

mined by the engineer in charge of the work, and they shall replace the same to the credit of the county fund of said county or counties as their interests may appear as soon as possible after the drainage district is established, or if said district be not established, then said amounts shall be paid from the proceeds of the bond deposited with the county auditor for that purpose, as provided for in chapter sixty-eight (68) acts of the Thirtieth General Assembly of Iowa.

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

Approved February 22, A. D. 1906.

I hereby certify that the foregoing act was published in the Des Moines Daily Capital, February 23, 1906, and the Register and Leader, February 26, 1906.

W. B. MARTIN,
Secretary of State.

CHAPTER 87.

STREET RAILWAYS OVER HIGHWAYS.

S. F. 347.

AN ACT to amend the law as it appears in section two thousand and twenty-six (2026) of the supplement to the code, relating to street railways over highways.

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

SECTION 1. Operation over highways. That section two thousand and twenty-six (2026) of the supplement to the code be amended by striking from the twelfth line thereof the words "to any state institution".

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

Approved April 9, A. D. 1906.

I hereby certify that the foregoing act was published in the Des Moines Daily Capital, April 14, 1906, and the Register and Leader, April 19, 1906.

W. B. MARTIN,
Secretary of State.

CHAPTER 88.

COLLECTION OF FEES IN THE OFFICE OF THE SECRETARY OF STATE.

H. F. 171.

AN ACT to amend section two thousand and fifty-two (2052) of the code relating to the collection of fees in the office of the secretary of state.

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

SECTION 1. Fee for recording railroad contracts. That section two thousand and fifty-two (2052) of the code be and is hereby amended by striking out of the tenth line the words "one dollar", and inserting in lieu thereof the words, "ten cents per hundred words", and by inserting after the word "declarations" in the eleventh line thereof the words "but in no case shall the fee be less than one dollar".

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

Approved March 30, A. D. 1906.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Daily News, April 2, 1906.

W. B. MARTIN,
Secretary of State.

CHAPTER 89.

LIABILITY OF COMMON CARRIERS.

H. F. 23.

AN ACT to repeal chapter seventy-four (74) of the laws of the Thirtieth General Assembly relating to common carriers and additional to section two thousand and seventy-four (2074) of the code and to provide a substitute therefor.

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

Repealed. That chapter seventy-four (74) of the laws of the Thirtieth General Assembly be, and the same is hereby, repealed and there is hereby enacted as a substitute therefor the following:

"SECTION 1. **Action against joint carriers.** That in all cases where a railway company bills property to a point beyond the terminus of its own railway and provides by contract that it shall not be liable for the destruction of, or damage to, such property beyond the terminus of its own railway and the said property is damaged or destroyed between the place of shipment and place of destination to which it was billed, the initial carrier and the connecting carrier or carriers if more than one, over whose line, or lines, of railway the property shall have been carried between the place of shipment and said place of destination, may be joined as defendants in one action, brought in any county from or into which shipment shall be made, or suit may be brought in any county through which shipment shall be made provided that the owner of the property shall reside in such county; and service of original notice may be made on any of said carriers in any county of the state, where the carrier to be served has a station agent, by serving such notice on such station agent.

"SEC. 2. **Liability of joint carriers.** On proof being made by the owner of the property shipped, that the same has been destroyed or damaged in transit between the said place of shipment and the said place of destination, the liability of a common carrier shall attach to all the defendants and judgment shall be entered accordingly against them all unless one or more of the defendants shall prove that it was not, or they were not, liable, in which case judgment shall go only against the remaining defendant or defendants."

Approved March 30, A. D. 1906.