

apportionment of said money shall be paid over to the treasurer of the Iowa state college by the state treasurer on the first day of April, 1913, and quarterly thereafter, except that the payment for April, 1913, shall be made within thirty (30) days from the taking effect of this act. Said eight percent shall be used for no other purpose than as a maintenance fund for said state highway commission, and shall be drawn out only on warrants drawn by the treasurer of the Iowa state college on itemized vouchers audited by the state highway commission; and such expenditures shall be entered upon the books of both the secretary and treasurer of the Iowa state college. A full and complete report of all said expenditures shall be published in the annual report required under the act creating the state highway commission.

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 the Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved April 17 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader May 1, 1913, and in the Des Moines Capital April 30, 1913.

W. S. ALLEN,
Secretary of State.

CHAPTER 134.

EMPLOYMENT OF PRISONERS ON THE PUBLIC HIGHWAYS.

S. F. 280.

AN ACT providing for the employment of prisoners upon the highways of this state, or in the construction and improvement of any public works. [Additional to chapter two (2) of title eight (VIII) of the code relative to working roads.]

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

SECTION 1. **Able bodied prisoners—labor not to be leased—optional.** The board of control of state institutions with the advice of the warden of any penal institution of this state, is hereby authorized to permit any able-bodied male prisoners to work upon the highways of this state or upon any public works, but such labor shall not be leased to contractors and no prisoners shall be designated or permitted to work upon the highways or any public works whose character and disposition makes it probable that he would attempt to escape, or that he would likely be an unruly or ungovernable prisoner or violate any of the laws of the state while engaged in such work, or whose health would be impaired by such labor; and no prisoner who is opposed to working upon the highways of this state or upon any public works shall be required to perform such labor.

SEC. 2. **Under custody of warden.** Prisoners employed upon the highways of this state, or upon any public works, under the provisions of this act, shall at all times be under the charge and jurisdiction of the warden of the institution to which the prisoner was sentenced; said warden shall designate such guards, officers or agents to direct and supervise such prisoners as he shall deem necessary; said prisoners shall be considered under the custody of the warden at all times even when they are performing services under the honor system and without any guard or officer in their immediate presence.

SEC. 3. Supervision state highway commission. The state highway commission shall supervise the work performed under the provisions of this act upon the highways of the state but may co-operate with the board of supervisors and local officials in the performance of said work.

SEC. 4. Care of prisoners while absent from institutions. It shall be the duty of the board of control and the warden to prescribe the conditions and manner of keeping and caring for said prisoners while away from any of the penal institutions.

SEC. 5. Application by board of supervisors—approval—contract. Whenever a county board of supervisors or other local officials shall desire to use prisoners upon the highways within their respective jurisdictions, they may apply therefor to the state highway commission specifying the number of men desired, the character of work and the amount which they are willing to pay for said labor. If said highway commission can supervise the work and believe said prisoners can be safely and advantageously employed at said place, they shall submit the matter to said board of control and the board of control and warden shall arrange with such board of supervisors or local officials the terms and details of the contract including the compensation to be paid the state for the use of such prisoners.

SEC. 6. Cost of labor—how paid. Boards of supervisors, or other local officials authorized to make road improvements, are hereby permitted to employ prisoners to work upon the highways and pay for such services from any funds available for road or bridge work whenever in their judgment such prisoners may be employed advantageously.

SEC. 7. Prisoners or dependents allowed part of earnings. The board of control is hereby authorized to allow prisoners who work upon the highways of the state such part of the earnings received by the prisoners as the board shall deem just and equitable over and above the cost of maintenance of such prisoners, and may deduct a part of such earnings and forward direct to the family or person dependent upon such prisoner for support; and said board of control and warden may also provide for the deposit of the earnings of such prisoners in a bank or banks to be given said prisoners upon their release, except such part as may be allowed for current expenses.

SEC. 8. Clothing not conspicuous. Prisoners who work upon the highways of the state shall not be required or permitted to work in clothing which will make them look ridiculous or unduly conspicuous.

SEC. 9. Violation of rules—prisoners returned. Any prisoner working upon the highway of the state may at any time be returned to the prison for a violation of any of the rules prescribed by the warden or board of control, or for a lack of industry, acts of immorality, or if in the opinion of such warden or guard such prisoners are likely to attempt to escape; or for any other reason or cause making it necessary or advisable to return said prisoners to the penitentiary.

Approved April 18 A. D. 1913.