

## CHAPTER 69.

## LAYING OF GAS PIPES AND MAINS IN HIGHWAYS.

H. F. 599.

AN ACT to authorize boards of supervisors within their respective counties to grant permission to persons engaged in the manufacture of gas for illuminating and heating purposes to lay mains and pipes in highways to supply consumers outside of the territorial limits of the municipality in which the manufacturing plant of such person is located. [Additional to chapter one (1) of title eight (VIII) of the code, relating to establishment, alteration and vacation of roads.]

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

SECTION 1. **Supervisors may grant use of highway—conditions.** Upon application to the board of supervisors of any county by any individual or corporation engaged, in any city or town, in the manufacture and distribution of gas, for heating and illuminating purposes, asking permission to lay its mains and pipes in the public highways outside of such municipality for the purpose of supplying consumers beyond the territorial limits of the municipality, in which the manufacturing plant of such individual or corporation is located, said board may grant the same upon such conditions as it may prescribe but in all cases such mains and pipes shall be so laid as to not, in any manner, interfere with public travel or with the working of the public highway. The location of pipes and mains shall be changed upon reasonable notice whenever such change shall be made necessary by the working or improvement of the highway. The applicant shall be responsible for all damages that may arise from the construction or maintenance of such mains and pipes, and for any damages that may arise from the same not being kept in a proper state of repair.

Approved April 15, A. D. 1911.

## CHAPTER 70.

## DRAGGING OF PUBLIC HIGHWAYS.

H. F. 46.

AN ACT to repeal chapter one hundred one (101) of the laws of the thirty-third general assembly and to enact a substitute therefor relating to the dragging of public highways and providing penalty for failure to perform such duties.

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

SECTION. 1. **Repeal—permanent road dragging districts.** That the law as it appears in chapter one hundred one (101) of the acts of the thirty-third general assembly of Iowa be and the same is hereby repealed and the following enacted in lieu thereof:

“It shall be the duty of the township trustees at their regular meeting in April, 1911, or at a special meeting called for that purpose, to divide the public roads of the township into permanent road-dragging districts. The districts shall be numbered and designated as follows: Beginning at the northeast corner of section one (1), the public roads running through the township east and west shall be known as one-north (1-n), two-north (2-n), three-north (3-n), four-north (4-n), five-north (5-n), six-north (6-n), seven-north (7-n), eight-north (8-n), nine-north (9-n), ten-north (10-n), eleven-

north (11-n), twelve-north (12-n), thirteen-north (13-n), fourteen-north (14-n), fifteen-north (15-n), sixteen-north (16-n), seventeen-north (17-n), eighteen-north (18-n), nineteen-north (19-n), twenty-north (20-n), twenty-one-north (21-n), twenty-two-north (22-n), twenty-three-north (23-n), twenty-four-north (24-n), twenty-five-north (25-n), twenty-six-north (26-n), twenty-seven-north (27-n), twenty-eight-north (28-n), twenty-nine-north (29-n), thirty-north (30-n), thirty-one-north (31-n), thirty-two-north (32-n), thirty-three-north (33-n), thirty-four-north (34-n), thirty-five-north (35-n), thirty-six-north (36-n); the public road running along the south side of the township shall be numbered and designated as district thirty-six-south (36-s), thirty-five-south (35-s), thirty-four-south (34-s), thirty-three-south (33-s), thirty-two-south (32-s), thirty-one-south (31-s); beginning at the north-east corner of section one (1), the public roads running north and south through the township shall be numbered and designated as dragging districts one-east (1-e), twelve-east (12-e), thirteen-east (13-e), twenty-four-east (24-e), twenty-five-east (25-e), thirty-six-east (36-e), thirty-five-east (35-e), twenty-six-east (26-e), twenty-three-east (23-e), fourteen-east (14-e), eleven-east (11-e), two-east (2-e), three-east (3-e), ten-east (10-e), fifteen-east (15-e), twenty-two-east (22-e), twenty-seven-east (27-e), thirty-four-east (34-e), thirty-three-east (33-e), twenty-eight-east (28-e), twenty-one-east (21-e), sixteen-east (16-e), nine-east (9-e), four-east (4-e), five-east (5-e), eight-east (8-e), seventeen-east (17-e), twenty-east (20-e), twenty-nine-east (29-e), thirty-two-east (32-e), thirty-one-east (31-e), thirty-east (30-e), nineteen-east (19-e), eighteen-east (18-e), seven-east (7-e), six-east (6-e); the public road running along the west side of the township shall be numbered and designated as dragging districts six-west (6-w), seven-west (7-w), eighteen-west (18-w), nineteen-west (19-w), thirty-west (30-w), thirty-one-west (31-w); in townships having a meandered public highway, or highways, not laid out on section lines the district shall be numbered to correspond with the number of the government section through which they are laid out and such highway, or highways, shall constitute one district.

**“Sec. 2. Duties of township trustees—return cards—dragging record—dragging fund.** The township trustees shall from time to time designate what districts shall be dragged, which must include all mail routes and all the main traveled roads within the township; they shall at their regular meeting in April or at a special meeting called for that purpose, appoint a superintendent of dragging, who shall be a resident of the township, or any city or town within said township, who shall serve for one year unless sooner removed by the board; they shall fix the amount of his compensation which shall not exceed \$2.50 per day and actual expenses for each day of eight hours while engaged in necessary work for the township, and for giving notice to contractors who shall be required to drag he shall receive such additional compensation as the board may direct; they shall furnish suitable road drags for the township and pay for same out of the township road fund; they shall adopt a suitable form of notice to be given by the superintendent of dragging when ordering the roads dragged, stipulating the manner of serving same, and shall furnish each person contracted with to drag roads return cards which shall be substantially in the following form:

“To....., superintendent of drags for..... township.

I received your notice to drag district No..... on the ..... day of..... 191..... and did on the ..... day of..... 191..... comply with same and have charged said district..... for said dragging.

If not dragged, why not?.....

Signed.....

They shall provide a suitable book, in which the superintendent of dragging shall record the names of all persons who are entitled to compensation for dragging roads, said book to be known as the dragging record of the township and shall be substantially in the following form:

County of ..... State of Iowa.

Dragging District No. .... Township of .....

Dragged By Whom	Date	Date Notified	Date of Return Card	Amount Charged	Amount Allowed	Remarks

They shall allow all claims for dragging recorded therein, that are in accordance with the provisions of this act and have the approval of the superintendent of dragging. The township trustees shall at their regular meetings in November and April of each year, settle with the superintendent of dragging and pay all claims for dragging in each district that have the approval of the superintendent of dragging, and that are not inconsistent with this act, out of the dragging fund of the township, the amount to be paid for such dragging not to exceed the sum of fifty cents (50) per mile for each mile traveled back and forth while dragging the roads; they shall not allow any claim for dragging unless return card has been duly returned to the superintendent showing said work to have been done by his orders and within twenty-four (24) hours after receipt of notice to perform such service. The township trustees at the time of making the annual levy of the township for road purposes, as provided in section one thousand five hundred twenty-eight (1528) of the supplement to the code, 1907, shall each year levy one mill on the dollar on the amount of the township assessment for that year, which shall be designated as the dragging fund and shall be expended only for the purpose of dragging the roads within the township.

"SEC. 3. **Superintendent of dragging—duties.** It shall be the duty of the superintendent of dragging to keep the dragging records of the township, recording therein the names of all persons entitled to compensation for dragging, the date of such service, date of giving notice for such service, date of return card, the amount allowed for such service, but no person's name shall be recorded therein as being entitled to compensation for dragging unless his return card has been filed with the superintendent of dragging showing said service as having been performed by order of the superintendent of dragging, and within the time limit required for such service. It shall be the duty of the superintendent of dragging to cause all roads to be dragged that the township trustees may from time to time direct at such times as in his judgment is most beneficial. He shall cause the work to be done by giving the parties contracted with for the performance of such service such notice as the township trustees may deem sufficient; he shall on or before the fifteenth day of April in each year contract with as many suitable persons as he deems necessary to drag the roads in the township for that year, but shall not apportion the dragging of more than six miles of road to any one person. The superintendent may at any time cancel such contract, or contracts, for dragging the roads when the stipulations therein contained have not been properly complied with, or when the work is not done in a satisfactory manner.

"**SEC. 4. Roads within corporate limits.** It shall be the duty of the city or town council of cities and towns to cause the main traveled roads within the corporation limits leading into the city or town to be dragged, and so far as practicable and possible the provisions of this act shall apply.

"**SEC. 5. Penalties.** Any violation of any of the provisions of this act, by the superintendent of dragging, or any person, or persons, who may be required under contract to drag district roads, or neglect on the part of any township clerk to set aside the funds required by this act shall, on conviction thereof, be fined not less than ten dollars (\$10.00) or more than twenty-five dollars (\$25.00) for the first offense, and for each subsequent offense shall be fined not less than twenty-five dollars (\$25.00) nor more than fifty-dollars (\$50.00)."

**SEC. 6. In effect.** This act being deemed of immediate importance shall take effect and be in force from and after the date of its publication in the Register and Leader and Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Approved April 7, A. D. 1911.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, April 8, 1911.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 71.

### OBSTRUCTIONS IN THE PUBLIC HIGHWAYS.

H. F. 406.

AN ACT making it unlawful to obstruct public highways and defining such obstructions and providing for the removal thereof. [Additional to chapter two (2) of title eight (VIII) of the code, relating to working roads.]

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

**SECTION 1. Open ditches and water breaks.** It shall be unlawful for any person, firm, corporation, road superintendent, township trustee, or board of supervisors, to construct open ditches, water breaks, or other obstructions of like character, on the travelled portion of any public highways, and such obstruction is hereby declared a nuisance and removable as such.

**SEC. 2. Obstructions to be removed.** It shall be the duty of the township trustees, board of supervisors or other officer responsible for the care of public highways in each township or county in this state to remove all open ditches, water breaks, and such like obstructions mentioned in section one (1) hereof, from the travelled portion of public highways within their several townships or counties, and to employ labor for this purpose in the same manner as for the repair of highways, and for neglect or failure to perform this work they shall be subjected to the penalties of this act.

**SEC. 3. Penalty.** Any person, firm, or corporation violating any of the provisions of this act, or any township trustee, road superintendent, inspector, member of the board of supervisors, or other officer, who neglects or fails to perform the duties incumbent upon him under the provisions of this act, or violates the provisions hereof, shall be guilty of a misdemeanor and shall be punished by a fine not exceeding ten (\$10.00) dollars.

**SEC. 4. Authority of justice of the peace.** In case of prosecution for any violation of the provisions of this act, any justice of the peace, within the county in which the violation is alleged to have been committed, shall have