

CHAPTER 226.

SALES OF MERCHANDISE IN BULK.

S. F. 235.

AN ACT to amend the law as it appears in section twenty-nine hundred eleven-a (2911-a), and in section twenty-nine hundred eleven-b (2911-b), supplement to the code, 1913, relating to the sale of stocks of goods, wares or merchandise in bulk.

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

1 **SECTION 1. Sales in bulk.** That section 2911-a, supplement to
2 the code, 1913, be and the same is hereby amended by inserting after
3 the word "stock" in the fifth line of said section, the words, "or fix-
4 tures, or stock and fixtures" and by striking from line 5 of said
5 section the word "three" and inserting in lieu thereof the word
6 "seven".

1 **SEC. 2. Violations—presumption of fraud.** That section 2911-b,
2 supplement to the code, 1913, be amended as follows: By striking out
3 the period after the word "transaction" in the last line and adding
4 the following: "; except creditors to whom notice was mailed as pro-
5 vided in section 2911-a, but if such creditors have received any part
6 of the purchase price paid they shall be required to contribute equit-
7 ably to those who have not received such notice."

Approved April 16, A. D. 1915.

CHAPTER 227.

REPORTER OF THE SUPREME COURT.

H. F. 110.

AN ACT to fix and declare the duties of the reporter of the supreme court, to provide the method and manner of publishing and distributing the reports of the supreme court, to transfer the powers and rights in the present contract for publishing said reports to the judges of the supreme court; to authorize the publication of new editions of any volume of said reports and the terms and conditions thereof, to provide for the copyrights of said reports; to provide for the preparation, printing, binding and certification of the acts of the general assembly and the form and number thereof, to provide for the annotations of the laws of the state and the supplement embracing the same, to provide for the contents of the volumes containing said acts and laws, to provide for a revision of the laws of the state; to fix the salary of the reporter of the supreme court, to make annual appropriation for said work, and to repeal chapter four (4) of title three (3), section thirty-eight (38), section thirty-nine (39), section forty (40), and section one hundred thirty-three (133), of the code.

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

1 **SECTION 1. Office—supplies.** The reporter of the supreme court
2 shall keep his office at the seat of government in rooms to be provided

3 by the state, and shall devote his entire time to the discharge of the
4 duties hereinafter prescribed. He shall be provided by the executive
5 council with suitable room or rooms convenient to the state law library,
6 necessary office furniture, supplies, stationery, books, periodicals, and
7 postage, and in the use of the state law library he shall be subject to
8 the general control of the trustees and the librarian.

1 **SEC. 2. Opinions.** When the opinions of the supreme court are
2 filed, recorded by the clerk, and released, he may take and retain the
3 same for a period not to exceed four months, to prepare a report
4 therefrom, but within said time shall return the same to the clerk
5 of said court in whose office they shall remain.

1 **SEC. 3. Preparation of reports.** Whenever such opinions are
2 sufficient to make a volume he shall forthwith deliver at his office, to
3 the person, persons or corporation having the contract with the state
4 for publishing the same, copies of such opinions, and with each opinion,
5 a syllabus, and a brief statement of the facts involved. Within twenty
6 days after the proof sheets for a volume have been furnished to him
7 by the publishers at his office, he shall furnish to such publishers an
8 index and table of cases to such volume. The publishers shall furnish
9 to the reporter without delay, as soon as they shall be issued, ten copies
10 of the revised proof-sheets of the opinions, head notes, index and table
11 of cases of each volume for correction and approval by the reporter
12 and judges of the supreme court, and shall cause such corrections to
13 be made therein as shall be indicated by the reporter or said judges.
14 The reporter shall have no pecuniary interest in said reports.

1 **SEC. 4. Publishing of reports—contracts.** The supreme court
2 reports shall be published under contract entered into in the name of
3 the state of Iowa under such terms, stipulations and conditions as a
4 majority of the judges of the supreme court, acting through the chief
5 justice, shall prescribe, provided that every such contract shall pro-
6 vide that the three hundred fifty copies first issued shall be delivered
7 by the publisher to the secretary of state free of all cost to the state.
8 The present contract for the printing and publication of the reports
9 of the supreme court is hereby transferred to the jurisdiction of said
10 judges for the sole use and benefit of the state which shall have the
11 same power and rights in reference thereto as now possessed by the
12 executive council. Provided that a majority of the judges of the
13 supreme court may, if they deem it advisable, make the state its own
14 publisher of the reports, causing the same to be printed and bound by
15 the state printer and binder in the same manner and for the same
16 compensation as is provided by law for other state printing and bind-
17 ing and in event the state becomes its own publisher such reports shall
18 be sold and distributed through the office of the secretary of state.

1 **SEC. 5. Distribution of reports.** The copies received by the sec-
2 retary of state shall be disposed of by him as follows: Two copies
3 of each volume to the library of congress and the library of the sup-
4 reme court of the United States; one copy to each judge of the supreme,
5 district and superior courts, including United States district judges
6 whose districts lie within this state, the clerk of the supreme court and
7 attorney general; one hundred copies to the state library, one copy
8 to each county in the state, two copies to each county where the dis-

9 trict court is held in more than one place; one copy to the supreme
10 court reporter; twenty copies to the law department of the state uni-
11 versity; twenty copies to the state historical society for exchange in
12 such manner as the proper officers thereof think advisable. The re-
13 maining copies shall be used by the trustees of the state library in
14 exchange for such books on law or equity or reports of other states
15 as they may select. All books received by such exchange shall be
16 deposited in and become a part of the state library.

17 In the event the state becomes its own publisher of the reports the
18 distribution and exchange provided for in this section shall be held
19 to apply.

1 SEC. 6. **New editions.** The supreme court may order the pub-
2 lication of a new edition of any volume of its reports of which the
3 copyright is owned by the reporter, when the public interest requires
4 it, and may require compliance therewith within six months by an
5 order entered of record; and if the reporter neglects or refuses to
6 comply with said order, then such copyright shall be forfeited to the
7 state.

1 SEC. 7. **Copyrights.** The copyrights of all the supreme court
2 reports hereafter published shall be taken out by and vest in the
3 secretary of the state for the benefit of the people of the state; but
4 this shall not be construed to prevent the contractor by whom any
5 volume is published, his representatives, or assigns, from continuing
6 the exclusive publication and sale of such volume so long as he or they
7 shall, in all respects, comply with the requirements of this chapter in
8 respect to the character, sale, and price of such volume.

1 SEC. 8. **Editor of code.** The reporter of the supreme court shall
2 be *ex officio* editor of the code and his duties shall be;

3 To arrange and classify numerically each section of the general
4 statutory law of Iowa upon cards and to keep said cards filed in their
5 proper order in fire-proof cabinets. Said classification of sections shall
6 be instituted upon the same plan as the code supplement of 1913.

7 To place beneath such sections of statutory law annotations of all
8 decisions of the Iowa supreme court, the federal courts, citing the
9 title, volume and page of the said reports from which the annotation
10 is taken, and the volume and page of every series of reports, where
11 the case from which the annotation is taken is reported.

12 To place beneath the material called for in the preceding subdivision
13 of this section such other annotations as may be required by the
14 supreme court.

15 When any section of Iowa law is repealed or amended, the law
16 reporter shall withdraw the card or cards containing said section from
17 the files and replace the same by a card of a different color. If the
18 section is repealed such fact shall be noted on the card placed in the
19 file and the card withdrawn will be placed in its proper place in the
20 files of repealed and amended sections. In case the section is amended
21 the editor shall place on the new card the section as amended and file
22 the old card as in the case of a repealed section.

23 The law reporter shall be required to furnish a copy of any section
24 of Iowa law with all matter relating thereto to any state or county
25 officer upon request and to all other parties upon payment of a fee
26 of seventy-five cents (75c).

1 **SEC. 9. Supplement to code—annotations.** Immediately upon
2 the taking effect of this act, and at the beginning of each legislative
3 session thereafter, he shall commence and continue throughout said
4 session, the preparation, with all due diligence, of what shall be known
5 as a supplement to the code, treating the present code and present
6 supplement thereto as a code in two volumes. Said supplement shall
7 be prepared substantially in the following manner: All sections of
8 the constitution and laws of said code (treated as in two volumes) not
9 changed or modified, shall be inserted in said supplement by section
10 number only and immediately following shall be noted all annotations
11 of all decisions not appearing under said section in the then existing
12 code and supplement, stating the pertinent points decided under said
13 section, said annotations to include not only those of the supreme court
14 of Iowa but of the supreme court of the United States, the United
15 States circuit court of appeals, and as far as practicable the United
16 States district court, construing said section. All sections of the con-
17 stitution and laws of said code which shall have been changed shall ap-
18 pear in said supplement in their complete revised form with appro-
19 priate headings and sectional catchwords, and followed by the annota-
20 tions of decisions as aforesaid. All new constitutional provisions and
21 new sections of law shall be inserted in logical order, all new and
22 original sections to be given such chapter and number as will be logical
23 and not destroy or confuse the numbering of the sections already
24 existing. The supplement first following the thirty-seventh general
25 assembly, and all subsequent supplements, shall be so prepared as to
26 supplant the supplement last preceding.

1 **SEC. 10. Supplemental supplement—printing and binding.**
2 The copy for such supplement shall, at the earliest possible time after
3 the adjournment of the assembly, be delivered to the state printer,
4 who shall print the same with equal dispatch in the same size and in
5 the same style, type and appearance with the official edition of the
6 code, and deliver a copy of the final corrected volume to the said re-
7 porter, who shall prepare an index thereto with proper tables of con-
8 tents, and deliver the same to the state printer who shall print the
9 same and deliver the completed volume to the state binder, who shall
10 bind the same in such manner and number, and within such time as
11 the aforesaid supreme court shall order, unless the general assembly
12 shall otherwise direct.

13 The secretary of state shall deliver to the supreme court reporter
14 the enrolled bills for use in proof reading in the preparation of such
15 supplement, said bills to be receipted for and returned by said su-
16 preme court reporter when said work is completed and said reporter
17 may obtain from the state the necessary codes, code supplements, ses-
18 sion laws, printing, postage and supplies required in said work upon
19 requisition therefor. Said supplement when so published shall be
20 and become the legal publication of the laws of Iowa not contained
21 in the code and supplement to the code, 1913. The supplemental
22 supplement here provided for shall be completed and ready for dis-
23 tribution by July 4th, 1915, and July 4th following each legis-
24 lative session thereafter. The supreme court shall be substituted
25 for the code supplement supervising committee appointed under the
26 authority of chapter one (1) of the acts of the 35th general assembly
and the editor therein chosen as provided therein, shall under super-

27 vision of said court, aid the supreme court reporter in the prepara-
28 tion of said supplemental supplement for 1915, and said editor shall
29 deliver to the supreme court reporter for his use all classified matter,
30 card indexes, compilations, annotations and other material in his pos-
31 session relating to the code, the code supplement or the statutory law
32 and said editor shall receive therefor and for the services so rendered
33 in assisting in the compilation of the supplemental supplement 1915,
34 the sum of \$2500.00 payable \$200.00 per month until July 1st, 1915,
35 and balance upon completion of said supplemental supplement and
36 the said sum of \$2500.00 shall be additional to the sum provided for
37 in section thirteen (13) hereof, and same is hereby appropriated.
38 The said supplemental supplement shall include by revision of the
39 index made in connection with the supplement to the code, 1913, an
40 index of the acts of the 36th general assembly except legalizing and
41 appropriation acts and 4500 volumes thereof shall be bound contain-
42 ing said index, session laws and annotations and sold for \$2.50 per
43 volume and the contents of said volume shall be bound with the supple-
44 ment to the code, 1913, as published in all volumes, over and above
45 said 4500, and such combined volumes shall be sold for \$6.00 per
46 volume.

47 The contents of the supplemental supplement herein provided for
48 shall be set up in linotype and said linotype shall be used only for
49 making the necessary plates for printing and the printer shall be al-
50 lowed such reasonable compensation for preparing forms for the elec-
51 trotype as may be approved by the supreme court and the linotype
52 slugs from which the plates are made shall be purchased and owned
53 by the state and shall be preserved and protected under authority of
54 the supreme court and substituted from time to time in whole or in
55 part as may be necessary in future publication of any supplements,
56 supplemental supplements or codes and the judges of the supreme
57 court are hereby given full authority to contract with reference to
58 the publication thereof and in the matters above provided.

59 The supplemental supplement provided for under this act, includ-
60 ing index, shall be furnished free immediately upon completion thereof
61 to all members of the thirty-sixth general assembly. No appro-
62 priation acts, legalizing acts or joint resolutions of a private nature
63 shall be printed in the code supplement, but said acts, except legaliz-
64 ing acts, shall be printed in a separate volume bound in paper covers
65 and distributed as other laws and when sold shall be sold at fifty cents
66 (50c) per volume and shall be published under authority of the sec-
67 retary of state and not to exceed a total of three thousand (3000)
68 volumes.

1 **SEC. 11. Certificates.** To such volume shall be attached the cer-
2 tificate of said reporter that the statutory and constitutional pro-
3 visions therein contained have been prepared from the original rolls
4 and are correct, which certificate shall be presumptive evidence of
5 their correctness.

1 **SEC. 12. State officers—financial report.** The secretary of state
2 shall prepare and deliver to the said reporter for insertion in each of
3 said supplements a correct list of state officers, judges of the supreme
4 district and superior courts, members of the general assembly, and
5 commissioners for this state in other states. There shall be also in-

6 sertes therein the statement of the conditions of the state treasury as
7 provided by the constitution and all other matters provided by law.

1 SEC. 13. **Salary—assistance—appropriation.** The law reporter
2 shall receive a salary of thirty-five hundred dollars (\$3500) per annum
3 payable by the state. He may, by and with the consent of the supreme
4 court, employ assistants and clerical help at such compensation as
5 may be fixed by the supreme court, and there is appropriated out of
6 the treasury of Iowa from moneys not otherwise appropriated the
7 sum of eight thousand dollars (\$8000) per annum to be used for
8 the purpose of carrying out the provisions of this act.

1 SEC. 14. **Repeal.** Chapter four (4) of title three (3) of the code
2 and sections thirty-eight (38), thirty-nine (39), forty (40), and one
3 hundred thirty-three (133) of the code are hereby repealed, provided
4 that the volumes of the supreme court reports in the process of prepa-
5 ration by the former reporter shall be paid for in the same amount and
6 in the same manner as provided by the law existing at the date the
7 work was undertaken.

1 SEC. 15. **Publication clause.** This act being deemed of immediate
2 importance shall take effect and be in force from and after the date of
3 its publication in the Des Moines News a newspaper published at Des
4 Moines, Iowa, and in the Daily Nonpareil a newspaper published at
5 Council Bluffs, Iowa.

Approved April 19, A. D. 1915.

I hereby certify that the foregoing act was published in the Des Moines News
April 22, 1915 and in the Daily Nonpareil April 24, 1915.

W. S. ALLEN, *Secretary of State.*

CHAPTER 228.

BIENNIAL APPROPRIATION FOR STATE AND JUDICIAL OFFICERS, ETC.

S. F. 640.

AN ACT to make appropriation for the payment of state and judicial officers, state
and other expenses.

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

1 SECTION 1. **Appropriation for salaries.** There is hereby appro-
2 priated out of any money in the state treasury, not otherwise appro-
3 priated, an amount sufficient to pay the salaries of the various
4 officers, whose salaries are fixed by law, for a term of two years, end-
5 ing June 30th, 1917, and payable from the state treasury, and the
6 auditor of state shall draw warrants therefor, in favor of the officers
7 entitled thereto, in monthly installments, when not otherwise pro-
8 vided for by law.

1 SEC. 2. **Miscellaneous appropriation.** There is further appro-
2 priated from the state treasury for a term of two years, ending June