town, to-wit: "All that part of the south east quarter of section nine (9); and all that part of the north half of the north east quarter of section sixteen (16); and all that part of the west sixty acres of the north half of the north west quarter of section fifteen (15); and all that part of forty rods west of the south west quarter of section ten (10); all of said sections being in township seventy-nine (79), North Range Ten West of the Fifth P. M., in Iowa county, Iowa, not included within the present limits of said town and fixing

the boundaries of said town as proposed to be enlarged as follows; ‘commencing at the center of said section nine (9) and running thence south on the half section line two hundred and forty rods; thence east two hundred and eighty rods; thence north two hundred and forty rods, parallel with the said first line to the half section line; thence west to the place of beginning on the half section line,” and

Form of ballot.

Whereas: The form of the ballot voted by the electors of said town as proposed to be enlarged at said election is as follows:

“Shall the limits of the town of Williamsburg, Iowa be enlarged by extending its boundaries as follows; by adding thereto the following; All that part of the south east quarter of section nine, and all that part of the north half of the north east quarter of section sixteen and all that part of the west sixty acres of the north half of the north west quarter of section fifteen; and all that part of forty rods west of the south west quarter of section ten. All said sections being in township seventy-nine, north range ten, west of the 5th p. m. not included in the present limits of said town.”

.....
.....
.....

T. T. OSBORN,
Recorder,

[ATTEST]
H. E. HULL,
Mayor.

Proclamation

Whereas: The mayor of said incorporated town of Williamsburg, Iowa did on the 26 day of April 1895 issue his proclamation announcing that by virtue of the said vote, the boundaries of said town as enlarged were as follows:

Boundaries.

“Commencing at the center of section nine in township seventy-nine, north range ten, west of the fifth p. m. in Iowa county, Iowa, and running thence south on the half section line two hundred and forty rods; thence east two hundred and eighty rods, thence north two hundred and forty rods parallel with said first line to the half section line; thence west to the place of beginning of the half section line.” and

Doubts.

Whereas: Doubts have arisen as to the legality of the limits of said town as enlarged, owing to an error in the description of the limits in section ten thereof; and that said error was a clerical one, and

Whereas: Since the aforesaid election was held, the officers of said town have assumed and exercised authority and jurisdiction over the said town as proposed enlarged and extended as aforesaid, and that ordinances and resolutions have been passed pertaining to said town as thus enlarged; therefore

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

SECTION 1. That the extension and enlargement of the incorporated limits of the town of Williamsburg, Iowa, be and the same is hereby legalized as fully and completely as though every thing and act pertaining to such extension and enlargement of the limits thereof had been fully and precisely done and complied with, as in such cases by law made and provided, and though no error had been made in the description of the limits in the resolution of the town council of said town and in the ballot which was voted upon by the electors at the election held for the purpose of enlarging the limits of said town. Enlargement
of town legal-
ized.

SEC. 2. That the issuing of the proclamation of the mayor of Williamsburg, Iowa, announcing that the boundaries of Williamsburg, Iowa, as proposed to be enlarged, being as follows; "Commencing at the center of section nine in township seventy-nine, north of range ten, west of the 5th p. m. in Iowa county, Iowa, and running thence south on the half section line two hundred and forty rods; thence east two hundred and eighty rods; thence north two hundred and forty rods parallel with said first line to the half section line; thence west to the place of beginning on the half section line," be and the same hereby is legalized and that the boundaries of said town are and shall be as therein described, said proclamation having been published in the Williamsburg Journal, a weekly newspaper published in the said town, on April 26, 1895; That all ordinances and resolutions passed and rules and regulations adopted by the town council of said town, and the official acts of all officers of said town so far as pertains and relates to and effects said town as now enlarged and extended as aforesaid, are hereby legalized as fully as though everything pertaining to such acts and doings of said council, mayor, and other officials were fully, specifically, and concisely in conformity to the law pertaining to and providing for the enlargement of the limits of incorporated towns. Description
and bounda-
ries.

Provided, that this act shall in no way affect pending litigation.

SEC. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register, a newspaper published in Des Moines, Iowa, and the Williamsburg Journal, a newspaper published in Williamsburg, Iowa, without expense to the state. Acts of coun-
cil legalized.

Approved April 3, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 10, and Williamsburg Journal, April 17, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 207.

H. F. 486. AN ACT to legalize the incorporation, proceedings, and ordinances passed by the incorporated town of Woolstock, Wright county, Iowa.

Doubts. WHEREAS, Doubts have arisen as to the legality of the incorporation, proceedings, and ordinances passed by the council of the incorporated town of Woolstock, Wright county, Iowa; therefore,

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

Acts of council legalized. SECTION 1. That the incorporation, proceedings, and all ordinances passed by the council of said town of Woolstock, not in contravention with the laws of the state, are hereby legalized, and the same are hereby declared valid and binding the same as though the law had been complied with in all respects in the passage of said incorporation proceedings and ordinances. Provided, that nothing in this act shall in any manner affect any pending litigation.

Publication. SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register, a newspaper published in Des Moines, Iowa. and the Wright County Monitor, published in Clarion, Wright county, Iowa, both publications to be without expense to the state.

Approved April 10, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, May 12, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 208.

H. F. 65. AN ACT to legalize all special elections held or attempted to have been held since February 16, 1894, in any city of Iowa of over five thousand inhabitants, to vote taxes not to exceed five per centum on the assessed value thereof, to construct or to aid in the construction of a highway bridge or a combination bridge suitable for use as a highway and for railway purposes across any navigable boundary river of Iowa, including the levy of said taxes and all acts leading up to the same or done thereunder.

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

All special elections where tax not to exceed 5 per centum is levied. SECTION 1. In all cases of special elections held or attempted to have been held in the state of Iowa since February 16, 1894, at which elections the question of voting taxes not to exceed five per centum on the assessed value of any incorporated city having over five thousand inhabitants, to construct or to aid any company incorporated under the laws of the state of Iowa in the

construction of a highway bridge or a combination bridge suitable for use both as a highway and for railway purposes, commencing or terminating in such city, across any navigable boundary river of the state of Iowa, was submitted to the voters thereof, where the returns of said elections were canvassed by the mayor and city clerk of said city and found and certified to show a majority of the votes cast to be in favor of said taxes, and in pursuance of such elections taxes were levied or attempted to have been levied by the board of supervisors of the county in which said city is located, and where any such city or corporation has in good faith relying upon said taxes proceeded to construct and has actually constructed such bridge across such navigable boundary river in compliance with the conditions imposed by the notice of said election for the earning of said taxes, such elections and all the acts and doings of the said city council and its officers and of said canvassers and of the said board of supervisors relative to said election and taxes, including the levy of said taxes, and all acts leading up to the same or done thereunder, be and the same hereby are in all respects legalized, ratified, and confirmed and made valid and binding to the same extent as if in all respects originally held and done according to law. Legalized.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication, without expense to the state of Iowa, in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa. Publication.

Approved March 5, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, March 7, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 209.

AN ACT to legalize the assessment, levy, and collection of taxes for s. f. 186. park purposes in certain cities of the first class.

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

SECTION 1. That when in any city of the first class, incorporated under the general incorporation laws of the state, whose population according to the census of 1875 was not less than nineteen thousand, the city council of such city has heretofore levied a tax known as or called a tax "for park purposes" upon the taxable property of such city, the levy and the assessment and collection of such tax shall be and are hereby declared to be legal and valid in all respects the same as though such tax had been fully authorized by law. Tax for park purposes legal.

SEC. 2. That where any such taxes now remain uncollected, the treasurer of the county in which such city is situated is hereby authorized to collect the same as other taxes are collected;

Provided however that nothing in this act shall in any manner affect any pending litigation.

Publication.

SEC. 3. This act, being deemed of immediate importance, shall take effect and be in force from and after its passage and publication in the Iowa State Register and Iowa State Leader, newspapers published in Des Moines, Iowa, as provided by law, without expense to the state.

Approved March 9, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, March 18, and Des Moines Leader, March 13, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 210.

S. F. 447.

AN ACT to extend the time of the incorporation of Oak Hill Cemetery Association, of Florence Township, Benton County, Iowa, and to legalize all its acts and proceedings in the election of its officers, the selling and conveying of lots.

Incorporated.

Whereas, The Oak Hill Cemetery Association, of Florence township, Benton County, Iowa, was duly incorporated under the general laws of the state by articles of association adopted November 3, 1873, for a term of twenty years; and,

Time expired.

Whereas, The time for which said cemetery association was incorporated expired November 3, 1893; and,

Annual meeting failure.

Whereas, The articles of the association require that meetings of the corporation should be held annually on the 3d day of November of each year, and there having been failures in holding such annual meetings and the election of officers during several years; and,

Doubts.

Whereas, Lots in the cemetery owned by said corporation have been sold to various parties and paid for, and owing to the irregularities in conducting the affairs of said corporation, and the expiration of the time for which said association was incorporated, clouds have been cast upon the title of the lots so sold and conveyed; therefore,

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

Legalized.

SECTION 1. That the existence of said Oak Hill Cemetery Association since November 3, 1893, is hereby legalized and to be considered as if its charter had not expired, and all the acts and proceedings in conducting its affairs, and in selling and conveying all lots heretofore sold and conveyed by said corporation, are hereby made legal and valid, and the title to all lots heretofore sold and conveyed is hereby vested in the grantee thereof.

Provided, that nothing herein shall affect any litigation now pending.

Approved May 2, 1896.

CHAPTER 211.

AN ACT to legalize the incorporation of the "Manchester Cemetery Company" of Manchester, Delaware county, Iowa, and the act of its officers in relation to continuation after expiration of limitation, and in relation to the purchase and sale of real estate, and the change by resolution in regard to the secretary acting as treasurer, instead of the sexton as provided in the articles of incorporation. S. F. 295.

Whereas, The articles of incorporation of the "Manchester Cemetery Company" were adopted on the 14th day of April, 1858, under the general laws of the state of Iowa for corporations for pecuniary profit, by reason of which statute, under section 681 of the Code of 1851, the duration of said incorporation could not exist for a longer period than twenty years; and, Articles adopted.

Whereas, Said incorporation has continued to do business without reincorporating or extending their articles of incorporation; and,

Whereas, The officers of said incorporation were not authorized to purchase or sell real estate, but, believing that they had the right, have continued to purchase and sell real estate since their organization; and, Not authorized to purchase real estate.

Whereas: Said articles of incorporation provided that the sexton should act as treasurer of said incorporation, but instead thereof the said company changed by resolution making the secretary the treasurer of said incorporation; and, Not according to articles

Whereas: Doubts have arisen as to the regularity of the proceedings of said "Manchester Cemetery Company" and its officers: therefore, Doubts.

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

SECTION 1. That all the acts of the said "Manchester Cemetery Company" purporting to act as a corporate body heretofore done, and that the action of said "Manchester Cemetery Company" in changing by resolution or motion the articles of incorporation so as to have the secretary act as treasurer, instead of the sexton, as provided by said articles, and that the action of its officers in purchasing and selling real estate, together with the titles of all persons purchasing realty of said "Manchester Cemetery Company," be and the same are hereby legalized and made valid as if said "Manchester Cemetery Company" had in all respects strictly complied with the law in reincorporating and its acts been duly authorized by its articles of incorporation. Company legalized.

Provided that this act shall in no way affect pending litigation.

Publication. SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the daily "The Iowa State Register," a newspaper published in Des Moines, Iowa, and the "Manchester Press," "Manchester Democrat," or the "Manchester Daily News," newspapers published at Manchester, Iowa, without expense to the state.

Approved March 19, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, March 31, and Manchester Press, March 26, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 212.

S. F. 112. AN ACT legalizing the proceedings of the board of supervisors of Louisa county, Iowa, relative to restraining stock from running at large.

Whereas, Under and by virtue of sections 1450 and 1451 of the code of Iowa, on a petition of the legal voters of Louisa county, Iowa, duly presented, the board of supervisors of Louisa county, Iowa, ordered submitted to a vote of the electors of said county, at the general election of 1895, the question: "Shall stock be restrained from running at large;" and thereafter, for four consecutive weeks beginning on October 1st, 1895, said board caused to be published in the Record-Republican, a newspaper printed and published in Louisa county, Iowa, a notice that said proposition would be submitted at the said election; and at the general election held on November 5, 1895, twelve hundred and twenty-nine votes were cast in favor of said proposition, and eight hundred and forty-six against the same; and

Doubts. *Whereas*, some doubt has arisen as to the legality of the notice of the proposed submission of the said proposition to a vote of the electors, in this: That the said notice failed to state the time of the taking effect or operation of the proposed regulation, or the penalty for its violation, as required by section 310 of the code, therefore,

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

Election and
canvassing
made legal.

SECTION 1. That the action and proceedings of the said board in making the order for the said notice; the notice of the proposed submission thereafter given, the election thereafter held upon said proposition, and the action of the board of supervisors of Louisa county, Iowa, in canvassing the votes cast for the same, and all subsequent orders and proceedings made by the said board of supervisors in relation thereto, be declared to be legal, valid, and binding on the people of the said Louisa county, as fully as though everything pertaining

to said acts and proceedings had been performed in conformity with the statute: and the said police regulation so adopted shall and is hereby declared to be in full force any effect in said county.

SEC. 2. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register, a newspaper published in Des Moines, Iowa, and the Record-Republican, a weekly newspaper published in Louisa county, Iowa, without expense to the state. Publication.

Approved Feb. 14, 1896.

I hereby certify that the foregoing act was published in the Record-Republican, February 27, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 213.

AN ACT to legalize the action of the Board of Supervisors of Van Buren County Iowa relating to the levy for County revenue for 1895. S. F. 267. To legalize.

Whereas the Board of Supervisors of Van Buren County Iowa levied a tax of four and one-half mills for County revenue at their September meeting 1895 and Whereas doubts have arisen as to the legality of all in excess of four mills of said levy therefore Tax levied.

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

SECTION 1. That the full amount of said levy of four and one-half mills made by the Board of Supervisors of Van Buren County Iowa in 1895 be and the same is hereby legalized and is made valid and binding as if it had first been authorized by a vote of the people as provided by law and the treasurer of said county is hereby fully authorized to collect the same with all interest and penalties which may accrue thereon the same as if said board had been authorized and empowered to levy the same in the first instance. Tax levy legalized.

Provided however that nothing in this act shall in any manner affect any pending litigation.

SEC. 2. 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 the Keosauqua Republican newspapers published at Des Moines and Keosauqua Iowa respectively, without expense to the state. Publication.

Approved March 19, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, March 28, and Keosauqua Republican, April 2, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 214.

H. F. 80. AN ACT to legalize the acts of J. H. Ellsworth, of Clayton County, Iowa, as Notary Public.

WHEREAS, J. H. Ellsworth, of Clayton county, Iowa, was duly appointed and qualified as a Notary Public within and for Clayton county, Iowa, on the 4th day of July, 1891; and,

WHEREAS, His said commission and authority so to act as such Notary Public terminated on the 4th day of July A. D. 1894; and,

WHEREAS The said J. H. Ellsworth thereafter continued to act as such Notary Public after the termination of his said term of office;

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

Acts legal-
ized.

All acts de-
clared valid.

SECTION 1. That all the official acts of J. H. Ellsworth as Notary Public done and executed by him since the 4th day of July, 1894, be and the same are hereby declared to be legal, binding, and valid the same as if the commission of said J. H. Ellsworth as such notary public had been in full force and effect, and he had been duly qualified as such notary public during said time; and that all rights vested and accrued, or accruing under any of said acts, be and the same are hereby declared valid and binding in law.

This act shall not affect the rights of parties in any action now pending in any court in this state.

Publication.

SEC. 2. This act, being deemed of immediate importance, shall be in force and take effect from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa, and in the North Iowa Times, a weekly newspaper published at McGregor, Clayton County, Iowa, without expense to the State of Iowa.

Approved March 14, 1896.

I hereby certify that the foregoing act was published in the Des Moines Leader, March 19, and North Iowa Times, March 26, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 215.

S. F. 302.

Justice
elected.

AN ACT to legalize the acts of S. R. Cross, a justice of the peace in and for Norway township, Winnebago County, Iowa.

Whereas, S. R. Cross of Norway township, in the County of Winnebago and State of Iowa, was at the annual election held in November, 1894, duly elected a justice of the peace in and for said township and county,

and thereafter duly took the oath of office and executed a proper bond as such justice of the peace, but through mistake said bond was never filed in the office of the Auditor of said County or approved by the board of supervisors; and

Whereas, the said S. R. Cross has performed certain acts as such justice of the peace between the first Monday in January, 1895, and the first day of February, 1896; Now, therefore,

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

SECTION 1. That all acts of said S. R. Cross as justice of the peace done and performed between the first Monday in January, 1895, and the first day of February, 1896, be and the same are hereby declared to be legal and valid to the same extent as though said bond had been duly filed and approved, and said S. R. Cross had duly qualified as such justice of the peace;

Provided, however, that nothing in this act shall in any manner affect any pending litigation.

Approved March 19, 1896.

CHAPTER 216.

AN ACT to legalize the issuing of certain warrants on the general fund and certain funding and refunding bonds by the city of Ottumwa, Iowa. s. F. 278.

Whereas, The city of Ottumwa, Iowa, in the years 1889, '90, '91, '92, '93, '94, and '95, issued certain warrants against its general fund; and,

Whereas, said city on the 20th day of December, 1895, passed and approved an ordinance authorizing the issuing of Forty (40) one thousand dollar funding bonds to take up said warrants; said bonds dated January 1, 1896, twenty years at four and a half per cent; and

Whereas, said city, February 10, 1896, passed and approved an ordinance authorizing the issuing of Thirty (30) one thousand dollar refunding bonds, dated March 1, 1896, 5-20's at four and a half per cent, with which to take up and pay off certain funding bonds issued by said city in the year 1889; and

Whereas, questions as to the legality of said warrants have arisen as to whether the city was within its constitutional limit of indebtedness when said warrants were issued; and

Whereas, at the time of the passage of the aforesaid ordinances said city of Ottumwa, Iowa, was within the legal limit of its indebtedness; therefore,

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

Warrants
legal.

SECTION 1. That all of the warrants on the general fund issued by the city of Ottumwa, Iowa, as above set forth, are hereby legalized and declared valid;—

Provided that this act shall in no way affect litigation now pending in any court in this state.

Funding
bonds legal-
ized.

SEC. 2. That the 40 one thousand dollar funding bonds issued pursuant to and by authority of an ordinance of said city, passed and approved December 20, 1895, said bonds being dated January 1, 1896, running twenty years at four and a half per cent, are hereby legalized, made and declared to be genuine evidence of indebtedness against said city.

Bonds made
valid and
legal.

SEC. 3. That the 30 one thousand dollar refunding bonds authorized and issued under provisions of an ordinance of said city passed and approved February 10, 1896, dated March 1, 1896, 5-20's at four and a half per cent, are hereby legalized, made and declared to be genuine evidence of indebtedness against said city.

Publication.

SEC. 4. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Iowa State Register and the Ottumwa Daily Courier, newspapers published respectively at Des Moines and Ottumwa, Iowa, without expense to the state.
Approved March 19, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, March 27, and Ottumwa Daily Courier, March 26, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 217.

S. F. 373.

AN ACT relating to certain additional justices of the peace and constables, legalizing their official acts and the official acts of canvassing boards with reference thereto.

Additional
justices.

Whereas, Section 389 of the Code of Iowa provides for the election of two justices of the peace and two constables in each township, but in townships containing an incorporated city or town provides that the township trustees may order the election of one or two additional justices and constables, and at least one justice and constable shall reside in such city or town; and,

Trustees may
order addi-
tional jus-
tices and con-
stables.

Whereas, By many township trustees and others, the making of such order for the election of such additional officers has been construed to mean that such order was required only for the first election of such additional justices of the peace and constables and not for any subsequent election of such officers; and,

How con-
strued.

Whereas, There have been and are now throughout the state many acting additional justices of the peace and constables in townships where no such order as required by said section 389 was made and where such additional

officers were declared elected and duly qualified in their said offices enacted therein, and many such are still so acting therein as such additional justices of the peace and constables, wherein the rights and remedies of the people have been affected and involved; and, Where such are acting.

Whereas, doubts have arisen as to the legality of the official acts of such additional justices of the peace and constables so elected and qualified, and as to the legality of the election and official title of such additional justices of the peace and constables who are still acting as such; therefore, In doubt.

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

SECTION 1. That the acts of the several county and township canvassing boards within the state and canvassing the votes cast for additional justices of the peace and additional constables, and in declaring the results in such cases where there has been but one making of such order provided for in section 389 of the Code, be and the same are legalized and given the same force and validity as if the provisions of law in reference to making of such order had all been fully and strictly complied with in each particular instance; and the official acts of all persons who qualified and acted in an official capacity as additional justices of the peace or additional constables in pursuance of the declaration of the canvassing boards as hereinbefore alleged are hereby legalized and given the same force and validity as if the provisions of law in reference to the order by township trustees had all been strictly complied with at the time of the election. Acts of several counties made legal.

SEC. 2. This act being deemed of immediate importance shall take effect from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa. Publication.

Approved April 8, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register, April 16, and Des Moines Leader, April 17, 1896.

W. M. MCFARLAND,
Secretary of State.

CHAPTER 218.

AN ACT to legalize the organization of the Hawarden Driving and Fair Association, of Hawarden, Iowa. S. F. 448.

WHEREAS P. E. Maynard, W. L. Leland, A. Scott, J. T. Van Orman, J. L. Rankin, Thomas H. Dunham, J. L. Chenoworth, G. J. Shoemaker, Patrick Gehan, and W. A. King on the 29th day of June, 1892, adopted articles of incorporation and organized the Hawarden Driving and Fair Association of Hawarden, Iowa; and Articles adopted.

Whereas, Said articles of incorporation were duly filed with the recorder of Sioux county, Iowa, and recorded in Were filed.

his office on the 30th day of June, 1892, and due and legal notice published of said incorporation; and

Not filed with secretary of state.

Whereas, Through some oversight the said articles of incorporation were not filed in the office of the secretary of state as required by law; and

Doubtful.

Whereas, On the 19 day of January, 1895, the said Hawarden Driving and Fair Association made and executed a mortgage to secure an indebtedness against said association to A. Scott and others, in the sum of 1835 69-100 dollars, and other business was commenced and done before the filing of said articles of incorporation in the office of the Secretary of State, and which said acts are of doubtful validity; therefore,

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

Driving park legalized.

SECTION 1. That the said The Hawarden Driving and Fair Association be and the same is hereby declared as fully and duly organized and incorporated as if said articles had been filed in the office of the secretary of state within three months from the date of its organization, and that all contracts and conveyances made by the said The Hawarden Driving and Fair Association are hereby legalized and declared to be binding to the same extent as though said articles of incorporation had been filed in the office of the Secretary of State within the time required by law, and that the said The Hawarden Driving and Fair Association be fully and legally incorporated; Provided, that nothing in this act shall affect any pending litigation.

Publication.

SEC. 2. 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 the Des Moines Leader without expense to the state.

Approved May 2, 1896.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, May 13, 1896.

W. M. MCFARLAND,
Secretary of State.

JOINT RESOLUTION No. 3.

Memorial and Joint Resolution Relative to improving the Navigation of the Mississippi River.

WHEREAS, The citizens and tax-payers of the Muscatine Island Levee district, composed of lands lying adjacent to the Mississippi river in Muscatine and Louisa Counties, Iowa, have maintained for many years a levee at their own expense, which levee is of great benefit to the navigation of the Mississippi river, and protection to the lands and agricultural districts thereto adjoining; and

WHEREAS, The said levee is now in need of reconstruction and repairs, and the tax-payers of the said district are unable longer to maintain said levee at their own cost; and

WHEREAS, Said levee is a great help in restraining the waters of the Mississippi river in its channel, thereby improving the navigation of said river.

Be it resolved by the General Assembly of Iowa:

That our senators and representatives in Congress are requested to use their active influence to secure and to vote for such appropriations as will insure the reconstruction and repair of the said Muscatine Island levee, at the earliest possible date.

Resolved, that the Secretary of State be and is hereby instructed to forthwith transmit a copy hereof to each of our Senators and Representatives in congress from Iowa.

Approved Feb. 17th, 1896.

JOINT RESOLUTION No. 8.

Resolved, by the 26th General Assembly of Iowa that the 26th Gen. Assembly to whom the Governor has referred the application of A. F. Hockett, for pardon, advise the Gov. to grant such pardon.

JOINT RESOLUTION No. 9.

Joint Resolution for amendment to the constitution of the State of Iowa, proposing the repeal of sections 34, 35 and 36 of article three (3) of the constitution; and the substitute hereinafter proposed be adopted in lieu thereof.

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

That the following amendment to the constitution of the State of Iowa be and the same is hereby proposed:

That: sections 34, 35 and 36 of article three (3) of the constitution of the State of Iowa be repealed and the following adopted in lieu thereof. SECTION 34. The Senate shall consist of fifty (50) members to be elected from the several senatorial districts established by law, and at the next session of the General Assembly following the taking of each state and national census they shall be apportioned

among the several counties of the state according to population as shown by the last preceding census:

SEC. 35. The House of Representatives shall consist of not more than one hundred and fifteen members. The ratio of representation shall be determined by dividing the whole number of the population of the State as shown by the last preceding state or national census, by the whole number of counties then existing or organized, and each county shall constitute a representative district and be intitled to one representative, but each county having a population in excess of the ratio number found as herein prescribed, of three-fifths or more of such ratio number, shall be entitled to one additional representative.

SEC. 36. The General Assembly shall, at the first regular session following the adoption of this amendment, and at each succeeding session following the taking of such census, fix the ratio of representation, and apportion the additional representatives as hereinbefore required.

Be it further resolved that this resolution and the foregoing amendments to the constitution of the state of Iowa be, and the same is hereby referred to the next succeeding General Assembly for action: And the Secretary of State is hereby directed to cause the same to be published for three months previous to the day of election of members of the next General Assembly, in manner as provided by law.

JOINT RESOLUTION No. 10.

Relative to the Trans-Mississippi Exposition to be held at Omaha, Nebraska in the year 1898.

WHEREAS, delegates representing the twenty-four states and territories lying west of the Mississippi river, at the Trans-Mississippi Congress of 1895, adopted a resolution providing for the holding of an exposition for the purpose of exhibiting the products, manufactures, arts and industries of these states and territories. And

WHEREAS, The said convention voted to hold the said exposition at the city of Omaha, Nebraska in the year 1898, and

WHEREAS, The common interest of the states and territories constituting this great region as well as of the country at large will be greatly promoted thereby and the interest of the state of Iowa, lying at its gateway will be especially benefited by such an exposition on her borders,—therefore—

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

That the holding of the said Trans Mississippi Exposition is hereby heartily approved.

And that the Senators and Representatives in Congress from Iowa, are requested to co operate with the Senators and Representatives from our sister state Nebraska, and the other Trans Mississippi states in procuring the passage at this session of Congress of a bill giving National recognition to said Exposition and providing for an

appropriation for a National exhibits and the necessary and proper buildings to contain same. And be it further

Resolved; That a copy of the foregoing resolution be certified by the Secretary of State under the seal of the State and sent to Senators and Representatives in Congress from Iowa.

Approved February 17, 1896.

JOINT RESOLUTION No. 13.

A Joint Resolution and Memorial in relation to the five per cent funds.

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

That in the opinion of this General Assembly the state of Iowa is entitled under and by virtue of the proposition made thereto by the Congress of the United States, by an act supplemental to the act for the admission of the States of Iowa and Florida into the Union, approved March 3, 1845, and an act of the General Assembly of the state entitled an Act and Ordinance accepting the proposition made by Congress on the admission of Iowa into the Union as a state, approved January 15, 1849, to five per centum on the government price of all land sold in this state by the United States for military land warrants and scrip since January 15, 1849. And be it further

Resolved, That the Governor of this state be, and he is hereby advised to transmit a copy of this Joint Resolution and Memorial to each of its Senators and Representatives in Congress, with the request that they lay the subject before their respective bodies and use all and every appropriate means to secure present provision for the payment or the five per centum aforesaid.

Approved Mar. 5, 1896.

JOINT RESOLUTION No. 19.

Whereas, The people of Iowa have erected a monument to express their appreciation of the courage, patriotism, and sacrificing devotion of the men who braved all danger, and in so many instances met death in order that national supremacy might be maintained and free institutions preserved; and,

Whereas, Objections having been made to the manner in which the commissioners, who had the erection of the monument in charge, have executed their trust; and,

Whereas, The completion of the monument requires additional directions; therefore,

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

First. That the commission be directed not to place upon the monument any medallion portrait of any person, living or dead, as such special recognition exalts one soldier above another of equal or more deserving record.

Second. That the commission be directed to have inscribed upon the monument the name of each regiment and organization, the number of men enlisted, and the date of its muster and discharge.

CONCURRENT RESOLUTION.

WHEREAS, Many officers, soldiers, sailors, and marines of the Federal army and navy were confined in the so-called Confederate prisons for a great length of time, suffering unusual hardships and contracting diseases and disabilities difficult to fully prove under existing pension laws; and

WHEREAS, A bill has been introduced into the Congress of the United States, known as House Bill H. R. 306 providing special pensions for such prisoners of war, and for the purpose of doing justice to a specially deserving class of surviving veterans of the war; therefore, be it

Resolved, by this House, the Senate concurring, That the Congress of the United States is requested to pass said House bill known as H. R. 306, granting special pensions to soldiers who suffered in Confederate prisons and that the Senators and Representatives in Congress from Iowa are requested to use their influence for the passage of this law during the present session, in order that soldiers who lay in southern prisons, sickening and suffering there, losing all opportunity to prove their disabilities, losing all opportunity for promotion, losing all opportunity for re-enlistment and the securing of bounties, shall not longer be deprived of the justice for them in said bill provided.

That a copy of the foregoing resolution be certified by the Secretary of state under the seal of the State, and sent to the Senators and Representatives in Congress from Iowa.

CERTIFICATE.

STATE OF IOWA, }
OFFICE OF SECRETARY OF STATE. }

I, W. M. MCFARLAND, Secretary of State of the State of Iowa, hereby certify that the acts and resolutions herein contained, are copied from the original rolls on file in this office, and that the same are true and correct copies thereof of the acts and resolutions of the Twenty-sixth General Assembly, except that the words enclosed in brackets [thus] have been inserted where it is evident that an omission had occurred.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State, at Des Moines, this twenty-fifth day of June, A. D. 1896.

W. M. MCFARLAND,
Secretary of State.

[SEAL]

NOTE.—Page 21, chapter 10, was printed in the Des Moines Leader and Dubuque Daily Times, May 9, 1896.

Page 32, chapter 23, was printed in the Des Moines Leader, April 21, 1896.

AUDITOR'S STATEMENT.

STATE OF IOWA, AUDITOR'S OFFICE, }
Des Moines, July 10, 1896. }

Hon. W. M. McFarland, Secretary of State:

SIR—In pursuance of the requirements of section 18, article 3, of the constitution of Iowa, I have the honor to submit for publication with the laws of the Twenty-sixth General Assembly, the following statement of the receipts and expenditures of the public money, for the biennial fiscal period commencing July 1, 1893, and ending June 30, 1895.

C. G. McCARTHY,
Auditor of State.

CONDITION OF THE TREASURY.

The amount of funds in the treasury at the close of the last fiscal period, June 30, 1893, including Agricultural college mortgage bonds, was \$862,456.07, belonging to the several funds as follows:

General revenue	\$ 412,981.45
Agricultural College endowment fund.....	449,474.62
Total	\$ 862,456.07

The amount received from all sources during the fiscal period ended June 30, 1895, was \$3,704,888.85, which was distributed as follows to the several funds:

General revenue	\$3,524,254.35
Agricultural College endowment fund	141,442.50
Agricultural College, additional endowment fund	39,000.00
Temporary school fund	192.00
Total receipts.....	\$3,704,888.85

The receipts being added to the balance on hand June 30, 1893, as shown above, makes \$4,567,344.92 as the amount to be accounted for. The disbursements during the fiscal period ended June 30, 1895, were as follows:

General revenue	\$3,624,378.39
Agricultural College endowment fund.....	94,480.76
Additional Agricultural College endowment fund	39,000.00
Temporary school fund	192.00
Total disbursements.....	\$3,758,051.15

Leaving a balance in the treasury June 30, 1895, of \$809,293.77, belonging to the several funds as follows:

General revenue	\$ 312,857.41
Agricultural College endowment fund.....	496,436.36
Total	\$ 809,293.77

STATEMENT No. 1.

Showing receipts and disbursements during the fiscal period ended June 30, 1895.

RECEIPTS.

GENERAL REVENUE—

From state tax, 2 mills for 1893 and 2½ mills for 1894.....	\$2,282,052 24
From interest on delinquent taxes.....	22,815.83
From insane dues from counties.....	651,091.96
From College for the Blind, dues from counties ..	1,934.10
From Iowa School for the Deaf, dues from counties.....	3,288 34
From Feeble-Mind'd Children Institution, dues from counties.....	12,676.78
From Orphans' Home, dues from counties.....	43,188 80
From warden of the Ft. Madison penitentiary.....	13,500.00
From peddlers' licenses from counties.....	1,980.41
From sale of laws from counties.....	640.25
From insurance companies for taxes.....	241,123.05
From auditor of state, for fees.....	63,311.50
From secretary of state, for fees.....	17,911.13
From clerk of the supreme court, for fees.....	4,373.60
From oil inspector, for fees.....	12,317.37
From superintendent of public instruction, for fees.....	1,282.00
From Western Union Telegraph Company, for taxes.....	28,938.00
From Postal Telegraph Cable Company, for taxes.....	1,246.68
From Central Union Telephone Company, for taxes.....	3,600.00
From Iowa Union Telephone Company, for taxes.....	5,760.00
From Nebraska Telephone Company, for taxes.....	420.00
From United States Government, aid Soldiers' Home.....	66,904.93
From Wm. L. Carpenter, from custodian's sales.....	181.80
From Geo. Metzger, from custodian's sales.....	4.25
From C. G. McCarthy, auditor of state, from interest on Roach & Wold notes for land in O'Brien county.....	2,115.38
From A. C. Tupper, dairy commissioner, from milk sellers' licenses.....	350.00
From W. K. Boardman, dairy commissioner, from milk sellers' licenses.....	359.00
From commissioners of pharmacy, from surplus above expenses received from licenses from peddlers.....	9,394.00
From Chas. Rollin Keyes, from sale of geo'ogical reports.....	108.80
From M. S. Keeler, for support of state patient at Mt. Pleasant hospital.....	42.00
From Wm. Musson by refund, over-payment clerk's fees, State of Iowa v. D. M. & K. C. Ry. Co.....	12.00
From P. W. Madden, warden, refund of appropriation, as per chapter 31, section 3, laws of 1890.....	14,399.41
From P. W. Madden, warden, refund transportation account.....	600.59
From A. T. Birchard, treasurer Soldiers' Home, refund of appropriation, as per chapter 31, section 3, laws of 1890.....	1,500.00
From N. N. Jones, warden, refund of appropriation, as per chapter 31, section 3, laws of 1890.....	126.37
From Iowa Columbian Commission, refund of unused balance of appropriation.....	3,000.00
From railroad commissioners' expense fund to correct errors.....	3.18
From D. N. Lewis, railroad commissioners' clerk, refund to correct error in bill.....	1.41
From A. T. Birchard, treasurer Soldiers' Home, retained portion of soldiers' pensions.....	4,500.00
From fish commissioner refund.....	1.00
From agricultural college refund, repair account.....	744.42
From normal school refund, improvement account.....	751.20
From Soldiers' Home refund, improvement account.....	44.67
From Soldiers' Home refund, improvement account.....	44.67
From Soldiers' Home refund, support account.....	5,608.25
From James Harlan, soldiers' monument commissioner, refund of over-payment.....	5.00
From balance in treasury June 30, 1893.....	412,981.45
Total cash.....	\$3,937,235.80

DISBURSEMENTS.

GENERAL REVENUE—

By redemption of auditor's warrants.....	\$3,624,378.39
By interest paid on same.....	None
By balance in treasury June 30, 1895.....	312,857.41
Total.....	\$3,937,235.80

AGRICULTURAL COLLEGE ENDOWMENT FUND.

RECEIPTS.

Amount of bonds in treasury June 30, 1893.....	\$ 5,500.00
Amount of mortgage bonds in treasury June 30, 1893.....	442,966 87
Amount of cash in treasury June 30, 1893.....	1,607.75
Amount received from sale of lands, etc., to date.....	46,961 74
Total.....	\$ 496,436.36

DISBURSEMENTS.

Amount of cash in hands of treasurer of state June 30, 1895.....	\$ 35.87
Amount of bonds in hands of treasurer of state June 30, 1895.....	5,500.00
Amount of mortgage bonds in hands of treasurer of state June 30, 1895.....	496,400.49
Total.....	\$ 496,436.36

PERMANENT SCHOOL FUND.

Balance in treasury June 30, 1893.....	None
Receipts by treasurer of state.....	None
Disbursements by treasurer of state.....	None
Balance in treasury June 30, 1895.....	None

TEMPORARY SCHOOL FUND.

RECEIPTS.

Balance in treasury June 30, 1893.....	\$
Amount received from interest on Eads loans	192.00
Amount received from interest on state bonds	4,541.91
Total.....	\$ 4,733.91

DISBURSEMENTS.

Amount apportioned to counties	\$ 4,733.91
Balance in treasury June 30, 1895	None
Total.....	\$ 4,733.91

RECAPITULATION OF BALANCES IN TREASURY JUNE 30, 1895.

General revenue.....	\$ 312,857.41
Agricultural college endowment fund.....	496,436 36
Total.....	\$ 809,293.77

NOTE—There were no swamp land receipts or disbursements during the biennial fiscal period.

STATEMENT No. 2.

Showing the amount of warrants issued and to what charged, during the fiscal period ended June 30, 1895.

Adjutant-general's salary.....	\$ 3,000 00
Attorney-general's salary	3,000 00
Attorney-general's per diem and expenses.....	2,430.25
Attorney-general's clerks.....	3,148.85
Attorney-general's legal assistants.....	3,766 73
Auditor of state's salary.....	4,400 00
Auditor of state's deputy's salary	3,000.00

Auditor of state's clerk's fund.....	\$ 12,275.00
Auditor of state's executive council service.....	1,000.00
Board of health	10,379.77
Clerk of the supreme court's salary	4,400.00
Clerk of the supreme court's deputy's salary	3,000.00
Clerk of the supreme court's clerk's fund.....	2,537.50
Commissioner of labor statistics' salary	3,000.00
Commissioner of labor statistics' expenses.....	2,250.35
Commissioners of pharmacy, enforcement of law.....	2,057.56
Custodian of public property, salary	3,000.00
Custodian of public property, expenses.....	53,086.85
Dairy commissioner's salary	3,000.00
Dairy commissioner's expenses	6,132.33
District judge, 1st district, J. M. Casey, salary	3,958.35
District judge, 1st district, A. J. McCrary, salary	937.49
District judge, 1st district, J. D. Smyth, salary	5,000.00
District judge, 2d district, H. C. Traverse, salary	3,750.02
District judge, 2d district, M. A. Roberts, salary	1,249.98
District judge, 2d district, E. L. Burton, salary	3,750.02
District judge, 2d district, T. M. Fee, salary	1,249.98
District judge, 2d district, W. I. Babb, salary	3,750.02
District judge, 2d district, F. W. Eichelberger, salary	1,249.98
District judge, 2d district, W. D. Tisdale, salary	3,750.02
District judge, 2d district, Robert Sloan, salary	1,249.98
District judge, 3d district, H. M. Towner, salary	5,000.00
District judge, 3d district, W. H. Tedford, salary	5,000.00
District judge, 4th district, F. R. Gaynor, salary	5,000.00
District judge, 4th district, Geo. W. Wakefield, salary	5,000.00
District judge, 4th district, Scott M. Ladd, salary	5,000.00
District judge, 4th district, Anthony Van Wagenen, salary	3,760.02
District judge, 4th district, John F. Oliver, salary	1,249.98
District judge, 5th district, J. H. Henderson, salary	5,000.00
District judge, 5th district, J. H. Applegate, salary	5,000.00
District judge, 5th district, A. W. Wilkinson, salary	5,000.00
District judge, 6th district, J. Kelly Johnson, salary	3,416.65
District judge, 6th district, Ben McCoy, salary	1,513.90
District judge, 6th district, David Ryan, salary	5,000.00
District judge, 6th district, A. R. Dewey, salary	5,000.00
District judge, 7th district, P. B. Wolfe, salary	5,000.00
District judge, 7th district, C. M. Waterman, salary	5,000.00
District judge, 7th district, W. F. Brannan, salary	5,000.00
District judge, 7th district, Allen J. House, salary	5,000.00
District judge, 8th district, S. H. Fairall, salary	1,196.25
District judge, 8th district, M. J. Wade, salary	3,790.31
District judge, 9th district, S. F. Balliet, salary	3,750.02
District judge, 9th district, Thos. F. Stevenson, salary	1,249.98
District judge, 9th district, W. F. Conrad, salary	5,000.00
District judge, 9th district, C. P. Holmes, salary	5,000.00
District judge, 9th district, W. A. Spurrier, salary	3,259.38
District judge, 10th and 19th districts, J. L. Husted, salary	5,000.00
District judge, 10th district, J. J. Ney, salary	3,333.32
District judge, 10th district, Amos S. Blair, salary	1,659.74
District judge, 10th district, J. J. Tolerton, salary	1,249.98
District judge, 10th and 19th districts, Fred O'Donnell, salary	5,000.00
District judge, 11th district, N. B. Hyatt, salary	1,250.02
District judge, 11th district, D. R. Hindman, salary	5,000.00
District judge, 11th district, B. P. Birdsall, salary	3,749.98
District judge, 11th district, S. M. Weaver, salary	5,000.00
District judge, 12th district, John C. Sherwin, salary	5,000.00
District judge, 12th district, Porter W. Burr, salary	5,000.00
District judge, 13th district, L. O. Hatch, salary	2,634.40
District judge, 13th district, E. E. Cooley, salary	887.12
District judge, 13th district, L. E. Fellows, salary	1,249.98
District judge, 13th district, W. A. Hoyt, salary	3,750.02

District judge, 13th district, A. N. Hobson, salary.....	\$ 1,249 98
District judge, 14th district, George H. Carr, salary.....	3,329 15
District judge, 14th district, W. B. Quarton, salary.....	1,770 85
District judge, 14th district, Lot. Thomas, salary.....	5,000 00
District judge, 15th district, A. B. Thornell, salary.....	5,000 00
District judge, 15th district, Walter I. Smith, salary.....	5,000 00
District judge, 15th district, H. E. Deemer, salary.....	2,130 39
District judge, 15th district, W. S. Lewis, salary.....	1,559 15
District judge, 15th district, W. R. Green, salary.....	1,249 98
District judge, 15th district, N. W. Macy, salary.....	5,000 00
District judge, 16th district, George W. Paine, salary.....	3,750 02
District judge, 16th district, S. M. Elwood, salary.....	1,249 98
District judge, 16th district, Chas. D. Goldsmith, salary.....	3,750 02
District judge, 16th district, Z. A. Church, salary.....	1,249 98
District judge, 17th district, John R. Caldwell, salary.....	3,750 02
District judge, 17th district, George W. Burnham, salary.....	1,219 98
District judge, 18th district, J. D. Griffin, salary.....	3,750 02
District judge, 18th district, William P. Wolf, salary.....	1,249 98
District judge, 18th district, J. H. Preston, salary.....	2,916 66
District judge, 18th district, William G. Thompson, salary.....	2,069 45
Educational board of examiners.....	964.95
Fish commissioners' salary (T. J. Griggs, \$900; George E. Delevan, \$1,500).....	2,400 00
Fish commissioners' expenses (T. J. Griggs, \$2,129 59; George E. Delevan, \$3,726 98).....	4,856 57
Geological survey.....	18,392 54
Geological survey expenses.....	7,994 39
Governor's salary and "room rent".....	7,200 00
Governor's private secretary's salary.....	3,000 00
Governor's contingent fund.....	8,952 21
Governor's contingent fund to pay counsel.....	260 00
Governor's executive council service.....	1,000 00
Janitors' salaries.....	26,388 00
Librarian's and assistant librarian's salaries.....	5,279.91
Mine inspectors' salaries.....	7,200 00
Mine inspectors' expenses.....	2,807.23
Mine inspectors' board of examiners.....	366.50
Mine inspectors' clerks' fund.....	2,063 00
Oil inspectors' salary { J. J. Dunn.....	1,500 02
{ L. S. Merchant.....	1,263 39
{ Luther A. Brewer.....	1,166 70
Railroad commissioners' and secretary's salaries.....	21,000 00
Railroad commissioners' expenses.....	5,695.54
Secretary of state's salary.....	4,400 00
Secretary of state's deputy's salary.....	3,000 00
Secretary of state's clerks' fund.....	10,388.75
Secretary of state's executive council service.....	1,000 00
Secretary of state's land office clerk's salary.....	2,400 00
Superintendent of public instruction's salary.....	4,400 00
Superintendent of public instruction's deputy's salary.....	3,000 00
Superintendent of public instruction's clerks' fund.....	4,755.75
Superintendent of public instruction's traveling expenses.....	555.21
Superintendent of public weights and measures.....	100 00
Supreme judge, Josiah Given, salary.....	8,000 00
Supreme judge, C. T. Granger, salary.....	8,000 00
Supreme judge, G. S. Robinson, salary.....	8,000 00
Supreme judge, J. H. Rothrock, salary.....	8,000 00
Supreme judge, L. G. Kinne, salary.....	8,000 00
Supreme judge, H. E. Deemer, salary.....	4,591.34
Supreme court contingent fund.....	2,618.65
Supreme court reporter's salary.....	4,500 00
Treasurer of state's salary.....	4,400 00
Treasurer of state's deputy's salary.....	3,000 00
Treasurer of state's clerks' fund.....	2,970 00
Treasurer of state's executive council service.....	1,000 00
Veterinary surgeon's per diem and expenses.....	6,689.60

Agricultural college, improvements and repairs.....	\$ 72,093.40
Agricultural college, trustees' per diem and expenses.....	4,961.50
Agricultural college, experimentation in agriculture and horticulture.....	3,000.01
Agricultural college, financial agent's salary and expenses.....	3,711.49
Agricultural societies (county and district societies) state aid.....	42,499.00
Arrest of fugitives.....	6,888.49
Benedict home, support.....	6,087.84
Binding, state binder.....	32,977.70
Blind college, improvement and repairs.....	4,331.20
Blind college, support and current expenses.....	69,680.00
Blind college, clothing.....	1,925.05
Blind college, trustees.....	1,728.53
Blind industrial school building, salaries, etc.....	17,720.20
Blind industrial school commissioners.....	2,363.35
Capitol grounds, improvements.....	4,508.33
Columbian exposition.....	15,000.00
Des Moines river lands.....	1,411.00
Iowa school for the deaf, improvements and repairs.....	10,075.00
Iowa school for the deaf, support and current expenses.....	123,830.00
Iowa school for the deaf, clothing.....	4,157.47
Iowa school for the deaf, trustees' per diem and expenses.....	1,402.37
Escheated land expenses.....	80.65
Farmers' institute.....	4,166.32
Feeble-minded children institution, improvement and repairs.....	47,712.50
Feeble-minded children institution, ordinary expenses.....	44,000.00
Feeble-minded children institution, support.....	112,890.00
Feeble-minded children institution, clothing.....	13,773.21
Feeble-minded children institution, trustees' per diem and expenses.....	1,143.87
Historical society.....	2,000.00
Historical collection.....	14,982.31
Horticultural society.....	5,000.00
Insane hospital at Cherokee, commissioners.....	1,143.85
Insane hospital at Clarinda, improvements.....	71,560.00
Insane hospital at Clarinda, support and current expenses.....	213,603.00
Insane hospital at Clarinda, trustees' per diem and expenses.....	3,579.55
Insane hospital at Independence, improvements and repairs.....	41,500.00
Insane hospital at Independence, support and current expenses.....	289,660.00
Insane hospital at Independence, contingent.....	7,447.30
Insane hospital at Independence, trustees' per diem and expenses.....	1,760.15
Insane hospital at Mt. Pleasant, improvements and repairs.....	16,000.00
Insane hospital at Mt. Pleasant, support and current expenses.....	283,094.00
Insane hospital at Mt. Pleasant, contingent.....	2,000.00
Insane hospital at Mt. Pleasant, trustees' per diem and expenses.....	1,566.03
Insane non-resident, removal of.....	2,652.15
Interest on school fund loans.....	4,541.91
Industrial School, boys, improvements and repairs.....	19,850.00
Industrial School, girls, improvements and repairs.....	3,600.00
Industrial Schools, support.....	118,864.00
Industrial Schools, trustees' per diem and expenses.....	842.16
Iowa Weather service.....	5,715.23
Library, books, etc.....	9,600.00
Library improvements.....	1,000.00
Library building fund.....	500.00
Militia.....	71,136.68
Miscellaneous expenditures.....	75,923.16
Normal School, improvements and repairs.....	18,175.00
Normal School, teachers' salaries.....	41,500.00
Normal School, directors' per diem and expenses.....	3,162.45
Normal School, contingent fund.....	8,450.00
Orphans' Home, improvement and repairs.....	12,912.10
Orphans' Home, support of soldiers' orphans.....	53,969.69
Orphans' Home, support of indigent children.....	40,762.78
Orphans' Home, trustees per diem and expenses.....	1,263.00
Penitentiary at Anamosa, improvements and repairs.....	27,796.54

Penitentiary at Anamosa, officers and guards	\$ 78,530.56
Penitentiary at Anamosa, support and current expenses.....	107,968.18
Penitentiary at Anamosa, transportation discharged convicts	3,183.24
Penitentiary at Anamosa, escaped convicts	405.23
Penitentiary at Fort Madison, improvements and repairs	13,450.00
Penitentiary at Fort Madison, officers and guards.....	63,496.76
Penitentiary at Fort Madison, transportation discharged convicts.....	2,925.00
Penitentiaries, inspection of.....	363.55
Penitentiary investigation.....	437.26
Printing (State).....	59,675.36
Prisoner's Aid Association.....	45.35
Providential contingencies	8,795.63
Railroad prosecution by state.....	32.30
Refund of feeble-minded account overpaid, to Wapello county.....	79.27
Refund of blind account overpaid, to Webster county	18.00
Relief of Hull.....	240.00
Relief of Metz.....	480.00
Revenue commission.....	836.56
Reward for arrest of murderer	800.00
Russian thistle (extermination of).....	15.54
School Journal subscriptions	148.50
Soldiers' Home improvements	13,225.92
Soldiers' Home officers' salaries.....	30,800.00
Soldiers' Home support.....	100,630.00
Soldiers' monument.....	78,261.86
Stationery contracts.....	15,195.57
Teachers' institutes.....	8,650.00
Twenty-fourth General Assembly, officers' salaries.....	250.00
Twenty-fourth General Assembly, special appropriation	1,727.70
Twenty-fifth General Assembly, members' salaries.....	82,500.00
Twenty-fifth General Assembly, officers' salaries	43,339.00
Twenty-fifth General Assembly, members' mileage.....	2,154.95
Twenty-fifth General Assembly, visiting committees	702.05
Twenty-fifth General Assembly, special appropriations.....	48,527.84
University (Iowa City) endowment fund.....	40,000.00
University (Iowa City) building and improvements.....	49,890.03
University (Iowa City) support	63,500.00
University (Iowa City) board of regents, per diem and expenses.....	5,718.23
University (Iowa City) investigation.....	60.10
Spirit Lake monument.....	4,711.44
Code commission.....	11,183.03
Lookout Mountain and Missionary Ridge commission	569.19
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LAWS OF 1896.

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152	An act to pay the expense of procuring badges for certain employes of the Twenty-sixth General Assembly. Approved April 14.....	H. F. 317	160
153	An act to reimburse the members and heirs of members of the Second and Third Iowa infantry for "gray" uniforms purchased during the war. Approved April 17....	S. F. 353	161
154	An act to reimburse Cedar county, Iowa, for the maintenance of Stella Lupton, a soldier's orphan, at the Soldiers' Orphans' Home at Davenport, Iowa. Approved April 17.....	H. F. 411	161

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156	An act to reimburse Woodbury county, Iowa, for the maintenance of F. G. and Jennie Laughlin, soldier's orphans, at the Soldiers' Orphans' Home at Davenport, Iowa. Approved April 17.	H. F. 351	162
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160	An act appropriating money to defray the expenses of the inaugural ceremonies. Approved February 28.	S. F. 199	165
161	An act appropriating money to pay the expenses of the Iowa Shiloh battlefield commission appointed by the governor of the state to locate and mark the positions held by the Iowa regiments at the battle of Shiloh, incurred in the discharge of their duties as such, and to reimburse them for moneys expended in performing of said duties. Approved April 17.	S. F. 314	165
162	An act appropriating money to pay G. A. West for three days' service as mail carrier after the adjournment of the Twenty-fifth General Assembly. Approved February 14.	H. F. 28	166
163	An act to provide for the allowance and payment of two hundred and seventy-five dollars to the widow of the late F. McClelland, a member of this house. Approved April 10.	H. F. 509	166
164	An act to reimburse John L. Brown, as auditor of state, during the years 1885 and 1886, for money expended in defense of his said office and of his official rights and duties. Approved April 14.	H. F. 102	167
165	An act to provide for the payment of the balance of salary due N. B. Raymond as reporter of the supreme court for the year ending January 7, 1895. Approved April 17.	S. F. 256	167
166	An act to compensate H. H. Jelly for injuries received while in the employ of the state. Approved April 17.	H. F. 277	168
167	An act to legalize the acts of the board of directors of the independent school district of Eagle, Jefferson county, Iowa, and of the board of directors of the independent school district of Union, Van Buren county, Iowa, in relation to the transfer of territory from one district to the other for school purposes. Approved May 2.	H. F. 412	171
168	An act to legalize the action of the board of directors of the district township of Poweshiek in Jasper county. Approved May 2.	S. F. 430	172
169	An act to legalize the purchase of ground by the independent district No. 9, of West Lafayette township, Keokuk county, Iowa. Approved April 30.	H. F. 478	173
170	An act to legalize the organization and official proceedings of the independent school district of Cooper in Greene county, Iowa. Approved March 11.	H. F. 440	173
171	An act to legalize the organization of the independent school district of Larrabee, Cherokee county, Iowa. Approved March 19.	S. F. 253	174

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173	An act to legalize the election at Ames, Iowa, of city officers and the election for the issuance of bonds for sundry purposes. Approved May 2 -----	H. F. 512	176
174	An act to legalize the ordinances and acts of the city council of the town of Clare, Iowa. Approved May 2 -----	S. F. 415	177
175	An act to legalize the incorporation of the town of Cascade, Dubuque county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town from March 17, 1882, to February 26, 1896. Approved April 3 -----	S. F. 374	178
176	An act legalizing the acts of the council of the town of Coin, Page county, Iowa, and legalizing the ordinances and resolutions passed and adopted for the government of said town. Approved March 13 -----	H. F. 245	178
177	An act legalizing ordinances No. 231, 232, 233, 235, 236, 238, 239, 240, 241, 244, 245, 246, 247, 248, 249, 250, 251, 253, 255, 256, 257, 258, 259, 260, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 278, 279, 280, 282, 284, 285, 286, 287, 289, 290, 292, 295, 296, 297, 298, 299, 300, 301, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, of the city of Clinton, Clinton county, Iowa. Approved April 8 -----	H. F. 488	179
178	An act to legalize the incorporation of the town of Colesburg, Delaware county, Iowa, and official acts by its officers. Approved March 5 -----	H. F. 109	181
179	An act to legalize ordinance number 102 of the city of Clarinda, Page county, Iowa, granting to the Clarinda Electric Light and Power company the right to construct, maintain and operate electric works in the city of Clarinda. Approved May 2 -----	H. F. 515	182
180	An act to legalize the incorporation of the town of Cumberland, in Cass county, Iowa, the election of its officers, its ordinances, and all acts of the town council. Approved March 19 -----	S. F. 345	183
181	An act to legalize the acts and ordinances of the incorporated town of Minburn, Dallas county, Iowa. Approved March 5 -----	H. F. 73	183
182	An act to legalize the incorporation and the acts of the members and the trustees of the Elk Creek Norwegian Lutheran congregation of Worth county, Iowa. Approved March 13 -----	H. F. 101	184
183	An act to legalize the incorporation of the town of Earlham, Iowa, and subsequent actions of the councils of said town. Approved March 13 -----	H. F. 209	184
184	An act to legalize the incorporation of the town of Gray, Audubon county, Iowa, the election of its officers, and all official acts done and ordinances passed by the council of said town, not in contravention of the laws of the state of Iowa. Approved March 5 -----	H. F. 96	185
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188	An act to legalize the acts and ordinances of the incorporated town of Leland, Winnebago county, Iowa. Approved March 5	H. F. 56	189
189	An act legalizing the annexation of the city of Lyons to the city of Clinton, in Clinton county, state of Iowa, and all the acts done and ordinances passed by the city councils of the city of Clinton and city of Lyons in relation thereto. Approved April 8	H. F. 489	189
190	An act to legalize certain ordinances of the incorporated town of Le Grand, Marshall county, Iowa. Approved March 19	S. F. 238	192
191	An act to legalize the incorporation of the town of Minnewaukon, Iowa, in the election of its officers. Approved March 19	S. F. 274	193
192	An act to legalize the incorporation of the town of Marysville, Marion county, Iowa, and the ordinances passed by said incorporated town. Approved March 19	S. F. 270	193
193	An act legalizing the ordinances of the city of Marion, Iowa, adopted and published as revised ordinances in 1895. Approved April 13	S. F. 424	194
194	An act to legalize the incorporation of the town of Mitchell, Mitchell county, Iowa, and the ordinances and acts of the municipal officers thereof. Approved March 17	H. F. 224	194
195	An act to legalize the incorporation of the town of New Vienna, Dubuque county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town since July 20, 1895. Approved April 3	S. F. 375	195
196	An act to legalize the resolutions and ordinances passed, and elections held, to bond the city of Pella, Marion county, Iowa, to erect water works within said city, and to legalize the occupancy of block No. 36, the same which is known and platted as "West Market Square" in said city, for that purpose. Approved May 2	S. F. 400	196
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198	An act to legalize the incorporation of the town of Pulaski, Davis county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town. Approved March 19	S. F. 32	198
199	An act to legalize certain elections held in the incorporated town of Rose Hill, county of Mahaska, and state of Iowa. Approved May 1	H. F. 501	198
200	An act to legalize the acts of the town council of Roland, Story county, Iowa. Approved March 14	H. F. 327	199
201	An act to legalize certain ordinances of the town of Salix, Woodbury county, Iowa. Approved March 14	H. F. 292	200
202	An act to legalize the official acts of the town council and ordinances of the incorporated town of Scranton, in Greene county, Iowa. Approved May 2	H. F. 495	200

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206	An act to legalize the extension and enlargement of the incorporate limits of the incorporate town of Williamsburg, in Iowa county, state of Iowa. Approved April 3.....	S. F. 337	205
207	An act to legalize the incorporation, proceedings and ordinances passed by the incorporated town of Woolstock, Wright county, Iowa. Approved April 10.....	H. F. 486	208
208	An act to legalize all special elections held or attempted to have been held since February 16, 1894, in any city of Iowa of over 5,000 inhabitants, to vote taxes not to exceed 5 per centum on the assessed value thereof, to construct or to aid in the construction of a highway bridge, or a combination bridge, suitable for use as a highway and for railway purposes across any navigable boundary river of Iowa, including the levy of said taxes and all acts leading up to the same or done thereunder. Approved March 5.....	H. F. 65	208
209	An act to legalize the assessment, levy and collection of taxes for park purposes in certain cities of the first class. Approved March 9.....	S. F. 186	209
210	An act to extend the time of the incorporation of Oak Hill Cemetery association, of Florence township, Benton county, Iowa, and to legalize all its acts and proceedings in the election of its officers, the selling and conveying of lots. Approved May 2.....	S. F. 447	210
211	An act to legalize the incorporation of the "Manchester Cemetery company" of Manchester, Delaware county, Iowa, and the acts of its officers in relation to continuation after expiration of limitation and in relation to the purchase and sale of real estate, and the change by resolution in regard to the secretary acting as treasurer, instead of the sexton as provided in the articles of incorporation. Approved March 19.....	S. F. 295	211
212	An act legalizing the proceedings of the board of supervisors of Louisa county, Iowa, relative to restraining stock from running at large. Approved February 14.....	S. F. 112	212
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214	An act to legalize the acts of J. H. Ellsworth, of Clayton county, Iowa, as notary public. Approved March 14.....	H. F. 80	214
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