

3 ative" as part of its corporate or other business name or title, unless
 4 it has complied with the provisions of this act, and any corporation or
 5 association violating the provisions of this act may be enjoined from
 6 doing business under such name at the instance of any stockholder of
 7 any association legally organized under the provisions of this act.

1 SEC. 18. **Funds.** None of the funds of any association organized
 2 under the provisions of this act shall be used in the payment of any
 3 promotion; as commissions, salaries or expenses of any kind, character
 4 or nature whatsoever.

1 SEC. 19. **Private property exempt.** The private property of the
 2 stockholders shall be exempt from execution from the debts of the cor-
 3 poration.

1 SEC. 20. **Indebtedness.** The highest amount of indebtedness the
 2 corporation may contract shall not exceed two-thirds of its capital
 3 stock.

Approved April 17, A. D. 1915.

CHAPTER 219.

INSPECTION OF PETROLEUM PRODUCTS.

H. F. 353.

AN ACT to amend the law relating to the inspection of petroleum as the same ap-
 pears in chapter eleven (11), title twelve (XII), supplement to the code, 1913,
 and making an annual appropriation for the oil inspection department.

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

1 SECTION 1. **Inspectors.** That the law as the same appears in sec-
 2 tion twenty-five hundred three (2503), supplement to the code, 1913,
 3 be and the same is hereby repealed and the following enacted in lieu
 4 thereof:

5 "The governor shall appoint inspectors of petroleum, not exceeding
 6 fourteen in number, one of whom shall be designated as chief inspector,
 7 who shall have general supervision of the inspection service of the
 8 state, to whom all reports shall be made. All differences arising in the
 9 inspection of oils shall be referred to the chief oil inspector and his
 10 decision of the question shall be final.

11 "The chief inspector shall make such recommendations to the state
 12 board of health as may be deemed necessary to improve the inspection
 13 service. He shall devote his time and services wholly to the inspection
 14 of oil and the duties of his office.

15 "Inspectors may appoint such deputies, helpers and branders as
 16 may be necessary in the proper discharge of their official duties, but
 17 such appointments before becoming effective must be submitted to and
 18 approved and confirmed and their compensation fixed by the executive
 19 council as in their judgment may be necessary, equitable and just.
 20 Each inspector shall be a resident of the state and not directly or in-

21 directly interested in the manufacture or sale of products of petroleum.
22 He shall give bond to the state in the penal sum of five thousand dol-
23 lars (\$5,000). The chief oil inspector's bond shall be ten thousand
24 dollars, all conditioned upon the faithful performance of their duties,
25 with sureties who shall, in addition to the usual justification, make oath
26 entered on the bond that they are not directly or indirectly interested
27 in the manufacture or sale of products of petroleum for illuminating
28 purposes, which bond shall be approved by the governor and filed with
29 the secretary of state."

1 **SEC. 2. Inspection.** That the law as it appears in section twenty-
2 five hundred five (2505), supplement to the code, 1913, be and the
3 same is hereby repealed and the following enacted in lieu thereof:
4 "Each inspector shall be furnished, at reasonable expense to the state,
5 with the necessary supplies, instruments and apparatus for testing,
6 and shall promptly make inspections and tests and brand all illumi-
7 nating oils kept for use or sale and for such purposes may enter upon
8 the premises of any person.

9 "He shall reject all oils for illuminating purposes which will emit
10 a combustible vapor at a temperature of 100 degrees standard Fahren-
11 heit thermometer closed test, not less than one-half pint of oil to be
12 used in the flash test. If upon test and examination the oil shall meet
13 the requirements, he shall brand over his official signature and date
14 on the barrel or package holding the same, 'Approved. Flash Test.....
15 Degrees,' inserting in the blank the number. Should it fail to meet
16 the requirements, it shall be branded under his official signature and
17 date, 'Rejected for illuminating purposes.'

18 "All inspections shall be made within the state, and paid for by the
19 person for whom the inspection is made at the rate of seven cents per
20 barrel, fifty-five gallons for this purpose constituting a barrel; which
21 charge shall be a lien upon the oil inspected and be collected by the in-
22 spector, reported and paid to the chief oil inspector of the state on or
23 before the fifteenth day of each month, provided, however, that on the
24 first day of July of the year 1916, and on the first day of July of each
25 year thereafter the chief inspector shall ascertain the total receipts
26 from oil inspection and all the expenses thereof during the twelve
27 months preceding, and, if in any such year, the revenue realized from
28 oil inspection exceeds the total expenses of inspection by the sum of
29 four thousand dollars (\$4,000), it shall be the duty of the chief inspec-
30 tor to reduce the fees for inspection during the ensuing year to such
31 sum per barrel as will in the judgment of the chief inspector yield a
32 revenue equal to the expenses during the preceding year plus the sum
33 of four thousand dollars (\$4,000). Provided further, that if in any
34 year such reduced charge of inspection proves insufficient to meet the
35 total expenses of the department for said year, the chief inspector
36 shall be authorized and is hereby directed to increase said inspection
37 fees in an amount sufficient to pay the entire expenses of the depart-
38 ment not exceeding, however, the sum of seven cents (7c) per barrel.
39 No gasoline shall be sold, given away or delivered to any person in
40 the state until the package, cask, barrel or vessel containing the same
41 has been painted bright red, and plainly marked "gasoline" in such
42 manner as the board of health may prescribe.

43 There shall be no refund or rebate of charges made or paid for
44 inspection except upon a duly verified certificate of the owner that the

45 goods, for which the rebate is asked, have been disposed of outside of
46 the state, said certificate to be in such form as shall be prescribed by
47 the chief oil inspector of state and shall be delivered to the inspector
48 and attached to his monthly report. The amount of such rebate per
49 barrel allowed during any fiscal year shall be determined by the chief
50 oil inspector of state during the month of July of each year and shall
51 equal approximately the net proceeds per barrel from the inspection
52 service of the state during the preceding fiscal year, the same to be
53 seven cents per barrel.

54 "Any person, firm, corporation or agent violating any of the provi-
55 sions of this act shall be deemed guilty of a misdemeanor and punished
56 accordingly. All necessary supplies, tables, instruments and apparatus,
57 as contemplated in this chapter, shall be purchased by the executive
58 council and shall be furnished to the inspectors as needed by them upon
59 requisition therefor made to the chief oil inspector of state, approved
60 by him and forwarded to the executive council.

61 "Every person who receives products of petroleum for use or sale
62 which have not been inspected as provided in this chapter shall, within
63 five days after the receipt thereof, notify the inspector of that in-
64 spection district that the same is in his possession, and to neglect to
65 do so shall be deemed a misdemeanor."

1 **SEC. 3. Inspector's record.** That the law as it appears in section
2 twenty-five hundred six (2506), supplement to the code, 1913, be and
3 the same is hereby repealed and the following enacted in lieu thereof:
4 "Each inspector shall keep an accurate record of all oils inspected and
5 branded, the number of gallons, the number and kind of barrels and
6 packages, the date and number of gallons approved, the number re-
7 jected, the name of the person for whom inspection was made, and
8 the amount of money received therefor, the necessary traveling ex-
9 penses incurred and the expenses incurred in prosecution, which record
10 at all reasonable times shall be open to public inspection. A copy of
11 the record duly verified under oath for the preceding month shall be
12 filed with the chief oil inspector of state on or before the fifteenth day
13 of each month, who shall examine said report and if found correct en-
14 dorse his approval thereon, and certify the same to the executive coun-
15 cil, and when approved by said council the auditor of state shall issue
16 his warrant therefor upon the treasurer of state for the amount so ap-
17 proved and due the several inspectors, and no item of expense shall be
18 allowed and paid not shown in such report.

19 "It shall be the duty of all persons, firms or corporations, officers or
20 agents thereof, within the state receiving any of the products of pe-
21 troleum, subject to inspection, to file with the chief oil inspector of
22 state, on or before the tenth day of each month a certificate, duly veri-
23 fied in such form as shall be approved by the chief oil inspector of state,
24 to cover the month preceding the one in which said report is made.

25 "Such report shall show the number of tanks or barrels, and if in
26 tanks the tank number of each product inspected for such person, firm,
27 corporation, officers or agents thereof, the amount of fees paid for such
28 inspection, to whom paid, and that the amounts so stated are all
29 products received by him or them which are subject to inspection dur-
30 ing the period. For any failure to make the reports contemplated in
31 this section the person, firm, corporation, officer, agent or employe

32 shall be liable to a fine of not less than ten dollars nor more than
33 one hundred dollars."

1 **SEC. 4. Compensation—appropriation.** That the law as it ap-
2 pears in section twenty-five hundred seven (2507), supplement to the
3 code, 1913, be and the same is hereby repealed and the following en-
4 acted in lieu thereof: "The salary of the chief oil inspector shall be the
5 sum of eighteen hundred dollars (\$1,800.00) per annum and of each
6 of the other inspectors shall be the sum of twelve hundred dollars
7 (\$1,200.00) per annum to be paid in the same manner as other state
8 officers.

9 "For the purpose of enabling the chief inspector and the other of-
10 ficials charged with the enforcement of this act to enforce the same, of
11 paying the salaries and all other expenses herein provided for, the
12 sum of thirty-two thousand dollars (\$32,000.00) annually, or so much
13 thereof as may be necessary, is hereby appropriated out of any money
14 in the state treasury not otherwise appropriated. He shall be allowed
15 a clerk or stenographer at a salary not exceeding nine hundred dol-
16 lars per year to be selected by him. He shall be furnished an office
17 at the seat of government.

18 "Inspectors shall be allowed such other sums necessary and actually
19 expended in the discharge of their official duties and for necessary
20 expenses incurred for prosecution of violations of the provisions of
21 said chapter and for necessary help in branding barrels. All moneys
22 collected for each month shall on or before the fifteenth day of the fol-
23 lowing month be paid to the chief oil inspector of state, who shall
24 receipt to the individual inspectors and by him not later than the
25 twentieth day of the month turned over to the treasurer of state, who
26 shall receipt him therefor."

1 **SEC. 5. Biennial report.** That the law as it appears in section
2 twenty-five hundred nine-a (2509-a), supplement to the code, 1913, be
3 and the same is hereby repealed and the following enacted in lieu
4 thereof:

5 "The chief oil inspector of state shall make and deliver to the gover-
6 nor a report for the fiscal year ending on the thirtieth day of June in
7 each even numbered year, of all inspections made, the receipts and ex-
8 penditures therefor and such other items as are by this chapter re-
9 quired to be made of record."

1 **SEC. 6. Authority—duty of inspector.** That the law as it ap-
2 pears in section twenty-five hundred ten-four-a (2510-4a) be and the
3 same is hereby amended by adding thereto the following: "It is here-
4 by made the duty of said chief oil inspector to enforce and cause to
5 be enforced the provisions of this chapter."

Approved April 16, A. D. 1915.