

and for each night's lodging the sum of twelve and one-half cents, provided that in counties having a population of fifty thousand or over, the board of supervisors may fix the compensation of the sheriff for boarding and lodging prisoners, at a rate not exceeding the above."

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

Approved February 18th, 1913.

I hereby certify that the foregoing act was published in the Register and Leader February 21, 1913 and in the Des Moines Capital February 20, 1913.

W. S. ALLEN,
Secretary of State.

CHAPTER 48.

PUBLICATION OF NOTICES.

H. F. 574.

AN ACT to repeal section five hundred forty-nine (549) of the code and to enact a substitute therefor, relating to the publication of notices.

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

SECTION 1. **Repeal—may designate newspaper printed in foreign language.** That section five hundred forty-nine (549) of the code be and the same is hereby repealed and the following enacted in lieu thereof:

"The clerk of the district court, sheriff, auditor, treasurer and recorder shall each designate the newspapers printed in the English or foreign language in which the notices pertaining to his office shall be published, and the board of supervisors shall designate the papers in which all other county notices shall be published. Any person now empowered under the law to designate the newspaper in which he desires to publish legal notices may select the newspaper printed in the English or foreign language. Such notice, however, must be printed in the English language."

Approved April 18 A. D. 1913.

CHAPTER 49.

EMISSION OF SMOKE IN CERTAIN CITIES.

Sub. for S. F. 103.

AN ACT declaring the emission of smoke within the corporate limits of certain cities, including cities acting under special charter, to be a public nuisance and conferring upon such cities additional powers for the abatement of such nuisances and repealing chapter thirty-seven (37) of the laws of the thirty-fourth general assembly. [Additional to chapter four (4) of title five (V) of the code, relating to general powers of cities and towns.]

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

SECTION 1. **Declared a nuisance.** The emission of dense smoke within the corporate limits of the cities of the state, including cities acting under commission form of government, now or hereafter having a population of thirty thousand or over and in cities acting under special charter now or hereafter having a population of sixteen thousand or over, is hereby declared a nuisance.

SEC. 2. **Abatement.** Every such city is hereby empowered to provide by ordinance for the abatement of such nuisance either by fine or imprisonment or by action in the district court of the county in which such city is located, or by both; such action to be prosecuted in the name of the city. They may also by ordinance provide all necessary rules and regulations for smoke inspection and the abatement and prevention of the smoke nuisance.

SEC. 3. **Repeal.** That chapter thirty seven (37) of the laws of the thirty fourth general assembly be and the same is hereby repealed.

Approved March 20 A. D. 1913.

CHAPTER 50.

LEVY OF CEMETERY TAX.

H. F. 675.

AN ACT to amend the law relating to the levy of taxes for the support of cemeteries as the same appears in chapter thirty-eight (38) of the acts of the thirty-third general assembly, amendatory of sections five hundred eighty-six (586) and eight hundred ninety-four (894) supplement to the code, 1907.

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

SECTION 1. **Cemetery tax—may be used for abandoned cemeteries.** That the law as it appears in section one (1) chapter thirty-eight (38) of the acts of the thirty-third general assembly, amendatory of section five hundred eighty-six (586), supplement to the code, 1907, be and the same is hereby amended by adding to said section at the end thereof the following: "And the said tax may be so expended for the support and maintenance of any such cemetery after the same has been abandoned and is no longer used for the purpose of interring the dead."

SEC. 2. **Private or incorporated cemetery associations.** That the law as it appears in section two (2) of chapter thirty-eight (38) of the acts of the thirty-third general assembly, amendatory of paragraph eleven (11) of section eight hundred ninety-four (894) of the supplement to the code, 1907, be and the same is hereby amended by adding thereto at the end thereof the following: "And the said tax may be so expended for the support and maintenance of any such cemetery after the same has been abandoned and is no longer used for the purpose of interring the dead."

Approved April 19 A. D. 1913.