

maintenance, or erection of the same or from the same not being kept in a proper state of repair, the location of such mains or pipes shall be changed on reasonable notice, when such change shall be necessary in the improvement or maintenance of the highway.

Sec. 4. Failure to maintain. Failure of the grantee to comply with the terms of the grant shall be ground for forfeiture of the grant.

Sec. 5. Penalty. Failure to comply with any of the conditions of said grant, whether made such by statute or by agreement, or the laying of any such mains, or the constructing of any such cattleways, without having secured the grant of permission as provided by law shall be punished by a fine of not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00). It shall be the duty of the board of supervisors and the county attorney to enforce the provisions of this section and the laws relating thereto.

Approved February 20, 1924.

CHAPTER 86

BOARDS OF SUPERVISORS

S. F. 129

AN ACT to amend, revise, and codify sections thirty-one hundred fifteen (3115), thirty-one hundred twenty-four (3124), seven hundred thirteen (713) and thirty-one hundred twenty-seven (3127) of the compiled code of Iowa, relating to boards of supervisors.

Be It Enacted by the General Assembly of the State of Iowa:

That section thirty-one hundred fifteen (3115) of the compiled Code of Iowa is amended, revised, and codified to read as follows:

Section 1. Number of members. The board of supervisors in each county shall consist of three (3) persons, except where the number has been or may hereafter be increased in the manner provided by this chapter. They shall be qualified electors, and be elected by the qualified voters of their respective counties, and shall hold their office for three (3) years.

Sec. 2. Number increased by vote. When petitioned to do so by one-fourth (1/4) of the qualified electors of said county, the board of supervisors shall submit to the qualified electors of the county, at any regular election, one (1) of the following propositions as may be requested in said petition, or the board may, on its own motion, by resolution, submit either of said propositions:

1. Shall the proposition to increase the number of supervisors to five (5) be adopted?

2. Shall the proposition to increase the number of supervisors to seven (7) be adopted?

If the majority of the votes cast shall be for the proposition so submitted, then at the next general election the requisite additional supervisors shall be elected, and one-half of the additional supervisors shall hold office for three (3) years and one-half for two (2) years. The length of term

for which any person is a candidate and the time when the term begins shall be indicated on the ballot.

Sec. 3. Number reduced by vote. In any county where the number of supervisors has been increased to five (5) or seven (7), the board of supervisors, on the petition of one-fourth (1/4) of the qualified electors of the county, shall submit to the qualified voters of the county, at any regular election, one (1) of the following propositions, as the same may be requested in such petition:

1. Shall the proposition to reduce the number of supervisors to five (5) be adopted?

2. Shall the proposition to reduce the number of supervisors to three (3) be adopted?

If a majority of the votes cast shall be for the decrease, then the number of supervisors shall be reduced to the number indicated by such vote.

Sec. 4. When reduction takes effect. If the proposition to reduce the number of members of the board carries, the board shall consist of the same number of members as at the time the proposition to reduce was submitted, until the second secular day in January following the next general election, at which time the terms of all members of the board shall expire.

Sec. 5. Election of new members. At the next general election following the one at which the proposition to reduce the number of members of the board was carried there shall be elected the number of members required by such proposition, and where such proposition reduces the board to five (5) members, two persons shall be elected as members of the board for two (2) years, two for three (3) years, and one for four (4) years; and in counties where the proposition reduces the board to three (3) members, one person shall be elected as member of the board for two (2) years, one for three (3) years, and one for four (4) years. The length of term for which any person is a candidate and the time when the term begins shall be indicated on the ballot.

That section thirty-one hundred twenty-four (3124) of the compiled Code of Iowa is amended, revised, and codified to read as follows:

Sec. 6. Special sessions - how called - what business done. Special sessions of the board of supervisors shall be held only when requested by the chairman or a majority of the board, which request shall be in writing addressed to the county auditor, shall fix the date of meeting and shall specify the objects thereof, which may include the doing of any act not required by law to be done at a regular meeting.

Sec. 7. Auditor to give notice. The auditor shall immediately give notice in writing or by telephone to each of the supervisors personally, or by leaving notice thereof at his residence, at least six (6) days before the date set for such meeting, stating the time and place where the meeting will be held and the objects thereof as stated in the written request. No business shall be transacted at such session, except that stated in the request and notice.

That sections seven hundred thirteen (713) and thirty-one hundred twenty-seven (3127) of the compiled Code of Iowa are amended, revised, and codified to read as follows:

Sec. 8. Unliquidated claims--how presented. All unliquidated claims against counties and all claims for fees or compensation, except salaries fixed by statute, shall, before being audited or paid, be so itemized as to clearly

show the basis of any such claim and whether for property sold or furnished the county, or for services rendered it, or upon some other account, and shall be duly verified by the affidavit of the claimant, filed with the county auditor for presentation to the board of supervisors; and no action shall be brought against any county upon any such claim until the same has been so filed and payment thereof refused or neglected.

Sec. 9. Compensation of supervisors. The members of the board of supervisors shall each receive five dollars (\$5.00) per day for each day actually in session, and five dollars (\$5.00) per day exclusive of mileage when not in session but employed on committee service, and ten cents (10c) for every mile traveled in going to and from the regular, special, and adjourned sessions thereof and in going to and from the place of performing committee service. When the board is in continuous session, mileage for only one trip in going to and from the session shall be allowed.

Sec. 10. Number of days per annum compensation allowed. Except as provided in the next section, members of such board shall not receive compensation for a greater number of days of session service each year than specified in the following schedule. In counties having a population of:

1. Ten thousand (10,000) or less, thirty (30) days.
2. More than ten thousand (10,000) and less than twenty-three thousand (23,000), forty-five (45) days.
3. Twenty-three thousand (23,000) and less than forty thousand (40,000), fifty-five (55) days.
4. Forty thousand (40,000) and less than sixty thousand (60,000), sixty-five (65) days.
5. Sixty thousand (60,000) and less than eighty thousand (80,000), seventy-five (75) days.
6. Eighty thousand (80,000) and less than ninety thousand (90,000), ninety (90) days.
7. Ninety thousand (90,000) and over, one hundred (100) days.

Sec. 11. Time spent with drainage matters-- how paid. The time spent by the board of supervisors as a ditch or drainage board and in considering drainage matters as a single board or jointly with one (1) or more other boards, shall not be counted in computing the number of days which any board has been in session, but the members of the board shall be entitled to compensation at the same rate for the time spent in ditch and drainage matters, except the drainage of highways, in addition to the compensation allowed as hereinbefore set forth, but in no case shall said board be allowed more than fifty (50) days' additional time in any year for time spent in drainage matters. If on the same day, the board considers matters involving two (2) or more drainage districts, their per diem shall be equitably apportioned by them among such districts. If on the same day the board acts both as a county board and also for the purpose of considering drainage matters, the board shall be paid for one (1) day only, and from the general fund or drainage fund as the board may order.

Approved January 26, 1924.

CHAPTER 87

POWERS AND DUTIES OF SUPERVISORS

H. F. 130

AN ACT to amend, revise, and codify section thirty-one hundred thirty-one (3131) of the compiled code of Iowa, and sections thirty-one hundred thirty (3130) and thirty-two hundred forty-one-a three (3241-a3) of the supplement to