

A PART OF THE

ACTS AND JOINT RESOLUTIONS

PASSED AT THE

EXTRA SESSION

OF THE

Fortieth General Assembly

OF THE

STATE OF IOWA

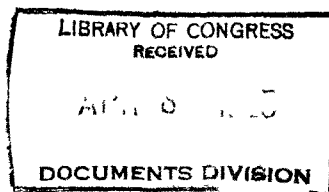
Including only acts effective upon publication, Legalizing Acts, Special, Local and Appropriation Acts.

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STATE OFFICERS, BOARDS AND COMMISSIONS

List of state officers, boards and commissions, judges of the supreme, district, superior and municipal courts and members of the general assembly, July 1, 1924, as nearly as same could be determined at the time of this publication.

Name	Position	County from which originally chosen
N. E. Kendall.....	Governor	Monroe
Emma K. Blaise....	Secretary to the Governor.....	Polk
John Hammill	Lieutenant Governor	Hancock
W. C. Ramsay.....	Secretary of State.....	Wright
W. T. Frame.....	Deputy Secretary of State.....	Polk
Glenn C. Haynes.....	Auditor of State.....	Cerro Gordo
James E. Thomas...	Deputy Auditor of State.....	Montgomery
W. J. Burbank.....	Treasurer of State.....	Black Hawk
Robert L. Reiley...	Deputy Treasurer of State.....	Louisa
Raymond Cassady....	Secretary of Agriculture.....	Monona
M. G. Thornburg...	Deputy Secretary of Agriculture.....	Palo Alto
Ben J. Gibson.....	Attorney General	Adams
John Fletcher	Assistant Attorney General.....	Pottawattamie
Maxwell O'Brien ..	Assistant Attorney General.....	Mahaska
Neill Garrett	Assistant Attorney General.....	Polk
H. A. Huff.....	Assistant Attorney General.....	Hardin
May E. Francis.....	Superintendent of Public Instruction.....	Bremer
Thelma Nelson	Deputy Superintendent of Public Instruction..	Polk
Louis G. Lasher.....	Adjutant General	Polk
Fred P. Woodruff, Chm.	} Railroad Commissioners	Marion
Charles Webster		Fayette
Dwight N. Lewis.....		Polk
George L. McCaughan	Secretary Board of Railroad Commissioners...	Polk
J. H. Henderson.....	Commerce Counsel	Warren
Walter Condran ...	Assistant Commerce Counsel	Polk
N. E. Kendall.....	} Executive Council	Monroe
W. C. Ramsay.....		Wright
Glenn C. Haynes.....		Cerro Gordo
W. J. Burbank.....		Black Hawk
Raymond Cassady....	Monona	
R. E. Johnson.....	Secretary Executive Council.....	Muscatine
D. D. Murphy, Pres...	} Clayton	Clayton
Edward P. Schoentgen.		Pottawattamie
George T. Baker.....	} Scott	Scott
William C. Stuckslager		Linn
P. K. Holbrook.....	} State Board of Education.....	Monona
Charles R. Brenton...		Dallas
Charles H. Thomas....		Union
Anna B. Lawther.....		Dubuque
Pauline Leweling Devitt	} Mahaska	Mahaska
W. R. Boyd, Chm...		Linn
Jackson W. Bowdish.	} Finance Committee	Linn
W. H. Gemmill.....		Polk
W. H. Gemmill.....		Secretary State Board of Education and Finance Committee
J. H. Strief	} Board of Control of State Institutions.....	Woodbury
J. B. Butler.....		Webster
A. M. McColl.....		Dallas
E. J. Hines.....	Secretary Board of Control.....	Jones
William Collinson, Chm.	} State Highway Commission	Lucas
J. W. Holden.....		Greene
Anson Marston		Story

STATE OFFICERS—CONTINUED

Name	Position	County from which originally chosen	
W. C. Ramsay, ex officio	State Printing Board.....	Wright	
Glenn C. Haynes, ex officio		Cerro Gordo	
Ben J. Gibson, ex officio		Adams	
W. R. Orchard.....		Pottawattamie	
J. C. Gillespie.....		Plymouth	
Robert Henderson ..		Pottawattamie	
Glenn C. Haynes.....		Cerro Gordo	
John Fletcher.....		Pottawattamie	
R. E. Johnson.....		Muscatine	
U. G. Whitney.....		Woodbury	
A. B. Funk.....	Industrial Commissioner	Polk	
Ralph Young.....	Deputy Industrial Commissioner.....	Polk	
W. R. C. Kendrick.....	Insurance Commissioner	Lee	
Donald Harlow	Deputy Insurance Commissioner.....	Polk	
Robert L. Leach.....	Superintendent of Banking.....	Dallas	
Carl S. Foster.....	Deputy Superintendent of Banking.....	Guthrie	
J. A. Tracy.....	State Fire Marshal.....	Polk	
A. L. Urick.....	Commissioner of Labor Statistics.....	Polk	
W. E. Albert.....	Fish and Game Warden.....	Allamakee	
R. S. Herrick.....	Secretary Horticultural Society and Forestry Commissioner	Polk	
N. E. Kendall, ex officio	State Fair Board	Monroe	
R. A. Pearson, ex officio		Story	
Raymond Cassady, ex officio		Monona	
Charles E. Cameron, Pres.		Buena Vista	
J. P. Mullen, Vice Pres.		Pocahontas	
A. R. Corey.....		Kossuth	
F. E. Sheldon.....		Ringgold	
H. O. Weaver.....		Louisa	
E. T. Davis.....		Johnson	
Earl Ferris		Franklin	
E. J. Curtin.....	Winneshiek		
Cyrus A. Tow.....	Benton		
C. Ed Beman.....	Mahaska		
C. F. Curtiss.....	Story		
J. C. Beckner.....	Page		
Carl E. Hoffman.....	Cass		
Sears McHenry	Crawford		
H. L. Pike.....	Monona		
A. R. Corey.....	Secretary State Fair Board.....	Kossuth	
Charles D. Reed.....	Director Weather and Crop Service.....	Polk	
N. E. Kendall, ex officio	State Board of Health.....	Monroe	
W. C. Ramsay, ex officio		Wright	
Glenn C. Haynes, ex officio	Cerro Gordo		
W. J. Burbank, ex officio	Black Hawk		
Dr. Charles S. Grant, Pres.	Secretary State Board of Health.....	Johnson	
Dr. G. F. Severs.....		Appanoose	
Dr. F. T. Launder.....		Tama	
Dr. Henry C. Eschbach		Monroe	
Dr. Rodney P. Fagan		Polk	
Edward Sweeney		Polk	
R. T. Rhys.....		Wapello	
W. E. Holland.....		Monroe	
		State Mine Inspectors.....	

STATE OFFICERS—CONTINUED

Name	Position	County from which originally chosen
J. R. Murphy.....	State Board of Parole.....	Ida
L. A. Jensen.....		Winnebago
Dr. J. O. Woodmansee.	Secretary Board of Parole.....	Decatur
Sam D. Woods.....		Adair
L. H. Pammel, Pres....	Board of Conservation.....	Story
Mrs. C. H. McNider....		Cerro Gordo
W. E. G. Saunders.....	Secretary Board of Conservation.....	Palo Alto
Clifford L. Niles.....		Jones
R. E. Johnson.....	Board of Vocational Education.....	Muscatine
May E. Francis, Chm..		Bremer
D. D. Murphy.....	Geological Board	Clayton
A. L. Urick.....		Polk
N. E. Kendall.....	State Geologist	Monroe
Glenn C. Haynes.....		Cerro Gordo
Walter A Jessup.....	Assistant State Geologist	Johnson
Raymond A. Pearson..		Story
L. H. Pammel.....	State Librarian	Story
George F. Kay.....		Johnson
James H. Lees.....	Curator, Historical Department	Polk
N. E. Kendall, Pres...		Monroe
W. C. Ramsay.....	Board of Trustees of the State Library and State Historical Department	Wright
May E. Francis.....		Bremer
William D. Evans.....	State Librarian	Franklin
C. W. Vermilion.....		Appanoose
Byron W. Preston.....	Law Librarian	Mahaska
Truman S. Stevens....		Fremont
Thomas Arthur.....	Curator, Historical Department	Harrison
F. F. Faville.....		Webster
Lawrence DeGraff....	State Librarian	Polk
Johnson Brigham....		Polk
A. J. Small.....	Curator, Historical Department	Polk
E. R. Harlan.....		Van Buren
Johnson Brigham, Chm ex officio	State Library Commission	Polk
May E. Francis, ex officio		Bremer
Walter A. Jessup, ex officio	State Library Commission	Pottawattamie
Mrs. Harry J. Howe...		Johnson
Addison M. Parker....	Secretary Library Commission	Polk
Mrs. A. J. Barkley....		Adams
W. R. Orchard.....	Board of Educational Examiners	Pottawattamie
Julia A. Robinson....		Polk
May E. Francis, Pres. ex officio	Board of Educational Examiners	Bremer
Walter A. Jessup, ex officio		Johnson
Homer H. Seerley, ex officio	Secretary Board of Educational Examiners...	Black Hawk
Raymond A. Pearson, ex officio		Story
William F. Barr.....	Secretary Board of Educational Examiners...	Polk
C. F. Garrett.....		Jefferson
Jeanette Lewis	Secretary Board of Educational Examiners...	Calhoun
Viola H. Schell.....		Poweshiek

STATE OFFICERS—CONTINUED

Name	Position	County from which originally chosen	
Ben J. Gibson, Chm., ex officio	Board of Law Examiners.....	Adams	
A. Hollingsworth.....		Lee	
B. B. Burnquist.....		Webster	
George W. Dawson....		Black Hawk	
E. D. Perry.....		Polk	
J. A. Devitt.....		Mahaska	
Dr. Charles S. Grant, Pres.	Board of Medical Examiners.....	Johnson	
Dr. George F. Severs..		Appanoose	
Dr. F. T. Launder....		Tama	
Dr. Henry C. Eschbach		Monroe	
Dr. Rodney P. Fagan..		Polk	
Dr. H. J. Marshall....		Polk	
Dr. C. J. Christensen..	Board of Osteopathic Examiners.....	Lee	
Dr. R. B. Gilmore....		Woodbury	
Dr. J. W. Daugherty...		Cerro Gordo	
Dr. S. E. Julander....		Polk	
Dr. R. B. Blean.....		Marshall	
Dr. William Gerard...		Linn	
Dr. S. J. Olson.....	Board of Podiatry Examiners.....	Polk	
Dr. Charles S. Grant..		Johnson	
Dr. Henry C. Eschbach		Monroe	
Dr. H. J. Altfillisch...		Dubuque	
Dr. L. V. Feike.....		Polk	
Dr. C. B. Miller.....		Polk	
Dr. C. M. Work.....	Board of Dental Examiners.....	Wapello	
Dr. H. P. White.....		Woodbury	
Dr. G. F. Severs, ex officio		Appanoose	
Dr. Rodney P. Fagan, ex officio		Board of Optometry Examiners.....	Polk
Dr. J. M. R. Hanson..			Tama
Dr. James McDonald.			Cherokee
Dr. Alfred J. Meyer...	Scott		
Dr. F. T. Launder, ex officio	Tama		
Dr. Henry C. Eschbach ex officio	Nurses' Examining Committee.....		Monroe
Anna M. Drake.....		Polk	
Augusta J. Hefner....		Woodbury	
Dr. Charles S. Grant, ex officio		Johnson	
Dr. G. F. Severs, ex officio		Appanoose	
Dr. Rodney P. Fagan, ex officio		Embalmers' Examining Committee.....	Polk
Byron H. Wilder.....	Humboldt		
J. A. West.....	Woodbury		
George Judisch, Chm..	Story		
William H. Haire....	Webster		
J. W. Slocum.....	Warren		
Harry E. Eaton.....	Secretary Commission of Pharmacy.....	Page	
Seth Dean, Chm.		Mills	
L. M. Martin.....		Cass	
B. P. Fleming.....		State Board of Engineering Examiners.....	Johnson
C. S. Nichols.....			Story
H. W. Hartupee.....			Polk
R. E. Johnson.....	Secretary Board of Engineering Examiners...		Muscatine

STATE OFFICERS—CONTINUED

Name	Position	County from which originally chosen
E. M. Gray, Pres.....	Board of Examiners for Mine Inspectors....	Polk
B. H. Shivers.....		Polk
T. L. Evans.....		Monroe
David Anderson.....		Monroe
John Caldwell		Appanoose
J. L. Parrish, Chm....	Board of Examiners for Court Reporters...	Polk
Frank C. Walrath.....		Polk
R. C. Turner.....		Greene
John W. Piesen, Chm..	Board of Examiners for Certified Accountants	Hardin
Chas. B. Tompkins....		Polk
William Guthrie		Woodbury
Chas. M. Dutcher, Chm.		Johnson
Jesse A. Miller.....		Polk
Hazen I. Sawyer.....	Commission on Uniform State Laws.....	Lee

JUDICIAL DEPARTMENT

SUPREME COURT

Name	Position	County from which chosen	Post Office Address
Thomas Arthur	Chief Justice	Harrison	Logan
William D. Evans.....	Judge	Franklin	Hampton
C. W. Vermilion.....	Judge	Appanoose	Centerville
Truman S. Stevens.....	Judge	Fremont	Hamburg
F. F. Faville.....	Judge	Webster	Ft. Dodge
Lawrence DeGraff	Judge	Polk	Des Moines
B. W. Garrett.....	Clerk	Decatur	Des Moines
Dutton Stahl	Deputy Clerk	Adams	Des Moines
U. G. Whitney.....	Reporter	Woodbury	Des Moines
Mary A. Reid.....	Deputy Reporter ...	Polk	Des Moines

DISTRICT COURTS

Name	Postoffice	Dist	Counties in District
John E. Craig.....	Keokuk	1	Lee
W. S. Hamilton.....	Ft. Madison		
D. M. Anderson.....	Albia	2	Appanoose, Davis, Jefferson, Lucas, Monroe, Van Buren, Wapello
W. M. Walker.....	Keosauqua		
F. M. Hunter.....	Ottumwa		
E. S. Wells.....	Chariton		
H. H. Carter.....	Corydon	3	Adams, Clarke, Decatur, Ringgold, Taylor, Union, Wayne
Homer A. Fuller.....	Mt. Ayr		
A. Ray Maxwell.....	Creston		
C. C. Hamilton.....	Sioux City	4	Monona, Woodbury
Miles W. Newby.....	Onawa		
Albert O. Wakefield.....	Sioux City		
Robert H. Munger.....	Sioux City		
J. H. Applegate.....	Guthrie Center.....	5	Adair, Dallas, Guthrie, Madison, Marion, Warren
W. S. Cooper.....	Winterset		
W. G. Vander Ploeg..	Knoxville		
Chas. A. Dewey.....	Washington	6	Jasper, Keokuk, Mahaska, Powe- shiek, Washington
D. W. Hamilton.....	Grinnell		
H. F. Wagner.....	Sigourney		
A. P. Barker.....	Clinton	7	Clinton, Jackson, Muscatine, Scott
A. J. House.....	Maquoketa		
D. V. Jackson.....	Muscatine		
F. D. Letts.....	Davenport		
Wm W. Scott.....	Davenport		
R. G. Popham.....	Marengo	8	Iowa, Johnson
Ralph Otto	Iowa City		
O. S. Franklin.....	Des Moines.....	9	Polk
Jos. E. Meyer.....	Des Moines.....		
Lester L. Thompson...	Des Moines.....		
Hubert Utterback	Des Moines.....		
W. G. Bonner.....	Des Moines.....		
H. B. Boies.....	Waterloo	10	Black Hawk, Buchanan, Delaware, Grundy
E. B. Stiles.....	Manchester		
Geo. W. Wood.....	Waterloo		
H. E. Fry.....	Boone	11	Boone, Franklin, Hamilton, Hardin, Story, Webster, Wright
E. M. McCall.....	Nevada		
G. D. Thompson.....	Webster City.....		
S. A. Clock.....	Hampton		
Joseph J. Clark.....	Mason City.....	12	Bremer, Butler, Cerro Gordo, Floyd, Hancock, Mitchell, Winnebago, Worth
M. F. Edwards.....	Parkersburg		
C. H. Kelley.....	Charles City.....		
M. H. Kepler.....	Northwood		
W. J. Springer.....	New Hampton	13	Allamakee, Chickasaw, Clayton, Fayette, Howard, Winneshiek
H. E. Taylor.....	Waukon		
James D. Cooney.....	West Union		
D. F. Coyle.....	Humboldt	14	Buena Vista, Clay, Dickinson, Em- met, Humboldt, Kossuth, Palo Alto, Pocahontas
James DeLand.....	Storm Lake		
F. C. Davidson.....	Emmetsburg		
J. S. Dewell.....	Missouri Valley...	15	Audubon, Cass, Fremont, Harrison, Mills, Montgomery, Page, Potta- wattamie, Shelby
Earl Peters.....	Clarinda		
O. D. Wheeler.....	Council Bluffs.....		
Thos. C. Whitmore...	Atlantic		
C. B. Woodruff.....	Glenwood		
E. G. Albert.....	Jefferson	16	Calhoun, Carroll, Crawford, Greene, Ida, Sac
M. E. Hutchison.....	Lake City		
B. F. Cummings.....	Marshalltown	17	Benton, Marshall, Tama
James W. Willett.....	Tama		
Atherton B. Clark.....	Cedar Rapids.....	18	Cedar, Jones, Linn
F. O. Ellison.....	Anamosa		
John T. Moffit.....	Tipton		
Fergus L. Anderson...	Marion		
P. J. Nelson.....	Dubuque	19	Dubuque
D. E. Maguire.....	Dubuque		
Oscar Hale	Wapello	20	Des Moines, Henry, Louisa
James D. Smythe.....	Burlington		
C. C. Bradley.....	LeMars	21	Cherokee, Lyon, O'Brien, Osceola, Plymouth, Sioux
Wm. Hutchinson	Alton		

SUPERIOR COURTS

Name	P. O. Address	Name	P. O. Address
Thomas B. Powell.....	Cedar Rapids	W. L. McNamara.....	Keokuk
Frank J. Capell.....	Council Bluffs	Jay Cook	Oelwein
J. H. P. Robison.....	Grinnell	Frederick Fischer	Shenandoah

MUNICIPAL COURTS

Name	P. O. Address	Name	P. O. Address
Homer I. Smith.....	Clinton	B. O. Tankersley.....	Marshalltown
J. E. Mershon.....	Des Moines	O. B. Courtright.....	Waterloo
H. H. Sawyer.....	Des Moines	John W. Gwynne.....	Waterloo
T. L. Sellers.....	Des Moines	John L. Blanchard....	Council Bluffs
Herman F. Zeuch.....	Des Moines	Daniel H. Sheehan....	Council Bluffs

FORTIETH GENERAL ASSEMBLY, EXTRA SESSION

OFFICERS OF THE SENATE

President of the Senate—John Hammill of Britt, Hancock county.

President Pro Tempore—John R. Price of Albia, Monroe county.

Secretary—Col. L. W. Ainsworth of Des Moines, Polk county.

Assistant Secretary—Walter H. Beam of Martensdale, Warren county.

Reading Clerk—George A. Kern of Des Moines, Polk county.

Engrossing Clerk—Mae McClean of Des Moines, Polk county.

Enrolling Clerk—Edythe Ditto of Ankeny, Polk county.

Journal Clerk—Meryl Hoeft of Des Moines, Polk county.

Journal Clerk—Chas. P. Denison of Battle Creek, Ida county.

Bill Clerk—Paul Sims of Sioux City, Woodbury county.

File Clerk—Glen L. Steinhilber of Strawberry Point, Clayton county.

Postmistress—Lucille Patterson of Des Moines, Polk county.

Sergeant-at-Arms—T. D. Doke of Bloomfield, Davis county.

Chief Doorkeeper—O. W. Lowery of Des Moines, Polk county.

SENATORS

Name	Address	Dist.	Counties Composing District
Abben, Ben C., Jr.....	Little Rock	49	Lyon, O'Brien, Osceola, Sioux
Adams, Henry C.....	Algona	47	Clay, Dickinson, Emmet, Kossuth, Palo Alto
Baird, W. S.....	Council Bluffs ..	19	Pottawattamie
Banta, George S.....	Manchester	33	Buchanan, Delaware
Bergman, A. H.....	Newton	29	Jasper
Bowman, M. L.....	Waterloo	38	Black Hawk, Grundy
Brookhart, J. L.....	Washington	10	Henry, Washington
Brookins, A. T.....	Charles City	44	Chickasaw, Floyd
Browne, Charles S.....	Monmouth	23	Jackson
Buser, J. D.....	Conesville	20	Louisa, Muscatine
Caldwell, W. A.....	Oskaloosa	14	Mahaska
Campbell, Ed. H.....	Battle Creek	46	Cherokee, Ida, Plymouth
Cessna, T. C.....	Grinnell	12	Keokuk, Poweshiek
*Chase, D. C.....	Webster City	37	Hamilton, Hardin, Wright
Darting, H. A.....	Glenwood	8	Mills, Montgomery
Dutcher, Chas. M.....	Iowa City	25	Iowa, Johnson
Ethell, John J.....	Bloomfield	3	Appanoose, Davis
Fulton, Chas. J.....	Fairfield	2	Jefferson, Van Buren
Gilchrist, F. C.....	Laurens	50	Buena Vista, Humboldt, Pocahontas

*Died March 2, 1923. Succeeded on April 5, 1923, by William Schmedika of Radcliffe.

SENATORS—CONTINUED

Name	Address	Dist.	Counties Composing District
Goodwin, Wm. J.....	Des Moines.....	30	Polk
Hale, J. K.....	Anamosa.....	24	Cedar, Jones
Hartman, George S.....	Fayette.....	40	Allamakee, Fayette
Haskell, W. G.....	Cedar Rapids.....	26	Linn
Holdoegel, Perry C.....	Rockwell City ..	27	Calhoun, Webster
Horchem, B. J.....	Dubuque.....	35	Dubuque
Johnston, James F.....	Chariton.....	4	Lucas, Wayne
Kimberly, D. W.....	Davenport.....	21	Scott
McIntosh, J. A.....	Leon.....	5	Decatur, Ringgold, Union
Mantz, H. J.....	Audubon.....	17	Audubon, Dallas, Guthrie
Mead, O. L.....	Shell Rock.....	39	Bremer, Butler
Nelson, Julius A.....	Atlantic.....	18	Cass, Shelby
Newberry, Byron W.....	Strawberry Point	36	Clayton
Olson, Charles.....	Beaver.....	31	Boone, Story
Perkins, Geo. B.....	Sac City.....	48	Carroll, Greene, Sac
Price, John R.....	Albia.....	15	Marion, Monroe
Reed, Carl W.....	Cresco.....	42	Howard, Winneshiek
Rees, S. C.....	Hamburg.....	7	Fremont, Page
Romkey, E. W.....	Burlington.....	9	Des Moines
Scott, Ray P.....	Marshalltown.....	28	Marshall
Schmedika, William.....	Radcliffe.....	37	Hamilton, Hardin, Wright
Shaff, J. O.....	Camanche.....	22	Clinton
Shane, Frank.....	Ottumwa.....	13	Wapello
Shinn, A. J.....	Woodbine.....	34	Crawford, Harrison, Monona
Slosson, J. M.....	Northwood.....	41	Mitchell, Winnebago, Worth
Smith, Ed. M.....	Winterset.....	16	Adair, Madison
Snook, I. N.....	Ft. Madison.....	1	Lee
Stoddard, B. M.....	Sloan.....	32	Woodbury
Thurston, Lloyd.....	Osceola.....	11	Clarke, Warren
Tuck, J. C.....	Corning.....	6	Adams, Taylor
White, Harry C.....	Vinton.....	45	Benton, Tama
Wichman, John E.....	Garner.....	43	Cerro Gordo, Franklin, Hancock

OFFICERS OF THE HOUSE

Speaker—J. H. Anderson of Thompson, Winnebago county.

Speaker Pro Tempore—O. A. Ontjes of Holland, Grundy county.

Chief Clerk—A. C. Gustafson of Des Moines, Polk county.

Assistant Clerk—Frank Vetter of Grant, Montgomery county.

Reading Clerk—Robert M. Cook of Clarksville, Butler county.

Engrossing Clerk—Gwendolyn W. McDowell, Story City, Story county.

Enrolling Clerk—Victor H. Pulis of Iowa Falls, Hardin county.

Journal Clerk—Lillian Leffert of Des Moines, Polk county.

Journal Clerk—Margaret Canfield of Des Moines, Polk county.

File Clerk—Chas. A. Lindenau of Maquoketa, Jackson county.

Bill Clerk—Donald M. Winterrowd of Adelphi, Polk county.

Assistant Postmistress—Mrs. Jeanette Cole of Sioux City, Woodbury county.

Sergeant-at-Arms—Oley Nelson of Slater, Story county.

Assistant Sergeant-at-Arms—Walter R. Cook of Des Moines, Polk County.

REPRESENTATIVES

Name	Address	Dist.	Counties Composing District
Aiken, John H.	Ida Grove	59	Ida
Anderson, C. E.	Stratford	62	Webster
Anderson, J. H.	Thompson	95	Winnebago
Berry, H. S.	Albia	17	Monroe
Blake, William R.	Clermont	71	Fayette
Blume, Theo. C.	Hanover	56	Crawford
Bradley, John	Montezuma	39	Poweshiek
Brady, A. V.	Sanborn	82	O'Brien
Brittain, David	Van Meter	28	Madison
Buffington, C. R.	Glenwood	11	Mills
Carter, L. V.	Lawn Hill	64	Hardin
Children, William C.	Council Bluffs	31	Pottawattamie
Clark, C. F.	Cedar Rapids	48	Linn
Colbert, W. J.	Creston	14	Union
Cole, E. J.	Woodbine	32	Harrison
Criswell, W. S.	Madrid	53	Boone
Dewar, H. C.	Cherokee	79	Cherokee
Diltz, Volney	Des Moines	37	Polk
Donhowe, H. N.	Story City	52	Story
Dooley, W. J.	Keosauqua	2	Van Buren
Doolittle, Clyde H.	Manchester	68	Delaware
Dotts, A. G.	Corydon	5	Wayne
Edge, George W.	Newton	38	Jasper
Edson, W. C.	Storm Lake	78	Buena Vista
Elliott, Frank W.	Davenport	43	Scott
Fackler, S. E.	Prescott	13	Adams
Forsling, L. B.	Sioux City	58	Woodbury
Frahm, Henry	Manning	55	Carroll
Gallagher, J. P.	Williamsburg	40	Iowa
Garber, R. O.	Adair	29	Adair
Garber, J. S.	Marble Rock	88	Floyd
Gesman, N. J.	Pella	26	Marion
Gibson, D. M.	Osceola	15	Clarke
Gilbert, F. B.	State Center	51	Marshall
Gilbertson, O.	Decorah	91	Winneshiek
Gilmore, William	Tipton	44	Cedar
Graham, S. L.	Ottumwa	18	Wapello
Grimwood, E. A.	Oxford Junction	47	Jones
Hansen, John T.	Davenport	43	Scott
Harrison, E. P.	Oakland	31	Pottawattamie
Hattendorf, H. C.	Ocheyedan	98	Osceola
Hauge, A. O.	Des Moines	37	Polk
Healy, E. P.	Britt	86	Hancock
Held, G. E.	Hinton	80	Plymouth
Hempel, J. G.	Elkader	70	Clayton
Henderson, M. L.	Randall	63	Hamilton
Himebauch, Fred	Estherville	96	Emmet
Hollis, C. A.	Cedar Falls	66	Black Hawk
Huff, Charles W.	Massena	30	Cass
Johnson, Francis	Terril	97	Dickinson
King, James A.	Spencer	83	Clay
Knutson, C. A.	Clear Lake	87	Cerro Gordo
Lake, Frank C.	Sioux City	58	Woodbury
Leonard, Arthur	Corning	8	Taylor
Letts, C. F.	Ainsworth	23	Washington
Lichty, E. M.	Waterloo	66	Black Hawk
Lieberknecht, Ernst	Wapello	22	Louisa
Long, Wm. L.	Fairfield	19	Jefferson
Lovrien, Fred C.	Humboldt	76	Humboldt
Mathews, Howard A.	Danville	21	Des Moines
Mathiesen, E. C.	Clinton	45	Clinton

REPRESENTATIVES—CONTINUED

Name	Address	Dist.	Counties Composing District
McClune, J. C.	Oskaloosa	25	Mahaska
Miller, Geo. E.	Harlan	33	Shelby
Moen, T. E.	Inwood	99	Lyon
Napier, T. W.	Mt. Ayr	7	Ringgold
Natvig, Ole	Cresco	92	Howard
Noble, A. C.	Muscatine	42	Muscatine
O'Donnell, T. J.	Dubuque	69	Dubuque
Oliver, C. G.	Onawa	57	Monona
Olson, John	Calamus	45	Clinton
Ontjes, O. A.	Holland	65	Grundy
Orr, John	Thornburg	24	Keokuk
Parsons, Thomas	Farnhamville	61	Calhoun
Patterson, Geo. W.	Burt	85	Kossuth
Peterson, Nels	Olds	20	Henry
Potts, Geo. W.	Ft. Madison	1	Lee
Powers, T. E.	Clarinda	9	Page
Quirk, L. T.	Wall Lake	60	Sac
Ramsey, J. M.	Clarksville	73	Butler
Rankin, John M.	Keokuk	1	Lee
Rassler, A. G.	Palmer	77	Pocahontas
Rewoldt, Fred Jr.	Frederika	72	Bremer
Rhinehart, Chas.	Dallas Center	36	Dallas
Robson, Paul N.	Scranton	54	Greene
Rumley, Ralph L.	Leon	6	Decatur
Rust, Heike A.	Sheffield	74	Franklin
Sampson, F. C.	Audubon	34	Audubon
Saunders, Wm. E. G.	Emmetsburg	84	Palo Alto
Schirmer, W. F.	Bellevue	46	Jackson
Schulte, H. H.	Manly	94	Worth
Scott, C. H.	Centerville	4	Appanoose
Scott, W. C.	Farragut	10	Fremont
Slemmons, Geo. F.	Independence	67	Buchanan
Smith, Ward B.	Nashua	89	Chickasaw
Smith, C. D.	Russell	16	Lucas
Stock, Theodore B.	Waukon	90	Allamakee
Stookesberry, Arthur	Floris	3	Davis
Storey, John A.	Indianola	27	Warren
Strippel, Werner	Vinton	49	Benton
Ulstad, Oscar	Holmes	75	Wright
Venard, G. L.	Hawarden	81	Sioux
Vincent, Earl W.	Guthrie Center	35	Guthrie
Wamstad, Brede	Osage	93	Mitchell
Weber, John H.	Cascade	69	Dubuque
Williams, Alfred	Villisca	12	Montgomery
Wilson, W. Walter	Traer	50	Tama
Wolfe, Thomas L.	Mt. Vernon	48	Linn
Yenter, Ray A.	Iowa City	41	Johnson

COMMISSIONERS IN OTHER STATES

List of commissioners for Iowa in other states who are duly qualified and whose commissions do not expire on or before July 4, 1924, showing postoffice address, date of qualification and date of expiration of commission.

Name	Postoffice	Date on and after which qualified	Date of Expiration of Commission
Geo. H. Corey	New York City	Jan. 17, 1921	January 17, 1924
Ella F. Braman	New York City	Nov. 1, 1922	November 1, 1925

CONDITION OF THE TREASURY

STATE OF IOWA, OFFICE OF AUDITOR OF STATE,
DES MOINES, MARCH 8, 1923.

HON. U. G. WHITNEY,
Reporter of Supreme Court
and Code Editor.

DEAR SIR: In accordance with the requirements of Section 18, Article III, of the Constitution of Iowa, I have the honor to submit for publication with the laws of the Fortieth General Assembly, the following statement of the condition of the treasury together with a report of the receipts and disbursements of public moneys for the biennial fiscal period beginning July 1, 1920, and ending June 30, 1922.

Respectfully,

A handwritten signature in cursive script, reading "G. C. Haynes".

Auditor of State.

STATEMENT OF THE CONDITION OF THE TREASURY

Receipts, Disbursements and Balances in the Several Funds for the Biennial Period
ended June 30, 1922.

	Balance July 1, 1920	Receipts	Total Amount Available	Disbursements	Balance June 30, 1922
General revenue . . .	\$11,048,928.21	\$46,536,049.24	\$57,584,977.45	\$52,354,323.76	\$ 5,230,653.69
State college endowment bonds	684,450.00	127,400.00	811,850.00	117,950.00	693,900.00
State College endowment cash	7,958.32	109,450.00	117,408.32	117,400.00	8.32
State College endowment interest	446.43	72,071.29	72,517.72	72,517.72	
State college Morrill endowment		100,000.00	100,000.00	100,000.00	
Temporary school fund		2,821.86	2,821.86	2,821.86	
Permanent school fund		34.46	34.46	34.46	
Capitol grounds extension cash	1,278.27	619,906.61	621,184.88	611,340.99	9,843.89
Totals	\$11,743,061.23	\$47,567,733.46	\$59,310,794.69	\$53,376,388.79	\$ 5,934,405.90

TABLE NO. 1—GENERAL REVENUE RECEIPTS.

Receipts in General State Revenue During Biennial Period Ending June 30, 1922.

General state tax from counties	\$16,585,927.40
Interest on delinquent state tax from counties	59,141.57
Sale of laws by county auditors	1,137.75
From counties for support of insane	2,389,836.72
From counties for support of epileptics	123,604.36
From counties for clothing for blind	2,547.06
From counties for clothing for deaf	1,800.64
From counties for clothing for feeble-minded	90,314.17
From counties for support of orphans' home	115,001.18
From counties for support of tubercular patients	291,783.38
From counties for support of juvenile home	47,037.42
Fees from auditor of state	66,490.90
Fees from superintendent of banking	140,435.52
Fees from clerk of supreme court	8,973.68
Fees from commissioner of insurance	317,457.07
Fees from dairy and food commission	165,299.42
Fees from governor (notary commissions)	51,980.00
Fees from oil inspector	113,745.61
Fees from pharmacy commission	70,716.50
Fees from secretary of state	407,115.75
Fees from superintendent of public instruction	38,001.50
Fees from commission of animal health	18,636.96
Fees from hotel inspector	42,862.00
Fees from board of dental examiners	6,390.65
Fees from board of health and medical examiners	20,757.17
Fees from itinerant physicians	1,750.00
From motor vehicle license fees	12,290,692.10
From interest on primary road funds and motor vehicle fees	113,778.52
From Federal aid and refunds to primary road fund	5,520,405.37
From refunds by highway commission	102,175.05
From fees set aside for federal aid engineering fund	996,411.40
From banks for interest on deposits	151,351.70
From collateral inheritance tax	1,348,384.80
From federal aid to soldiers' home	90,750.00
From insurance tax	2,180,802.71
From tax on freight line and transportation companies	46,526.85
From sales and refunds by state institutions	1,331,683.53
From transfer from temporary school fund	640.27
From hunters' license	238,074.01
From board chiropractic examiners	13,707.00
From cigarette sales tax	590,918.99
From miscellaneous sources	299,362.09
From support of patients in state institutions	41,640.47
Total receipts	\$46,536,049.24
Balance on hand July 1, 1920	11,048,928.21
Total to be accounted for	\$57,584,977.45
Disbursements:	
Auditor's warrants redeemed	\$52,354,323.76
Balance on hand June 30, 1922	5,230,653.69
Total	\$57,584,977.45

CONDITION OF TREASURY

TABLE NO. 2—GENERAL REVENUE EXPENDITURES.

Warrants Issued During Biennial Period Ending June 30, 1922.

GENERAL ACCOUNTS.

Agricultural Society, state aid.....	\$	272,842.22
Total.....	\$	272,842.22
Attorney General, salaries.....	\$	49,826.24
Attorney General, traveling expense.....		3,064.08
Attorney General, contingent.....		14,972.69
Attorney General, special peace officers.....		66,179.23
Attorney General, state agents—salaries and expense.....		25,733.32
Total.....	\$	159,775.56
Auditor of State, salaries.....	\$	45,128.56
Auditor of State, extra clerical assistance and contingent.....		635.18
Auditor of State, inventory conference expense.....		105.77
Auditor of State, county examinations.....		50,161.72
Auditor of State, municipal examinations.....		28,546.78
Auditor of State, county examinations, state expense.....		4,430.80
Auditor of State, municipal accounting—advisory committee.....		56.46
Total.....	\$	129,065.27
Bacteriological Laboratory, salaries and expense.....	\$	22,956.83
Total.....	\$	22,956.83
Banking Department, salaries and expense.....	\$	130,531.69
Total.....	\$	130,531.69
Board of Accountancy, salaries and expense.....	\$	119.86
Total.....	\$	119.86
Board of Agriculture, salary of clerk—janitor.....	\$	1,200.00
Board of Agriculture, insurance and improvements.....		2,000.00
Board of Agriculture, support of office.....		4,800.00
Board of Agriculture, additional land.....		4,513.00
Board of Agriculture, curbing.....		7,826.57
Board of Agriculture, paving.....		11,779.94
Board of Agriculture, cattle and barn.....		28,653.00
Board of Agriculture, maintenance and improvement of grounds.....		12,500.00
Total.....	\$	73,272.51
Board of Arbitration, per diem and expense.....	\$	368.31
Total.....	\$	368.31
Board of Chiropractic Examiners, per diem and expense.....	\$	10,220.45
Total.....	\$	10,220.45
Board of Conservation, salary of assistant secretary.....	\$	2,400.00
Total.....	\$	2,400.00
Board of Control, salaries.....	\$	93,293.88
Board of Control, traveling expense.....		10,853.32
Board of Control, contingent.....		3,604.43
Board of Control, tuberculosis expense.....		4,522.78
Board of Control, non-resident insane, cost and expense.....		3,692.04
Board of Control, non-resident insane, removal and expense.....		181.74
Board of Control, transportation of insane—expense.....		13.48
Board of Control, escaped insane, expense of return.....		1,645.94
Board of Control, inspection of hospitals.....		5,012.70
Board of Control, expense of state agents.....		20,487.36
Board of Control, maintenance of state roads.....		63,412.52
Board of Control, medical attention friendless girls.....		2,450.00
Board of Control, consulting architect, expense.....		2,389.87
Board of Control, quarterly conference, expense.....		359.13
Board of Control, paroled inebriates, expense of return.....		121.17
Board of Control, commission of inquiry, expense.....		41.90
Total.....	\$	212,082.26
Board of Dental Examiners, per diem and expense.....	\$	5,499.85
Total.....	\$	5,499.85
Board of Education, salaries of employees.....	\$	34,332.51
Board of Education, members' per diem and expense.....		5,974.64
Board of Education, traveling expense—finance committee and assistants.....		11,717.98
Board of Education, misc. telegraph, telephone, etc.....		682.82
Board of Education, instruction of deaf children, state aid.....		5,328.75
Board of Education, compulsory education of blind and deaf children, expense.....		3,863.08
Board of Education, child welfare, research station.....		50,000.00
Total.....	\$	111,899.78

CONDITION OF TREASURY

Board of Engineering Examiners, per diem and expense.....	\$	8,260.26
Total.....	\$	8,260.26
Board of Health, salaries.....	\$	38,986.98
Board of Health, contingent and expense.....	\$	12,080.81
Board of Health, antitoxin dept., expense.....	\$	3,983.26
Board of Health, embalmers dept., expense.....	\$	2,408.46
Board of Health, plumbing inspection.....	\$	9.40
Board of Health, housing dept., sanitary investigation expense.....	\$	9,421.58
Board of Health, vital statistics.....	\$	13,141.45
Board of Health, nurses department.....	\$	3,212.51
Total.....	\$	83,244.45
Board of Medical Examiners, expenses.....	\$	1,707.28
Total.....	\$	1,707.28
Board of Optometry Examiners, per diem and expense.....	\$	918.08
Total.....	\$	918.08
Board of Parole, salaries.....	\$	22,736.73
Board of Parole, members' per diem and traveling expense and employees' traveling expense.....	\$	40,147.74
Total.....	\$	62,884.47
Board of Podiatry Examiners, per diem and expense.....	\$	239.73
Total.....	\$	239.73
Beef Cattle Producers Association, salary and expense.....	\$	13,131.57
Total.....	\$	13,131.57
Bureau of Labor, salaries.....	\$	32,679.96
Bureau of Labor, traveling expense.....	\$	7,475.04
Total.....	\$	40,155.00
Bureau of Venereal Disease Control, salaries and expense.....	\$	54,334.71
Total.....	\$	54,334.71
Capitol Extension Reimbursement.....	\$	74,430.82
Total.....	\$	74,430.82
Clerk of the Supreme Court, salaries.....	\$	19,029.93
Clerk of Supreme Court, contingent.....	\$	360.00
Total.....	\$	19,389.93
Collateral Inheritance Tax, court costs.....	\$	39.10
Collateral Inheritance Tax, fees.....	\$	48,471.03
Collateral Inheritance Tax, refunds.....	\$	4,106.42
Total.....	\$	52,616.55
Commerce Counsel, salaries.....	\$	10,235.17
Total.....	\$	10,235.17
Commission of Animal Health, salaries and expense.....	\$	418,706.86
Total.....	\$	418,706.86
Corn and Small Grain Growers Association, salaries and expense.....	\$	8,101.83
Total.....	\$	8,101.83
County refunds.....	\$	6,588.42
Total.....	\$	6,588.42
Custodian, salaries.....	\$	117,384.44
Custodian, extra help.....	\$	5,507.51
Custodian, removal of snow, and extra help.....	\$	609.42
Custodian, laundry.....	\$	566.88
Total.....	\$	124,068.25
Dairy Association, salaries and expense.....	\$	11,531.46
Total.....	\$	11,531.46
Dairy and Food, salaries.....	\$	117,716.60
Dairy and Food, inspectors' per diem.....	\$	7,525.73
Dairy and Food, contingent.....	\$	1,575.70
Dairy and Food, expense.....	\$	72,107.68
Total.....	\$	198,925.71
District Court (Judges), salaries.....	\$	511,883.33
District Court (Judges), traveling expense.....	\$	44,444.39
District Court (Judges), traveling expense (outside district).....	\$	1,006.07
Total.....	\$	557,333.79
Document Editor, salaries.....	\$	6,126.81
Document Editor, printing bills and classified indexes.....	\$	235.53
Total.....	\$	6,362.34

CONDITION OF TREASURY

Educational Board of Examiners, per diem and expense.....	\$	41,419.68
Total.....	\$	41,419.68
Entomologist, per diem and expense.....	\$	10,416.97
Total.....	\$	10,416.97
Executive Council, salaries.....	\$	55,081.84
Executive Council, furniture, stores and supplies.....		191,509.39
Executive Council, telephone, telegraph, water, repairs, etc.....		19,891.21
Executive Council, fuel.....		37,705.05
Executive Council, repairs and improvements.....		16,444.07
Executive Council, road improvement machinery freight and expense.....		67,348.78
Executive Council, members' and employees' traveling expense.....		857.91
Executive Council, survey of lake beds, expense.....		50,382.81
Executive Council, drainage of lakes.....		7,507.79
Executive Council, G. A. R. encampment, expense.....		10.00
Executive Council, necessary expense (no appropriation).....		2,018.55
Executive Council, investigations, etc., expense.....		61,159.22
Executive Council, cost, state cases.....		20,209.11
Executive Council, Great Lakes, Saint Lawrence project.....		4,731.66
Executive Council, improvement of highways.....		142,375.52
Executive Council, boundary commission, compensation and expense.....		207.58
Executive Council, Governor's conference.....		500.00
Total.....	\$	667,940.49
Express, freight and drayage.....	\$	5,383.40
Total.....	\$	5,383.40
Farmers' Institute, state aid.....	\$	7,768.96
Total.....	\$	7,768.96
Federal Aid Engineering.....	\$	996,411.40
Total.....	\$	996,411.40
Fish and Game, salaries and expense.....	\$	243,512.11
Fish and Game, boundary waters, expense.....	\$	6,729.67
Total.....	\$	250,241.78
Fire Marshal, salaries.....	\$	18,156.70
Fire Marshal, expense, traveling and fees.....		11,089.15
Fire Marshal, contingent.....		1,909.50
Total.....	\$	31,155.35
Grand Army of the Republic, support.....	\$	1,500.00
Total.....	\$	1,500.00
General Assembly—Thirty-ninth, members' salaries.....	\$	158,200.00
General Assembly—Thirty-ninth, members' mileage.....		2,104.70
General Assembly—Thirty-ninth, employes' salaries.....		67,250.20
General Assembly—Thirty-ninth, chaplains.....		640.00
General Assembly—Thirty-ninth, sundry appropriations.....		2,621.25
General Assembly—Thirty-ninth, inaugural expense.....		718.00
General Assembly—Thirty-ninth, joint committee on tax revision.....		2,775.82
General Assembly—Thirty-ninth, Rathbun investigation.....		155.06
General Assembly—Thirty-ninth, John Hammill.....		2,000.00
General Assembly—Thirty-ninth, A. W. McFarlane.....		1,000.00
General Assembly—Thirty-ninth, D. C. Mott.....		1,000.00
General Assembly—Thirty-ninth, Henry and Nina Peterson.....		500.00
General Assembly—Thirty-ninth, A. C. Waters, trustee for LeVerne Peterson.....		4,500.00
General Assembly—Thirty-ninth, voting system, balance due.....		3,736.56
Total.....	\$	247,201.59
Geological Survey, secretary's salary.....	\$	3,220.00
Geological Survey, expense.....	\$	16,351.87
Total.....	\$	19,571.87
Governor, salaries.....	\$	29,599.91
Governor, contingent and expense.....		1,702.17
Governor, publication of notices.....		94.41
Governor, additional counsel.....		600.00
Governor, railroad valuation expense (Also see R. R. Com.).....		1,688.87
Governor, return of fugitives, expense.....		138.90
Governor, reward for arrest and conviction of criminal.....		2,350.00
Total.....	\$	36,174.26
Highway Commission, maintenance fund.....	\$	1,400,015.07
Total.....	\$	1,400,015.07
Historical Department, salaries.....	\$	67,935.89
Historical Department, traveling expense.....		1,124.02
Historical Department, miscellaneous co-operation, etc.....		104.94
Historical Department, historic motion pictures.....		2,163.26
Historical Department, binding and supplies (Archives).....		665.00
Historical Department, portraits.....		1,800.00
Historical Department, historical expense.....		198.68
Historical Department, archives expense.....		1,224.50

CONDITION OF TREASURY

Historical Department, board of conservation expense.....	719.20
Total.....	\$ 75,935.49
Historical Society, permanent support.....	24,000.00
Historical Society, additional permanent support—37th.....	4,000.00
Historical Society, additional permanent support—39th.....	20,500.00
Total.....	\$ 68,500.00
Horticultural Society, support.....	8,000.00
Horticultural Society, exposition expense.....	12,000.00
Total.....	\$ 20,000.00
Hotel Inspection, salaries and expense.....	35,377.75
Total.....	\$ 35,377.75
Industrial Commissioner, salaries and expense.....	15,730.74
Industrial Commissioner, salaries.....	15,437.10
Industrial Commissioner, contingent and expense.....	1,458.37
Total.....	\$ 32,626.21
Insurance Department, salaries and examiners' per diem and expense.....	41,304.73
Insurance Department, salaries.....	30,671.60
Insurance Department, examiners' per diem and expense (State expense).....	13,261.27
Insurance Department, contingent and expense.....	2,379.67
Insurance Department, examinations (insurance).....	74,683.59
Insurance Department, examinations (fraternal).....	7,436.16
Insurance Department, tax refunds.....	47,003.98
Total.....	\$ 216,741.00
Library Commission, salaries.....	24,204.73
Library Commission, expense.....	17,629.14
Total.....	\$ 41,833.87
Mine Examiners, Board of, per diem and traveling expense.....	4,306.01
Total.....	\$ 4,306.01
Mine Inspectors, salaries.....	20,200.00
Mine Inspectors, traveling expense (District No. 1).....	1,691.60
Mine Inspectors, office expense (District No. 1).....	132.80
Mine Inspectors, traveling expense (District No. 2).....	1,682.64
Mine Inspectors, office expense (District No. 2).....	140.05
Mine Inspectors, traveling expense (District No. 3).....	862.64
Total.....	\$ 24,709.33
Motor Vehicle Department, salaries and expense.....	531,307.61
Total.....	\$ 531,307.61
National Guard, support.....	484,016.24
National Guard, strike duty.....	6,730.35
National Guard, compensation for injury, expense, etc.....	3,101.45
Total.....	\$ 493,848.04
Oil Inspection, salaries and expense.....	53,765.75
Oil Inspection, salaries.....	35,490.30
Oil Inspection, traveling expense.....	14,439.25
Total.....	\$ 103,695.30
Pensions, Spirit Lake survivors.....	735.33
Pensions, northern border brigade.....	16,608.32
Pensions, widows of survivors.....	3,272.67
Pensions, relief of various persons.....	600.00
Total.....	\$ 21,211.32
Permanent School Fund Interest.....	656.24
Total.....	\$ 656.24
Permanent School Fund, Redemption of Bonds.....	10,937.18
Total.....	\$ 10,937.18
Pharmacy Commission, members' and secretary's salary.....	6,600.00
Pharmacy Commission, members' per diem and traveling expense.....	4,848.96
Pharmacy Commission, secretary's salary.....	2,100.00
Pharmacy Commission, members' traveling expense.....	3,700.75
Pharmacy Commission, expense.....	146.60
Pharmacy Commission, contingent and clerical assistance.....	1,137.00
Pharmacy Commission, secretary's traveling expense.....	35.84
Total.....	\$ 18,569.15
Primary Road Fund.....	\$21,700,534.64
Spirit Lake highway.....	8,433.66
County apportionment.....	215,307.25
Total.....	\$21,924,284.55
Presidential Electors, compensation and mileage.....	197.90
Total.....	\$ 197.90
Printing Board, salaries.....	14,040.74
Printing Board, members' per diem and traveling expense.....	1,346.94

CONDITION OF TREASURY

Printing Board, printing and binding	490,032.98
Total	\$ 505,420.66
Prison Breach, costs and fees	\$ 329.85
Total	\$ 329.85
Providential Contingent	\$ 17,168.75
Total	\$ 17,168.75
Psychopathic Hospital, support	\$ 118,509.42
Psychopathic Hospital, buildings and equipment	130,000.00
Psychopathic Hospital, equipment	62,000.00
Psychopathic Hospital, to complete construction	35,000.00
Total	\$ 345,509.42
Poultry Associations, county show, state aid	\$ 7,844.28
Poultry Associations, state show, state aid	954.30
Total	\$ 8,798.58
Railroad Commission, salaries	\$ 83,696.38
Railroad Commission, expense	27,140.40
Railroad Commission, valuation department (Also see Governor)	22,735.46
Total	\$ 133,572.24
Removal expense	\$ 32.24
Total	\$ 32.24
Relief, Frederick M. Hull	\$ 240.00
Relief, Joseph Metz	240.00
Total	\$ 480.00
Reporter, Supreme Court, salaries	\$ 16,364.52
Reporter, Supreme Court, extra stenographer	600.00
Reporter, Supreme Court, preparation supplement to compiled code and code rev. (333-39th)	18,367.69
Reporter, Supreme Court, preparation of code annotations (323-39th)	8,961.63
Reporter, Supreme Court, clerical assistants, publishing session laws	637.00
Reporter, Supreme Court, code revision and preparation code annotations (50-38)	6,480.19
Total	\$ 51,411.03
Retrenchment and Reform Committee, per diem and expense	\$ 1,671.01
Retrenchment and Reform Committee, contingent	14,414.65
Total	\$ 16,085.66
Reward for return of escaped prisoners	\$ 1,025.00
Total	\$ 1,025.00
Secretary of State, salaries	\$ 46,162.78
Secretary of State, purchase of supreme court reports	8,386.06
Secretary of State, submission of constitutional amendment	1,038.75
Secretary of State, publishing laws and census	4,102.40
Secretary of State, survey of abandoned islands	2,296.23
Secretary of State, blue sky contingent	320.87
Total	\$ 62,307.09
State Library, salaries	\$ 37,103.49
State Library, law and legislative reference department salaries	10,685.17
State Library, historical department expense	16,571.40
State Library, law and legislative reference work	3,907.17
State Library, law and legislative reference dept. expense	12,039.87
State Library, miscellaneous department expense	12,011.61
State Library, medical department salaries	3,944.34
State Library, medical department, expense	5,116.99
State Library, extra help and apprentices	1,199.94
Total	\$ 102,579.98
State public parks	\$ 218,465.85
Total	\$ 218,465.85
Superintendent of Public Instruction, salaries	\$ 43,199.29
Superintendent of Public Instruction, traveling expense	4,259.83
Superintendent of Public Instruction, contingent	2,041.54
Superintendent of Public Instruction, mining camp schools	90,732.13
Superintendent of Public Instruction, Teachers' Placement Bureau, additional clerical help	4,343.21
Superintendent of Public Instruction, normal training state aid and supervisory expense	330,072.13
Superintendent of Public Instruction, consolidated schools, state aid	299,997.95
Superintendent of Public Instruction, standard rural schools, state aid expense	191,350.24
Superintendent of Public Instruction, normal institute, state aid	9,950.00
Superintendent of Public Instruction, inspectors' traveling expense	2,643.59
Total	\$ 978,589.91
Supreme Court, salaries	\$ 106,692.50
Supreme Court, contingent	1,036.53
Total	\$ 107,729.03

CONDITION OF TREASURY

Temple of Justice.....	\$	21,852.10
Total.....	\$	21,852.10
Treasurer of State, salaries.....	\$	56,654.18
Treasurer of State, cigarette department, salaries and traveling expense.....	\$	19,537.02
Treasurer of State, cigarette tax refund.....	\$	608.14
Treasurer of State, examiners' traveling expense.....	\$	3,222.74
Treasurer of State, contingent.....	\$	2,680.47
Treasurer of State, parole relief funds.....	\$	1,250.00
Treasurer of State, bond premiums.....	\$	4,000.00
Treasurer of State, citation for examinations.....	\$	248.09
Total.....	\$	88,200.64
Veterinary Surgeon, salaries.....	\$	5,218.35
Total.....	\$	5,218.35
Vocational Education, salaries and expense (schools).....	\$	44,113.49
Vocational Education, office salaries and expense.....	\$	61,949.45
Total.....	\$	106,062.94
Vocational Rehabilitation, support.....	\$	4,113.37
Vocational Rehabilitation, additional office equipment.....	\$	576.95
Vocational Rehabilitation, temporary support (to 6-30-21).....	\$	26.03
Total.....	\$	4,716.35
War Roster Commission, salaries and expense.....	\$	15,509.69
Total.....	\$	15,509.69
University Hospital, care of indigent children and persons.....	\$	1,138,029.72
Total.....	\$	1,138,029.72
Weather and Crop Service Bureau, salaries.....	\$	10,434.26
Weather and Crop Service Bureau, miscellaneous clerk hire.....	\$	822.50
Weather and Crop Service Bureau, miscellaneous expense.....	\$	1,063.48
Total.....	\$	12,320.24
Workmen's Compensation, re-imbusement to state employees.....	\$	18,979.99
Total.....	\$	18,979.99
School for Deaf—Council Bluffs, support fund.....	\$	246,149.57
School for Deaf—Council Bluffs, cottage for small children.....	\$	30,000.00
School for Deaf—Council Bluffs, scholarships.....	\$	1,000.00
School for Deaf—Council Bluffs, repair and contingent.....	\$	30,000.00
School for Deaf—Council Bluffs, library and book binding.....	\$	1,000.00
School for Deaf—Council Bluffs, equipment.....	\$	91,000.00
School for Deaf—Council Bluffs, paving.....	\$	17,390.33
Total.....	\$	416,539.90
Iowa State College—Ames, soldier tuition, 38th.....	\$	21,906.58
Iowa State College—Ames, enlargement of buildings and additional buildings, 37th and 38th.....	\$	28,200.00
Iowa State College—Ames, repairs and improvements, barns, etc., 38th.....	\$	15,700.00
Iowa State College—Ames, extension heating system, etc., 37th and 38th.....	\$	27,150.00
Iowa State College—Ames, armory building, 37th.....	\$	114,800.00
Iowa State College—Ames, completion of buildings, 37th.....	\$	50,000.00
Iowa State College—Ames, sewer construction and paving, 37th and 38th.....	\$	8,100.00
Iowa State College—Ames, library building, 38th.....	\$	5,000.00
Iowa State College—Ames, state apiarist, 37th.....	\$	3,300.00
Iowa State College—Ames, construction of buildings, purchase of land, 39th.....	\$	138,500.00
Iowa State College—Ames, permanent college support fund, 39th.....	\$	759,000.00
Iowa State College—Ames, summer session, 39th.....	\$	20,000.00
Iowa State College—Ames, sub-collegiate courses in Agriculture, etc., 39th.....	\$	20,000.00
Iowa State College—Ames, contingent fund, repair and minor improvements, 39th.....	\$	10,000.00
Iowa State College—Ames, library books and periodicals, 39th.....	\$	20,000.00
Iowa State College—Ames, maintenance and improvement public grounds, 39th.....	\$	10,000.00
Iowa State College—Ames, soldier tuition, 39th.....	\$	30,980.00
Iowa State College—Ames, engineering experiment station, 39th.....	\$	20,000.00
Iowa State College—Ames, agricultural experiment station, 39th.....	\$	134,500.00
Iowa State College—Ames, agricultural and home economics extension, 39th.....	\$	85,000.00
Iowa State College—Ames, trade school and engineering extension, 39th.....	\$	10,000.00
Iowa State College—Ames, veterinary investigations, 39th.....	\$	6,000.00
Iowa State College—Ames, equipment and furnishings for buildings, etc., 37th, 38th and 39th.....	\$	164,900.00
Iowa State College—Ames, extension and equipment for heating plant, 39th.....	\$	36,000.00
Iowa State College—Ames, additional construction and equipment, 36th and 38th.....	\$	155,800.00
Iowa State College—Ames, permanent collegiate support, 36th and 38th.....	\$	1,158,000.00
Iowa State College—Ames, summer session, 36th and 38th.....	\$	62,500.00
Iowa State College—Ames, two- and four-year courses home economics, 36th.....	\$	40,000.00
Iowa State College—Ames, sub-collegiate course, agriculture, etc., 36th and 38th.....	\$	123,000.00
Iowa State College—Ames, contingent fund, 36th and 38th.....	\$	96,000.00
Iowa State College—Ames, library books and periodicals, 36th and 38th.....	\$	20,000.00
Iowa State College—Ames, winter short course, 36th.....	\$	28,500.00
Iowa State College—Ames, maintenance and improvement, public grounds, 36th and 38th.....	\$	25,000.00
Iowa State College—Ames, veterinary practitioners' course, 36th.....	\$	5,000.00
Iowa State College—Ames, engineering experiment station, 36th and 38th.....	\$	40,000.00
Iowa State College—Ames, good roads experimentation, 36th.....	\$	20,000.00
Iowa State College—Ames, agriculture, experiment station, 36th and 38th.....	\$	331,000.00

CONDITION OF TREASURY

Iowa State College—Ames, agriculture and home economics extension, 36th and 38th	190,000.00
Iowa State College—Ames, engineering extension and trade schools, 36th and 38th	55,000.00
Iowa State College—Ames, veterinary investigations, 36th	25,000.00
Iowa State College—Ames, repairs and improvements, 36th	2,500.00
Iowa State College—Ames, animal husbandry, 37th	74,092.46
Total	\$ 4,190,429.04
State University—Iowa City, soldier tuition, 38th	\$ 24,913.00
State University—Iowa City, construction, buildings, purchase of land, 39th	165,000.00
State University—Iowa City, educational support, 39th	517,647.00
State University—Iowa City, college of liberal arts, law, etc., 39th	80,000.00
State University—Iowa City, college, medicine, 38th and 39th	125,000.00
State University—Iowa City, college, dentistry, 39th	20,000.00
State University—Iowa City, college, education, 39th	26,000.00
State University—Iowa City, graduate college, 39th	40,000.00
State University—Iowa City, summer school, 39th	38,000.00
State University—Iowa City, equipment and supplies, 39th	16,000.00
State University—Iowa City, equipment of buildings, 38th	50,000.00
State University—Iowa City, repair and contingent, 39th	43,000.00
State University—Iowa City, library, 39th	35,000.00
State University—Iowa City, buildings and grounds, 39th	80,000.00
State University—Iowa City, administration, 39th	18,000.00
State University—Iowa City, school of commerce, 38th and 39th	75,000.00
State University—Iowa City, nurses' training, 38th and 39th	40,000.00
State University—Iowa City, soldier tuition, 39th	39,010.00
State University—Iowa City, epidemiology laboratory, 39th	15,000.00
State University—Iowa City, university extension and public health service, 39th	43,000.00
State University—Iowa City, additional equipment for buildings, etc., 39th	75,000.00
State University—Iowa City, paving, etc., 38th and 39th	32,500.00
State University—Iowa City, general lighting system, 39th	5,000.00
State University—Iowa City, grading and planting, 39th	10,000.00
State University—Iowa City, additional reading room library, 39th	5,000.00
State University—Iowa City, educational support, 36th and 38th	1,009,400.00
State University—Iowa City, college arts and law, 36th	136,700.00
State University—Iowa City, college, dentistry, 36th, 37th and 38th	58,450.00
State University—Iowa City, college, education, 36th, 37th and 38th	50,000.00
State University—Iowa City, graduate college, 36th and 38th	38,000.00
State University—Iowa City, college, fine arts, 36th and 38th	11,000.00
State University—Iowa City, university extension, 36th, 37th and 38th	55,500.00
State University—Iowa City, summer school, 36th and 37th	52,000.00
State University—Iowa City, equipment and supplies, 36th and 38th	32,000.00
State University—Iowa City, repair and contingent, 36th and 38th	83,000.00
State University—Iowa City, building and grounds, 36th and 38th	39,500.00
State University—Iowa City, administration, 36th and 38th	20,450.00
State University—Iowa City, library, 36th and 38th	47,500.00
State University—Iowa City, epidemiology laboratory, 36th and 38th	15,000.00
State University—Iowa City, fire proofing old Capitol building, 37th	35,000.00
State University—Iowa City, nurses' home, 38th	120,000.00
State University—Iowa City, completion nurses' home, 39th	25,000.00
State University—Iowa City, armory buildings, 37th	35,000.00
Total	\$ 3,481,570.00
Iowa Teachers' College—Cedar Falls, improvement and equipment gymnasium 37th	\$ 1,000.00
Iowa Teachers' College—Cedar Falls, teachers' fund, 39th	165,000.00
Iowa Teachers' College—Cedar Falls, summer term, 39th	44,000.00
Iowa Teachers' College—Cedar Falls, contingent and repair, 39th	100,000.00
Iowa Teachers' College—Cedar Falls, library, 39th	10,000.00
Iowa Teachers' College—Cedar Falls, librarian's salary fund, 39th	8,000.00
Iowa Teachers' College—Cedar Falls, hospital fund, 39th	6,000.00
Iowa Teachers' College—Cedar Falls, extension service, fund, 39th	30,000.00
Iowa Teachers' College—Cedar Falls, extension summer school, 38th and 39th	55,000.00
Iowa Teachers' College—Cedar Falls, teachers' fund, 36th and 38th	329,000.00
Iowa Teachers' College—Cedar Falls, summer term fund, 36th and 38th	84,000.00
Iowa Teachers' College—Cedar Falls, contingent and repair, 36th and 38th	189,500.02
Iowa Teachers' College—Cedar Falls, library, 36th and 38th	15,000.00
Iowa Teachers' College—Cedar Falls, librarian's salary fund, 36th and 38th	20,000.00
Iowa Teachers' College—Cedar Falls, hospital fund, 36th and 38th	7,500.00
Iowa Teachers' College—Cedar Falls, extension service fund, 36th and 38th	59,500.00
Iowa Teachers' College—Cedar Falls, equipment and training school building, 37th	2,700.00
Iowa Teachers' College—Cedar Falls, paving and sidewalks, 38th	5,000.00
Total	\$ 1,131,200.02
College for Blind—Vinton, support fund, 36th, 38th and 39th	\$ 110,564.26
College for Blind—Vinton, repair and contingent fund, 39th	6,500.00
College for Blind—Vinton, piano and furniture, 39th	5,000.00
College for Blind—Vinton, improvements, 39th	6,000.00
College for Blind—Vinton, equipment, 39th	6,000.00
College for Blind—Vinton, greenhouse, 39th	4,000.00
College for Blind—Vinton, support fund, 39th	40,000.00
College for Blind—Vinton, repair and contingent, 36th and 38th	4,000.00
College for Blind—Vinton, oculist fund, 36th	200.00
College for Blind—Vinton, printing plant, 36th	1,000.00
Total	\$ 183,264.26

CONDITION OF TREASURY

State Institution Accounts, special appropriation, 37th, 38th and 39th.....	\$	40,204.84
Total.....	\$	40,204.84
Anamosa, support, 38th.....	\$	403,048.59
Anamosa, salaries, officers and employees, 38th.....		213,863.85
Anamosa, salaries of foremen, 36th.....		2,496.22
Anamosa, establishment and maintenance, industries, 35th.....		310,528.67
Anamosa, dental, oculist, etc., 38th.....		1,002.15
Anamosa, power house, 31st.....		1,000.00
Anamosa, heating industrial building, 37th.....		999.84
Anamosa, two silos, 39th.....		2,000.00
Anamosa, hog house, 39th.....		1,087.85
Anamosa, slaughter house, 39th.....		1,485.00
Anamosa, transportation of prisoners and gift money, 39th.....		7,923.73
Anamosa, dental, oculist, etc., 39th.....		1,515.70
Anamosa, lectures, amusements, etc., 39th.....		1,409.98
Anamosa, contingent and repair, 39th.....		25,379.32
Anamosa, purchase of land, 38th and 39th.....		52,135.75
Anamosa, gate receipts, 35th.....		1,115.97
Total.....	\$	1,026,992.62
Cherokee, support, 38th.....	\$	716,226.19
Cherokee, contingent and repair, 38th.....		15,854.33
Cherokee, improvement of water supply, 37th.....		41,165.64
Cherokee, new boilers and stokers, 38th.....		12,000.00
Cherokee, completion of waterworks, 38th.....		16,543.49
Cherokee, paving, 38th.....		38,867.29
Cherokee, plumbing renewals, 39th.....		3,141.40
Cherokee, dairy barn, 39th.....		10,000.00
Cherokee, root cellar, 39th.....		4,885.00
Cherokee, slaughter house, 39th.....		2,500.00
Cherokee, contingent and repair, 39th.....		24,692.68
Cherokee, comp. grading, curbing, etc., 39th.....		1,843.45
Total.....	\$	885,719.47
Clarinda, support, 38th.....	\$	668,465.51
Clarinda, tubercular hospital, 37th.....		5,497.53
Clarinda, books and periodicals, 36th.....	
Clarinda, dairy barn, 37th.....		12,000.00
Clarinda, contingent and repair, 38th.....		34,151.87
Clarinda, tubercular hospital and equipment, 39th.....	
Clarinda, plumbing and fixtures, 39th.....		1,988.82
Clarinda, contingent and repair, 39th.....		19,498.88
Total.....	\$	741,602.61
Davenport, support, 38th.....	\$	276,529.93
Davenport, gymnasium buildings, 37th.....		30,000.00
Davenport, dental, oculist, etc., 38th.....		1,564.62
Davenport, land, 35th.....		2,394.80
Davenport, transfer of children, 38th.....		1,858.41
Davenport, chaplains, lectures, etc., 38th.....		542.10
Davenport, coal storage and repairs, 39th.....		3,000.00
Davenport, dental, oculist, etc., 39th.....		521.75
Davenport, chaplains, lectures, etc., 39th.....		1,356.99
Davenport, contingent and repairs, 39th.....		29,028.37
Davenport, bath rooms, 37th.....		1.01
Total.....	\$	346,797.98
Eldora, support, 38th.....	\$	316,751.12
Eldora, chaplain, lectures, etc., 38th.....		746.00
Eldora, athletic fund, 37th.....		93.94
Eldora, repair cottages, 37th.....		2,864.55
Eldora, books and periodicals, 37th.....		64.38
Eldora, administration, building repairs, 36th.....		1,224.62
Eldora, boys' cottage and furniture, 37th.....		138.21
Eldora, land, 38th.....		6,911.13
Eldora, gymnasium, 36th.....		701.04
Eldora, steam boilers and equipment, 39th.....		53.62
Eldora, mangle and laundry equipment, 39th.....		357.75
Eldora, equipment and supplies, educational dept., 39th.....		1,008.85
Eldora, transportation of boys, 39th.....		1,580.72
Eldora, dental, oculist, etc., 39th.....		6,310.82
Eldora, chaplain, lectures, etc., 39th.....		958.70
Eldora, contingent and repair, 39th.....		36,251.34
Eldora, farm implements, 37th.....		267.40
Eldora, equipment for machine shop, 37th.....		993.41
Total.....	\$	377,277.60
Fort Madison, support, 38th.....	\$	309,114.67
Fort Madison, salaries, 38th.....		166,369.38
Fort Madison, establishment and maintenance, industries, 35th.....		54,825.02
Fort Madison, establishment and maintenance, industries, 36th.....		371,301.70
Fort Madison, establishment and maintenance, industries, 37th.....		32,894.11
Fort Madison, locks for cells, 30th.....		12.18
Fort Madison, re-roofing, etc., 34th.....		227.50
Fort Madison, gate receipts, 35th.....		1,715.35
Fort Madison, transportation of prisoners, 38th.....		1,777.68
Fort Madison, contingent and repair, 38th.....		8,304.59

CONDITION OF TREASURY

Fort Madison, fencing, 36th	166.15
Fort Madison, purchase, farm land, 38th.....	1,600.00
Fort Madison, dental, oculist, etc., 38th.....	1,379.32
Fort Madison, lectures, amusements, etc., 38th.....	313.90
Fort Madison, cell house and equipment, 39th.....	422.78
Fort Madison, transportation of prisoners and gift money, 39th.....	525.00
Fort Madison, dental, oculist, etc., 39th.....	1,423.46
Fort Madison, lectures and concerts, 39th.....	47.23
Fort Madison, contingent and repairs, 39th	12,804.91
Total.....	\$ 965,224.93
Glenwood, support, 38th	\$ 869,219.93
Glenwood, bakery building, 38th	28,890.44
Glenwood, laundry machinery, 39th	4,801.00
Glenwood, repairs and extension, steam heat, 39th.....	12,372.74
Glenwood, chaplain, lectures, etc., 39th.....	675.27
Glenwood, contingent and repair, 39th.....	19,539.49
Glenwood, industrial building and equipment, 39th.....	33,604.01
Glenwood, building for boys, 37th	147.96
Total.....	\$ 969,250.84
Independence, support, 38th	\$ 748,179.30
Independence, contingent and repair, 38th	28,412.59
Independence, draining land, 37th	3,154.04
Independence, completion power house, 38th.....	6,836.33
Independence, tubercular hospital, 37th	40,000.00
Independence, tubercular hospital (additional), 39th.....	14,945.15
Independence, barn for young stock, 39th.....	3,500.00
Independence, contingent and repair, 39th.....	18,010.73
Total.....	\$ 863,038.14
Knoxville, support, 30th	\$ 4,339.14
Knoxville, support, 38th	2,164.50
Total.....	\$ 6,503.64
Marshalltown, support, 38th	\$ 584,797.00
Marshalltown, contingent and repair, 38th.....	6,865.46
Marshalltown, additional buildings, 37th	86.33
Marshalltown, lectures, etc., 39th	1,054.60
Marshalltown, contingent and repair, 39th	26,586.93
Marshalltown, repairing main building05
Total.....	\$ 619,390.37
Mitchellville, support, 38th	\$ 161,277.93
Mitchellville, dental, oculist, etc., 37th.....	451.88
Mitchellville, remodeling laundry, 37th	1,993.58
Mitchellville, chaplain, lectures, etc., 38th.....	377.85
Mitchellville, boilers, 37th	1,500.00
Mitchellville, transportation of girls, 38th.....	460.58
Mitchellville, cottage and equipment, 38th.....	15,215.30
Mitchellville, wagon scales, 39th	47.14
Mitchellville, boiler and connections, 39th.....	7,725.94
Mitchellville, renewing tunnel pipe, etc., 39th.....	9,878.34
Mitchellville, library, books, etc., 39th.....	332.38
Mitchellville, music and instruments, 39th.....	89.60
Mitchellville, transportation of girls, 39th.....	257.06
Mitchellville, chaplain, 39th	238.76
Mitchellville, contingent and repair, 39th.....	20,920.39
Total.....	\$ 220,766.73
Mount Pleasant, support, 38th	\$ 706,997.88
Mount Pleasant, contingent and repair, 38th.....	26,839.74
Mount Pleasant, laundry building and equipment, 37th.....	29,563.33
Mount Pleasant, sewer, 37th	781.60
Mount Pleasant, hose and fire equipment, 37th	729.20
Mount Pleasant, new floors, 36th	22.43
Mount Pleasant, electric wiring and fixtures, 37th.....	743.32
Mount Pleasant, books and periodicals, 38th.....	340.79
Mount Pleasant, railway switch, 36th	72.48
Mount Pleasant, beds and bedding, 37th.....	263.75
Mount Pleasant, mechanical stokers, 38th	10,729.18
Mount Pleasant, coal crushing machine, 38th.....	2,075.51
Mount Pleasant, remodeling and refurbishing carriage barn, 39th.....	10,424.00
Mount Pleasant, boilers and stokers, 39th.....	14,167.91
Mount Pleasant, contingent and repair	19,858.18
Mount Pleasant, boiler house	412.10
Mount Pleasant, boilers	11,000.00
Total.....	\$ 835,021.40
Oakdale, support, 38th	\$ 346,600.09
Oakdale, contingent and repair, 38th.....	7,751.91
Oakdale, laboratory apparatus, 37th	44,933.41
Oakdale, switchboard, 37th	62.30
Oakdale, medical laboratory, 38th	25,000.00
Oakdale, completion and equipment laboratory building (add'l), 39th.....	64,971.84
Oakdale, additional hospital building, 39th.....
Oakdale, tunnels and pipe connections, 39th.....

CONDITION OF TREASURY

Oakdale, chaplain, lectures, etc., 39th.....	973.46
Oakdale, contingent and repair, 39th.....	8,188.68
Oakdale, elevator, 37th.....	1,444.69
Oakdale, hospital and furniture, 36th.....	300.00
Oakdale, X-Ray machine, 38th.....	85.67
Total.....	\$ 500,362.05
Rockwell City, support, 38th.....	105,871.18
Rockwell City, contingent and repair, 38th.....	5,788.70
Rockwell City, sewage disposal, 38th.....	6,558.73
Rockwell City, pathological building, 37th.....	4,857.41
Rockwell City, pathological building, (Add'l), 38th.....	2,126.99
Rockwell City, fencing and drainage, 37th.....	1,020.71
Rockwell City, furniture and furnishings, 37th.....	225.60
Rockwell City, laundry and equipment, 37th.....	58.73
Rockwell City, lectures, amusements, etc., 38th.....	208.45
Rockwell City, lectures, amusements, etc., 39th.....	1,915.17
Rockwell City, industrial building and school house.....	.25
Rockwell City, cow barn and silos.....	688.33
Rockwell City, hog house, 38th.....	362.74
Total.....	\$ 129,682.99
Toledo, support, 38th.....	\$ 118,350.37
Toledo, electric wiring, etc., 38th.....	2,219.83
Toledo, poultry house, 38th.....	135.35
Toledo, furniture and supplies, 38th.....	10,000.00
Toledo, dairy and horse barn, 38th.....	1,500.00
Toledo, fences, gates, etc., 38th.....	908.95
Toledo, live stock, 38th.....	2,000.00
Toledo, farm implements, etc., 38th.....	907.64
Toledo, superintendent's cottage, 39th.....	4,935.70
Toledo, root cellar, 39th.....	3,163.86
Toledo, horse and dairy barn, 39th.....	4,062.55
Toledo, hog house, 39th.....	1,500.00
Toledo, sewer and cont. to outlet, 39th.....	1,523.28
Toledo, dental, oculist, etc., 39th.....	477.94
Toledo, chaplain, lectures, etc., 39th.....	188.85
Toledo, contingent and repair, 39th.....	16,523.24
Toledo, buildings.....	8,942.59
Total.....	\$ 177,340.15
Woodward, support.....	\$ 294,709.85
Woodward, cottage for tubercular patients, 37th.....	19,195.87
Woodward, horse barn, 37th.....	8,372.28
Woodward, fencing, 37th.....	265.70
Woodward, tunnels, 37th.....	283.50
Woodward, additional water supply, 38th.....	4,977.72
Woodward, water, 39th.....	69,905.11
Woodward, dormitory for employees, etc., 39th.....	9,284.45
Woodward, chapel, library, halls, etc., 39th.....	28,798.09
Woodward, root cellar, 39th.....	5,159.26
Woodward, dairy barn, second wing, 39th.....	2,826.25
Woodward, pictures, books, etc., 39th.....	93.10
Woodward, contingent and repair, 39th.....	16,853.64
Woodward, dining halls and kitchen, 38th.....	13,000.00
Woodward, books, pictures, etc., 37th.....	29.20
Woodward, hog house, 38th.....	504.25
Total.....	\$ 474,258.27
Grand total warrants issued July 1, 1920, to June 30, 1922.....	\$52,766,972.20
Warrants outstanding July 1, 1920.....	850,609.78
Total.....	\$53,617,581.98
Warrants redeemed July 1, 1920, to June 30, 1922.....	\$52,354,323.76
Warrants outstanding July 1, 1922.....	1,263,258.22
Total.....	\$53,617,581.98

TABLE NO. 3—SPECIAL FUND.

Warrants Issued and Redeemed in the Capitol Grounds Extension Fund During the Biennial Period Ending June 30, 1922.	
Warrants outstanding July 1, 1920.....	\$ 7,244.71
Warrants issued during biennium.....	348,170.60
Total.....	\$ 355,415.31
Warrants redeemed during biennium.....	\$ 354,173.49
Warrants outstanding June 30, 1922.....	1,241.82
Total.....	\$ 355,415.31

LAWS
OF THE
EXTRA SESSION
OF THE
Fortieth General Assembly
OF THE
STATE OF IOWA

OTHER THAN LAWS OF A PERMANENT AND GENERAL NATURE NOT TAKING
EFFECT BY PUBLICATION; PASSED AT THE EXTRA SESSION, AT DES
MOINES, THE CAPITAL OF THE STATE, BEGUN ON THE FOURTH
DAY OF DECEMBER, 1923, AND RECESSED ON THE
TWENTY-SIXTH DAY OF APRIL, 1924, IN THE
SEVENTY-EIGHTH YEAR OF THE
STATE.

CHAPTER 1

SESSION LAWS

H. F. 314

AN ACT to provide for the preparation and printing of the session laws of the extra session of the fortieth general assembly by the state printing board and making the necessary appropriation available therefor.

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

1 **SECTION 1. Printing.** That the state printing board shall prepare
2 and cause to be printed the session laws for the extra session of the
3 Fortieth General Assembly, omitting therefrom all laws of a perma-
4 nent and general nature which do not take effect by publication. Said
5 volume shall be in substantially the form in which the session laws
6 of the Fortieth General Assembly were prepared, indexed, printed
7 and bound. The appropriation provided by section five (5) of chapter
8 two hundred twenty-four (224) of the acts of the Fortieth General
9 Assembly, regular session, shall be available to said state printing
10 board in carrying on said work. The secretary of state is directed
11 to omit compliance with section fifty-three (53) of the compiled code
12 in so far as the enactments of said extra session are concerned.

1 **SEC. 2. Publication.** This act being deemed of immediate im-
2 portance shall take effect from and after its publication in the Des

3 Moines Register and the Iowa Forum, newspapers published in Des
4 Moines, Iowa.

Approved April 12, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Register April 17, 1924, and the Iowa Forum April 16, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 2

MOTOR CARRIERS

H. F. 305

AN ACT to amend sections thirty hundred eighty-one-a one (3081-a1), thirty hundred eighty-one-a seven (3081-a7) and thirty hundred eighty-one-a twelve (3081-a12) of the supplement to the compiled code of Iowa, relating to the rules and regulations of motor carriers and providing penalty for the violation of the statutes, rules and regulations promulgated thereunder.

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

That section thirty hundred eighty-one-a one (3081-a1), section thirty hundred eighty-one-a seven (3081-a7) and section thirty hundred eighty-one-a twelve (3081-a12) of the supplement to the compiled code of Iowa, are amended as follows.

1 SECTION 1. **Definition.** That section thirty hundred eighty-one-a
2 one (3081-a1) of the supplement to the compiled code of Iowa be
3 amended by striking out of line eleven (11) the words "in the vicinity
4 of and from a distributing point."

1 SEC. 2. **Maximum load.** That section thirty hundred eighty-one-a
2 seven (3081-a7) of the supplement to the compiled code of Iowa be
3 amended by striking out of line three (3) the word "sixteen" and
4 substituting therefor the word "fourteen" and by striking out of
5 line four (4) the word "twenty" and substituting therefor the word
6 "eighteen".

1 SEC. 3. **Violations and penalty.** That section thirty hundred eighty-
2 one-a twelve (3081-a12) of the supplement to the compiled code of
3 Iowa be amended by inserting between the word "herein" and the
4 period (.) in line ten (10) the following: "and shall be guilty of a
5 misdemeanor and upon conviction shall be punished by a fine not
6 exceeding one thousand dollars or by imprisonment in the county
7 jail not exceeding one year, or by both such fine and imprisonment."

1 SEC. 4. **Publication clause.** This act being deemed of immediate
2 importance shall take effect and be in full force from and after its
3 publication in the Des Moines Register and the Des Moines Capital,
4 newspapers published in the city of Des Moines, Iowa.

Approved April 12, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Register April 17, 1924, and the Des Moines Capital April 16, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 3

CODE, SUPREME COURT REPORTS, ETC.

H. F. 289

AN ACT to amend, revise, and codify chapters five (5) and six (6) of title one (1) and section fifty-eight (58) of the compiled code of Iowa and sections forty-three-a-one (43-a1), forty-three-a two (43-a2), forty-three-a five (43-a5), forty-three-a six (43-a6), fifty-seven-a one (57-a1) to fifty-seven-a three (57-a3), inclusive, fifty-nine (59), sixty (60), one hundred seventy-five-a four (175-a4) to one hundred seventy-five-a nine (175-a9), inclusive, one hundred seventy-five-a twelve (175-a-12), one hundred seventy-five-a thirteen (175-a13), and two hundred forty-one-a thirty-eight (241-a38) and section two hundred forty-one-a fifty-seven (241-a 57) of the supplement to said code, relating to the preparation, publication, use, custody, sale, and distribution of the laws of the state and of other publications of a legal nature, and to the powers and duties of the reporter of the supreme court, state printing board, superintendent of printing, and other public officers, with reference to such laws and publications, establishing a code supervising committee and making appropriation therefor.

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

That chapters five (5) and six (6) of title one (1) and section fifty-eight (58) of the compiled code of Iowa and sections fifty-seven-a one (57-a1) to fifty-seven-a three (57-a3), inclusive, fifty-nine (59), and sixty (60) of the supplement to said code are amended, revised, and codified to read as follows:

THE CODE

- 1 SECTION 1. **Style of code.** The code shall be prepared and published
- 2 substantially in the following form and style:
- 3 1. The printing of the text shall be in double columns from type
- 4 forms thirty-seven (37) picas wide by fifty-four (54) picas high and
- 5 in nine (9) point type solid and with spacing of approximately six (6)
- 6 points between each section.
- 7 2. The chapters shall be numbered consecutively (commencing
- 8 with number one (1)) and without regard to titles.
- 9 3. Each section shall be indicated by a number printed in bold
- 10 face type.
- 11 4. Each section shall have appropriate catchwords printed in bold
- 12 face type contrasting with the text and followed immediately by the
- 13 first word of the section.
- 14 5. Proper historical references shall immediately follow the last
- 15 word of each section.
- 16 6. The code provided for herein shall include:
- 17 (a) An analysis of the code by titles and chapters.
- 18 (b) The declaration of independence.
- 19 (c) Articles of confederation.
- 20 (d) The constitution of the United States.
- 21 (e) Laws of the United States relating to citizenship, naturaliza-
- 22 tion and the authentication of records.
- 23 (f) The constitution of Iowa.
- 24 (g) The act admitting Iowa into the union as a state.
- 25 (h) Chapter analysis at the head of each chapter.

26 (i) All of the statutes of Iowa of a general and permanent nature.

27 (j) The rules of the supreme court.

28 (k) An index covering the constitution and statutes of the state
29 of Iowa and the rules of the supreme court.

30 7. The code editor shall prepare and there shall be published such
31 tables of corresponding sections of prior codes, supplements thereto
32 and session laws as may be determined by the code supervising com-
33 mittee. The committee shall publish the same in a separate volume,
34 free distribution and sale of which shall be made the same as copies
35 of the code.

36 8. The code shall be printed upon a good quality of paper and
37 bound in good grade of buckram to specifications prepared by the state
38 printing board and approved by the code supervising committee.

1 **SEC. 2. Editorial work.** The code editor in preparing the copy
2 for an edition of the code shall have power:

3 1. To correct therein all misspelled words in the original enroll-
4 ments.

5 2. To correct all manifest grammatical and clerical errors includ-
6 ing punctuation but without changing the meaning.

7 3. To transpose sections or to divide sections so as to give to dis-
8 tinct subject matters a section number but without changing the
9 meaning.

1 **SEC. 3. Present Code.** The editor of the code shall, with all due
2 diligence, proceed with the preparation of the code and the printing
3 board shall proceed with like diligence and cause said code to be issued
4 at the earliest possible time.

1 **SEC. 4. Code supervising committee.** Before the adjournment of
2 the extra session of the fortieth general assembly, the president of
3 the Senate shall appoint two members of the Senate and the speaker
4 of the House shall appoint three members of the House, who shall
5 constitute a code supervising committee, which committee shall have
6 general supervision and oversight of the work of editing the code and
7 the work of the code editor in preparing the code for publication and
8 of the printing and binding thereof. The code supervising committee
9 shall meet with the code editor at his office in the state house at
10 such times as, in their judgment, may be necessary to properly super-
11 vise the work of the code editor, and to aid the code editor in the
12 proper and expeditious work of preparing and publishing the code
13 in compliance with the provisions of this act. The members of the
14 code supervising committee shall be paid their actual and necessary
15 expenses incurred in the performance of their duties as provided
16 for herein.

1 **SEC. 5. Future codes.** The editor of the code shall, immediately
2 following the final adjournment of the regular session of the forty-
3 second general assembly and immediately following the final adjourn-
4 ment of each even-numbered regular session thereafter, prepare a
5 new edition of the code, and the printing board shall forthwith cause
6 the same to be printed.

1 **SEC. 6. Preparation.** All new editions of the code shall be so
2 prepared and printed that each section of the general statute law
3 shall appear in said new edition in its new or finally revised and

4 amended form. All sections of law of a general nature enacted after
 5 the last preceding code, shall be inserted in each new edition in such
 6 logical order as the editor of the code may determine.

1 SEC. 7. **Standard.** The size, style, type, and binding of the pub-
 2 lished acts of the fortieth general assembly shall be substantially
 3 followed in the future publication of the session laws.

1 SEC. 8. **Duty of secretary of state.** The secretary of state shall
 2 prepare and deliver to the editor of the code for insertion in each
 3 published volume of session laws, a correct list of state officers,
 4 judges of the supreme, district, superior, and municipal courts, mem-
 5 bers of the general assembly, and commissioners for this state in
 6 other states.

1 SEC. 9. **Duty of auditor of state.** There shall also be inserted in
 2 each volume of the session laws, the statement of the condition of
 3 the state treasury as provided by the constitution. Said statement
 4 shall be furnished by the auditor of state.

DISTRIBUTION AND ACCOUNTING

1 SEC. 10. **Distribution of laws.** The superintendent of printing
 2 shall make free distribution of the code, and of the acts of each gen-
 3 eral assembly, as follows:

- | | | | |
|----|-----|---|------------|
| 4 | 1. | To state law library for exchange purposes.... | 125 copies |
| 5 | 2. | To law library of state university for exchange | |
| 6 | | purposes | 50 copies |
| 7 | 3. | To state historical department..... | 5 copies |
| 8 | 4. | To state historical society..... | 5 copies |
| 9 | 5. | To each judge of the supreme, district, superior, | |
| 10 | | and municipal courts of Iowa..... | 1 copy |
| 11 | 6. | To each judge of the federal courts in Iowa.... | 1 copy |
| 12 | 7. | To the clerk of the supreme court of Iowa.... | 1 copy |
| 13 | 8. | To the clerk of each federal court in Iowa.... | 1 copy |
| 14 | 9. | To each state institution under the control of | |
| 15 | | either the state board of education or the | |
| 16 | | state board of control..... | 1 copy |
| 17 | 10. | To each state officer..... | 2 copies |
| 18 | 11. | To the separate departments of principal state | |
| 19 | | offices | 1 copy |
| 20 | 12. | To each member of the present and subsequent | |
| 21 | | general assemblies | 1 copy |
| 22 | 13. | To chief clerk of the house..... | 1 copy |
| 23 | 14. | To secretary of the senate..... | 1 copy |
| 24 | 15. | To the reporter of the supreme court and code | |
| 25 | | editor such number of copies as will enable | |
| 26 | | him to perform the duties of his office. | |
| 27 | 16. | To the clerk of the district court, the county | |
| 28 | | attorney, the county auditor, the county re- | |
| 29 | | recorder, the county treasurer, the sheriff and | |
| 30 | | the county superintendent of each county in | |
| 31 | | the state, to the clerk of each superior or mu- | |
| 32 | | nicipal court of the state, and also for use in | |
| 33 | | each court room of the district, superior or | |
| 34 | | municipal court | 1 volume |
| 35 | 17. | To J. H. Trewin and J. C. Mabry, code commis- | |
| 36 | | sioners, each | 1 copy |

1 **SEC. 11. Purchase by municipalities.** The board of supervisors
2 may purchase and pay for out of the general fund such additional num-
3 ber of copies of the code and session laws as may be deemed necessary
4 for the use of county and township officers. The council or commis-
5 sion of each city or town including cities acting under special charter
6 shall have like power in order to supply the public offices of the city
7 or town.

8 Each officer, except a state officer, at the expiration of his term
9 of office, shall deliver any code and session laws furnished to him
10 to his successor in office.

1 **SEC. 12. Distribution of early session laws.** The superintendent of
2 printing may distribute gratuitously to interested persons or associa-
3 tions the session laws of the thirty-sixth and previous general assem-
4 blies; provided that he shall maintain in reserve such number of copies
5 of the acts of each of said general assemblies as may be fixed by the
6 executive council. Such reserve when fixed shall not be distributed
7 except on the order of the executive council.

1 **SEC. 13. Former statutes to colleges.** Upon application, in writing,
2 from the librarian or chief executive officer of any incorporated college
3 in this state, the superintendent of printing shall, upon the approval of
4 the executive council, forward to said applicant, without charge, bound
5 volumes of the laws heretofore enacted.

GENERAL PROVISIONS

1 **SEC. 14. Original enrolled bills.** In the preparation of the code
2 and session laws the editor of the code shall have the right to the
3 possession of the enrolled bills.

1 **SEC. 15. Number printed.** The number of each edition of the code,
2 tables of corresponding sections, session laws, annotations and reports
3 of supreme court shall be determined by the printing board.

1 **SEC. 16. New edition.** New editions of the code, book of annota-
2 tions and reports of the supreme court may be published by the print-
3 ing board when the supply on hand of the last edition becomes ex-
4 hausted and when a new edition is necessary in order to meet the
5 demand.

1 **SEC. 17. Annotations and digests.** Books of annotations shall, so
2 far as practicable, be printed and bound in the same manner, form,
3 and style as the code.

1 **SEC. 18. Official statutes.** The code and session laws published
2 under authority of the state shall constitute the only authoritative
3 publications of the statutes of this state. No other publications of
4 the statutes of the state shall be cited in the courts or in the reports
5 or rules thereof.

1 **SEC. 19. Publication of parts of code.** The printing board may
2 cause to be printed from time to time, in the form of leaflets, folders,
3 or pamphlets and in such numbers as the board deems reasonable,
4 parts of the code for the use of public officers. Such orders shall be
5 limited to actual needs as shown by experience or other competent
6 proof, and the printing shall, as far as practicable, be done from the
7 plates or slugs from which the code has been printed.

That section one hundred seventy-five-a thirteen (175-a13) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

1 **SEC. 20. Publication, sale, and distribution.** The code, session
2 laws, annotations, tables of corresponding sections and reports of the
3 supreme court shall be printed, and paid for in the same manner as
4 other public printing, and the printing board shall fix the prices
5 thereof.

That sections one hundred seventy-five-a four (175-a4) to one hundred seventy-five-a eight (175-a8), inclusive, and one hundred seventy-five-a twelve (175-a12) of the supplement to the compiled code of Iowa are amended, revised, and codified to read as follows:

1 **SEC. 21. Editor of code—duties.** The reporter of the supreme
2 court shall be editor of the code and his duties shall be:

3 1. To submit such recommendations as he deems proper to each
4 general assembly for the purpose of amending, revising, and codifying
5 such portions of the law as may be conflicting, redundant or ambiguous
6 and to lay said recommendations before the presiding officers of each
7 house.

8 2. To prepare the manuscript copy of all laws, acts and joint
9 resolutions passed at each session of the general assembly, and ar-
10 range the same in chapters with comprehensive index and in such
11 manner that each chapter will show the number of the house or
12 senate file.

13 3. To edit and compile the code after each even-numbered session
14 of the general assembly so that the same may be printed as herein
15 provided.

16 4. To edit and prepare for publication a series of annotations of
17 the statutes of Iowa containing annotations of all such statutes as
18 have been construed by the supreme court of this state or the federal
19 courts, and cause the same to be printed in separate volumes arranged
20 in the same manner as the titles, chapters, and sections of the code.

21 5. To prepare and cause to be published immediately following the
22 issuance of the code in nineteen hundred twenty-seven (1927), and
23 each four years thereafter, a volume which shall by proper annota-
24 tions, show the construction placed by the supreme court of this state
25 and the federal courts on all statutes of this state since the then ex-
26 isting permanent volume of annotations. The edition of nineteen hun-
27 dred thirty-one (1931) and all subsequent volumes shall constitute a
28 cumulation of the edition of nineteen hundred twenty-seven (1927)
29 and so continued until said cumulation shall reach a size sufficient
30 for a permanent volume.

31 6. To promptly prepare syllabi for all opinions of the supreme
32 court and an index and proper tables for each volume of the reports.

1 **SEC. 22. Printing and reference.** The recommendations of the
2 editor of the code shall be printed in such numbers as the printing
3 board deems necessary for public use, and when laid before the pre-
4 siding officers of the respective houses shall be referred in each house
5 to appropriate committees on code revision, which shall be appointed
6 by the presiding officers of the respective houses.

1 **SEC. 23. Standard for reports.** The size, style, type, binding, and
2 appearance of volume one hundred ninety-five of the supreme court

3 reports shall be substantially followed in the future publications of
4 said reports. A majority of the judges of the supreme court may
5 prescribe a different standard volume.

That section one hundred seventy-five-a nine (175-a9) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

- 1 **SEC. 24. Distribution of reports.** The superintendent of printing
2 shall make free distribution of the reports of the supreme court as
3 follows:
- | | | | |
|----|-----|--|-----------|
| 4 | 1. | To library of congress..... | 2 copies |
| 5 | 2. | To library supreme court United States..... | 2 copies |
| 6 | 3. | To each supreme, district, superior, and municipal judge (not including police judges).... | 1 copy |
| 7 | | | |
| 8 | 4. | To each United States district judge whose district lies within this state..... | 1 copy |
| 9 | | | |
| 10 | 5. | To the clerk of the supreme court..... | 1 copy |
| 11 | 6. | To the attorney general..... | 1 copy |
| 12 | 7. | To the state law library..... | 90 copies |
| 13 | 8. | To each county..... | 1 copy |
| 14 | 9. | To each county where district court is held in more than one place..... | 2 copies |
| 15 | | | |
| 16 | 10. | To supreme court reporter..... | 2 copies |
| 17 | 11. | To law library state university..... | 50 copies |
| 18 | 12. | To library state historical society..... | 5 copies |
| 19 | 13. | To the library Iowa state college of agriculture and mechanic arts..... | 2 copies |
| 20 | | | |

That section two hundred forty-one-a thirty-eight (241-a38) and section two hundred forty-one-a fifty-seven (241-a57) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

- 1 **SEC. 25. Duties.** The superintendent of printing shall:
- 2 1. Have an office at the seat of government and devote his entire
3 time to the duties of his position.
 - 4 2. Have charge of the office equipment and supplies of the printing
5 board and of the stock, if any, required in connection with printing
6 contracts.
 - 7 3. Have general supervision, under the direction of said board,
8 of all matters pertaining to the enforcement of the contracts of the
9 printing board.
 - 10 4. Keep a detailed record of all meetings and proceedings of the
11 printing board and of the award of contracts by said board.
 - 12 5. Prepare, under the directions of said board, the specifications
13 and advertisements for printing.
 - 14 6. Have control and direction of the document department.
 - 15 7. Have legal custody of all codes, session laws, books of annotations,
16 tables of corresponding sections, digests and reports of the
17 supreme court and sell, account for, and distribute the same as provided
18 by law.
 - 19 8. Be responsible on his official bond for the public property coming
20 into his possession.
 - 21 9. Perform such other duties as are necessary, or incident to his
22 position, or which may be ordered by the printing board, or required
23 by law.

That sections forty-three-a one (43-a1), forty-three-a two (43-a2), forty-three-a five (43-a5), and forty-three-a six (43-a6) of the supplement to the compiled code of Iowa are amended, revised, and codified to read as follows:

1 **SEC. 26. Citation of permanent code.** The permanent codes pub-
2 lished subsequent to the adjournment of the extra session of the
3 fortieth general assembly shall be known and cited as "The Code,
4 ", giving year of edition of such code.

1 **SEC. 27. Form of bills.** Bills designed to amend, revise, codify, or
2 repeal a law:

3 1. Shall refer to the number of the section or sections of the code
4 to be amended.

5 2. Shall refer to the number of the chapter or chapters and title
6 of the code to be amended.

7 3. Shall refer to the number of the general assembly and of the
8 sections and chapters of the acts thereof to be amended in case the
9 bill relates to a section or sections of an act not appearing in the code.

10 4. All references shall be expressed in words, followed by the
11 numerals in parentheses (), and if omitted the reporter of the supreme
12 court preparing acts for publication in the session laws shall supply
13 the same.

1 **SEC. 28. Accounting.** All public officers who have come into pos-
2 session of codes, supplements to the code, and session laws, and who
3 are under legal obligation to account therefor, shall make such ac-
4 counting under the laws heretofore in force.

1 **SEC. 29. Delivery of present laws.** Upon the taking effect of this
2 act, the secretary of state shall deliver to the superintendent of
3 printing all codes, supplements, session laws, and reports of the
4 supreme court then in the possession of said secretary.

1 **SEC. 30. Appropriation.** There is hereby appropriated out of any
2 money in the treasury not otherwise appropriated an amount sufficient
3 to defray all expenses incurred in the carrying out of the provisions
4 of this act.

1 **SEC. 31. Publication clause.** This act, being deemed of immediate
2 importance, shall take effect and be in force from and after the date
3 of its publication in the Iowa Forum and the Des Moines Capital,
4 newspapers published in Des Moines, Iowa.

Approved April 12, 1924.

I hereby certify that the foregoing act was published in the Des Moines Capital April 15,
1924, and in the Iowa Forum April 16, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 4

BUDGET

S. F. 7

AN ACT creating the office of director of the budget, defining his powers, prescribing his duties, and providing for a state budget and examination of the accounts of the departments of the state and review of public contracts and bond issues in certain cases, and for local budgets, and prescribing the methods for the appointment of the director of the budget and members of an appeal board in certain cases, defining their powers and duties and making an appropriation therefor, also amending, revising and codifying section ninety-four (94) of the compiled code of Iowa, relating to certain duties of the governor, section two hundred seventy-two (272) of the compiled code of Iowa, relating to settlements with state officers, also sections two hundred seventy-three (273), two hundred ninety-eight (298), three hundred thirty-eight (338), eight hundred seventy-two (872), twenty-three hundred seventeen (2317), twenty-three hundred fifty-one (2351), twenty-four hundred twenty-one (2421), twenty-six hundred eighteen (2618), twenty-seven hundred seventy-six (2776) to twenty-seven hundred eighty-one (2781), inclusive, twenty-nine hundred forty-eight (2948), sixty-four hundred seventy-three (6473), sixty-four hundred seventy-six (6476), ninety hundred fifty-six (9056) and ninety hundred fifty-seven (9057) of the compiled code of Iowa and sections thirty-nine-a six (39-a6), one hundred seventy-five-a sixteen (175-a16), two hundred forty-one-a thirty-two (241-a32), three hundred thirty-six (336), three hundred thirty-six-a one (336-a1), eleven hundred eighty-six (1186), twenty-three hundred forty-six-a one (2346-a1), twenty-three hundred seventy-four-a six (2374-a6), twenty-three hundred nine-six-a one (2396-a1), twenty-four hundred thirty (2430), twenty-four hundred thirty-two-a one (2432-a1), twenty-four hundred forty-a one (2440-a1), twenty-five hundred one-a one (2501-a1), twenty-seven hundred seventy-five (2775), twenty-seven hundred eighty-one-a one (2781-a1), twenty-seven hundred eighty-one-a two (2781-a2), twenty-eight hundred sixty-four-a seven (2864-a7), thirty hundred eighty-one-a thirteen (3081-a13), fifty hundred forty-four-a one (5044-a1) and fifty-four hundred thirty-nine-a one (5439-a1) of the supplement to said code, and sections five (5) and six (6) of House File No. ten (10) of the acts of the extra session of the Fortieth General Assembly, relating to the powers and duties of certain officers, boards and commissions, and to the State Historical Society and to various existing appropriations.

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

That sections ninety-four (94), two hundred seventy-two (272), two hundred seventy-three (273), and two hundred ninety-eight (298) of the compiled code of Iowa are amended, revised, and codified to read as follows:

CHAPTER 1.

DIRECTOR OF THE BUDGET.

1 SECTION 1. **Director of the budget.** There is hereby created the
2 office of director of the budget, which office shall be located at the
3 seat of government.

1 SEC. 2. **Appointment.** The governor shall, within sixty (60) days
2 after the convening of the general assembly in nineteen hundred
3 twenty-seven (1927) and every six (6) years thereafter, appoint, with
4 the approval of two-thirds (2/3) of the members of the senate, a
5 director of the budget, and wherever the word "director" appears in
6 this act it shall mean "director of the budget."

1 **SEC. 3. Confirmation.** No nomination shall be considered by the
2 senate until the same has been referred to a committee of five (5),
3 not more than three (3) of whom shall belong to the same political
4 party. Said committee shall be appointed by the president of the
5 senate, without motion, and shall report to the senate in executive
6 session. Such report shall be made at any time when called for by
7 the senate. The consideration of nominations by the senate shall
8 not be had on the same legislative day that nominations are so referred.

1 **SEC. 4. Qualification and bond.** Said director shall qualify as
2 other public officers and shall give a bond in the sum of ten thousand
3 dollars (\$10,000.00), which bond shall be approved by the governor and
4 be filed in the office of the secretary of state.

1 **SEC. 5. Term of office.** The term of office of the director shall be
2 for a period of six (6) years, beginning July first, nineteen hundred
3 twenty-seven (1927), and his successors shall be appointed for like
4 periods.

1 **SEC. 6. Removal.** The governor, with the approval of a majority
2 of the senate during a session of the general assembly, may remove
3 the director for malfeasance in office, or for any cause which would
4 render him ineligible for appointment or incapable or unfit to discharge
5 the duties of his office, and his removal, when so made, shall be final.

1 **SEC. 7. Suspension.** When the general assembly is not in session,
2 the governor may suspend any director so disqualified and shall ap-
3 point another to fill the vacancy thus created, subject to the approval
4 of the senate when next in session.

1 **SEC. 8. Vacancies.** All vacancies in the office of director that may
2 occur while the general assembly is not in session shall be filled by
3 appointment by the governor, which appointment shall expire at the
4 end of thirty (30) days from the date on which the general assembly
5 next convenes in regular session. Prior to the expiration of said
6 thirty (30) days the governor shall transmit to the senate for its
7 approval an appointment for the unexpired portion of the regular
8 term. Vacancies occurring during a session of the general assembly
9 shall be filled before the end of said session and for the unexpired
10 portion of the regular term, in the same manner in which regular
11 appointments are required to be made.

1 **SEC. 9. Temporary appointment.** After the taking effect of this
2 act and on or before July first, nineteen hundred twenty-four (1924),
3 the governor shall nominate and, with the approval of two-thirds
4 ($\frac{2}{3}$) of the members of the senate, appoint a director, who shall
5 serve until July first, nineteen hundred twenty-seven (1927). The
6 procedure shall be the same as required in section three (3) hereof
7 and any vacancy occurring in the appointment provided for in this
8 section shall be filled as provided in section eight (8) hereof.

1 **SEC. 10. Temporary salaries.** The executive council shall fix the
2 salary of the director and such assistants as may be necessary from
3 time to time, for the period ending June thirtieth, nineteen hundred
4 twenty-five (1925).

1 **SEC. 11. Employees.** The director, with the approval of the execu-
2 tive council, shall employ a state accountant and such assistants and

3 other employees and agents as may be necessary from time to time
4 to carry into effect the provisions of this act. Such state accountant,
5 assistants, employees and agents shall be under the direction of the
6 director and shall be subject to dismissal by him.

1 **SEC. 12. Expenses.** The director, state accountant, and all assist-
2 ants, employees and agents shall be allowed their actual and necessary
3 traveling expenses while in the performance of their duties.

1 **SEC. 13. General Powers.** The director shall have power, and it
2 is hereby made his duty, to carry out and enforce all the provisions
3 of this act, and to conduct hearings on all matters within his juris-
4 diction and render decisions thereon; he shall adopt rules governing
5 appeals, hearings, and all determinations of questions which shall
6 come before him, and such other rules as he may deem necessary.

1 **SEC. 14. Additional powers of the director.** The director shall
2 have power to cause any of the hearings provided for in this act to
3 be held by the state accountant or by any special agent appointed
4 by him for that purpose.

1 **SEC. 15. Power to compel production of evidence.** The director,
2 the state accountant, or any other person appointed by the director
3 to conduct any examination or hearing, shall have power to subpoena
4 witnesses, administer oaths to them, and compel witnesses to produce
5 books, letters, documents, papers, statistics and all other articles
6 deemed essential to a full understanding of the matter under investi-
7 gation.

1 **SEC. 16. Refusal to obey subpoena.** Any witness failing to obey
2 such subpoena shall be guilty of contempt and on report of such fail-
3 ure to the district court of the county in which such refusal occurs,
4 such witness shall be punished for contempt by fine not exceeding one
5 hundred dollars (\$100.00).

1 **SEC. 17. Immunity of witness from prosecution.** No witness shall
2 be exempt from testifying to any matter in any proceeding under the
3 provisions of this act or from producing any books, papers, letters,
4 or other documents or articles on the ground that the same would
5 tend to render him criminally liable or to expose him to public ig-
6 nominy, but such witness shall not be prosecuted for any crime which
7 such testimony or evidence tends to prove or to which the same
8 relates. This section shall not exempt any person from prosecution
9 for perjury.

1 **SEC. 18. Hearings.** When a hearing is held by the director, the
2 state accountant, or a special agent, he shall file in the office of the
3 director the petition and other documents and a written report of
4 the facts submitted at such hearing and his recommendations in
5 respect thereto. The director shall promptly determine all matters
6 submitted to him directly, or on reports of persons conducting hear-
7 ings. The decisions of the director shall be final.

CHAPTER 2.

STATE BUDGET.

1 **SEC. 19. Reports to director of the budget by departments.** On or
2 before the first day of September, nineteen hundred twenty-four
3 (1924), and on or before the first day of August biennially there-
4 after, every department of the state, except the legislative depart-
5 ment, shall furnish the director with:

6 1. A detailed estimate of all receipts of such department for the
7 ensuing biennium and a comparison of such receipts with all the re-
8 cepts of such department for the last two preceding bienniums.

9 2. An estimate of the needs of such department for the ensuing
10 biennium, together with a comparison of all the expenditures of such
11 department for the last two preceding bienniums.

12 3. Any other information that the director may require.

13 Each department shall set out in detail the reasons for the askings
14 contained in such reports.

1 **SEC. 20. Blanks.** Blanks for such reports shall be furnished by
2 the director not later than the first day of August, nineteen hundred
3 twenty-four (1924), and not later than the first day of June of each
4 even-numbered year thereafter.

1 **SEC. 21. Examinations and investigations.** The director shall have
2 authority to make, or cause to be made, such examinations and in-
3 vestigations into the operation of any department as in his discretion
4 may be necessary.

1 **SEC. 22. Assistance of departments.** Every department of the
2 state government, when requested by the director, shall render as-
3 sistance to him in connection with the preparation of the budget
4 report, budget bill and auditing accounts.

1 **SEC. 23. Hearings on reports of departments.** After the filing of
2 said reports, the director shall hold public hearings at which the heads
3 of departments, the heads of all institutions under the state board
4 of education and state board of control, and all taxpayers or associa-
5 tions of taxpayers desiring to be heard, may be heard in relation to
6 the matters referred to in said reports. A schedule of the time and
7 place of hearings and due public notice thereof shall be given by the
8 director.

1 **SEC. 24. Duties of the director—budget report.** The director shall
2 prepare and file in his office, on or before the first day of November
3 of each even-numbered year, a state budget report, which shall show
4 in detail the following:

5 1. Classified estimates in detail of the expenditures necessary, in
6 his judgment, for the support of each department and each institu-
7 tion and department thereof for the ensuing biennium.

8 2. A schedule showing a comparison of such estimates with the
9 askings of the several departments for the current biennium and
10 with the expenditures of like character for the last two preceding
11 bienniums.

12 3. A statement setting forth in detail his reasons for any recom-
13 mended increases or decreases in the estimated requirements of the
14 various departments, institutions and departments thereof.

- 15 4. Estimates of all receipts of the state other than from direct
16 taxation and the sources thereof for the ensuing biennium.
- 17 5. A comparison of such estimates and askings with receipts of
18 a like character for the last two preceding bienniums.
- 19 6. The expenditures and receipts of the state for the last com-
20 pleted fiscal year and estimates of the expenditures, and receipts of
21 the state for the current fiscal year.
- 22 7. A detailed statement of all appropriations made during the two
23 preceding bienniums, also of unexpended balances of appropriations
24 at the end of the last fiscal year and estimated balances at the end of
25 the current fiscal year.
- 26 8. Estimates in detail of the appropriations necessary to meet the
27 requirements of the several departments and institutions for the next
28 biennium.
- 29 9. Statements showing
- 30 (a) The condition of the treasury at the end of the last fiscal year.
- 31 (b) The estimated condition of the treasury at the end of the
32 current fiscal year.
- 33 (c) The estimated condition of the treasury at the end of the next
34 biennium, if his recommendations are adopted.
- 35 (d) An estimate of the taxable value of all the property within
36 the state.
- 37 (e) The estimated aggregate amount necessary to be raised by
38 a state levy.
- 39 (f) The millage necessary to produce such amount.
- 40 (g) Such other data or information as the director may deem
41 advisable.

1 **SEC. 25. Appropriation bill.** The director shall not later than the
2 first day of December, nineteen hundred twenty-four (1924), and on
3 the same date biennially thereafter, prepare a state appropriation
4 bill and transmit the same to the governor, together with the state
5 budget report and such other explanatory matter as in his judgment
6 will be of value to him in making his recommendations to the general
7 assembly, and to the general assembly on the consideration of said bill.

1 **SEC. 26. Governor to transmit bill.** The governor shall, at the
2 time of delivering his biennial message, transmit to the senate and
3 house of the general assembly, the state appropriation bill prepared by
4 the director.

1 **SEC. 27. Data accompanying bill.** The governor shall transmit
2 with the bill the following:

3 1. A statement of the taxable value of all the property of the state.

4 2. The amount, in dollars, necessary to be raised by a tax levy
5 if the bill be enacted.

6 3. The estimated levy in mills necessary should the proposed
7 appropriations be made.

8 4. All information, comparisons, evidence and documents placed
9 before him by the director, together with the reasons for decreases
10 or increases in the recommendations of the said director.

1 **SEC. 28. Explanation accompanying bill.** Accompanying such bill
2 shall be a report of the governor, setting out in detail the changes
3 suggested by him in any of the recommendations submitted by the
4 director.

1 SEC. 29. **Status of bill.** Said appropriation bill, when so trans-
 2 mitted, together with all data accompanying the same, shall be re-
 3 ferred to the committees on appropriations in the senate and the
 4 house, respectively.

1 SEC. 30. **Departments must submit askings.** No estimate or
 2 request for an appropriation and no request for an increase in an item
 3 of any such estimate or request, and no recommendation as to how
 4 the revenue needs of the state should be met, shall be submitted to the
 5 senate or house or any committee thereof by any officer or employee
 6 of any department, except the governor, unless at the request of either
 7 house of the general assembly or of any standing committee in either
 8 house.

CHAPTER 3.

EXAMINATION OF AND SETTLEMENTS WITH DEPARTMENTS.

1 SEC. 31. **Annual settlements with departments.** The director shall
 2 annually, and oftener if deemed necessary, make a full settlement
 3 between the state and all state officers and departments and all per-
 4 sons receiving or expending state funds, and shall annually make a
 5 complete audit of the books and accounts of every department of
 6 the state.

1 SEC. 32. **Duties of state accountant.** The state accountant shall,
 2 under the direction of the director, supervise and be responsible for the
 3 auditing of the books and accounts of all departments of the state.

1 SEC. 33. **Report of audits.** The state accountant shall, in writing,
 2 make a report of all audits and examinations so made, to the director
 3 and in detail set out the following:

4 1. The actual condition of such department found to exist on every
 5 examination.

6 2. Whether, in his opinion,

7 (a) All funds have been expended for the purpose for which ap-
 8 propriated.

9 (b) The department so audited and examined is efficiently con-
 10 ducted, and if the maximum results for the money expended are
 11 obtained.

12 (c) The work of the department so audited or examined needlessly
 13 conflicts with or duplicates the work done by any other department.

14 3. All illegal or unbusinesslike practices.

15 4. Any recommendations for greater simplicity, accuracy, effi-
 16 ciency, or economy in the operation of the business of the several de-
 17 partments and institutions.

18 5. Comparisons of prices paid and terms obtained by the various
 19 departments for goods and services of like character and reasons for
 20 differences therein, if any.

21 6. Any other information which, in his judgment, may be of value
 22 to the director.

23 All such reports shall be filed and kept in the office of the director.

1 SEC. 34. **Method of accounting.** Each department and institution
 2 of the state shall keep its records and accounts in such form and by
 3 such methods as to be able to exhibit in its reports the matters re-
 4 quired by the director, unless otherwise specifically prescribed by law.
 5 The failure of the head of any department of the state to comply
 6 with this provision shall be ground for his suspension from office.

1 **SEC. 35. Certain powers reserved.** Except as herein otherwise
 2 specifically provided, nothing in this act shall interfere with the
 3 authority of the state board of education, the state fair board, or
 4 the state board of control, over, nor with their policies in respect
 5 to, the management of the institutions under their control.

1 **SEC. 36. Transfer of appropriations denied.** No appropriation nor
 2 any part thereof shall be used for any other purpose than that for
 3 which it was made without specific authority of the general assembly.

1 **SEC. 37. Definition.** The term "department" shall be construed
 2 to mean any authority charged by law with official responsibility
 3 for the expenditure of public money of the state and any agency
 4 receiving money from the general revenues of the state.

CHAPTER 3-A.

APPEAL BOARD TO ACT IN CERTAIN CASES.

1 **SEC. 38. Appointment and tenure.** There shall be nominated by
 2 the governor and appointed in the manner required for the appoint-
 3 ment of the director, two competent persons to act with the director
 4 as members of an appeal board in certain cases. Their terms of office
 5 shall be for four years, beginning on the first day of July, nineteen
 6 hundred twenty-seven (1927), at which time one shall be appointed
 7 for two years and one for four years and thereafter all appointments
 8 except to fill vacancies shall be for a term of four years.

1 **SEC. 39. Qualification.** Such members of the appeal board shall
 2 qualify in the same manner as the director except that the bond of
 3 each shall be five thousand dollars (\$5,000).

1 **SEC. 40. Temporary appointment.** After the taking effect of this
 2 act and before July first, nineteen hundred twenty-four (1924), the
 3 governor shall in like manner appoint two persons as members of
 4 the appeal board, who shall hold office until July first, nineteen hun-
 5 dred twenty-seven (1927) and until their successors shall be appointed
 6 and qualified.

1 **SEC. 41. Vacancies.** Vacancies in both the temporary and perma-
 2 nent appointments of such members of the appeal board shall be
 3 filled and the removal from office shall be accomplished in the same
 4 manner as provided for the director.

1 **SEC. 42. Appeals.** The said members of the appeal board and the
 2 director shall sit and act together as a board of appeal and the director
 3 shall be chairman of the board. Said board shall only consider and
 4 determine appeals from the action of the state board of education, the
 5 state board of control or the state fair board in respect to the letting
 6 of contracts for buildings or other improvements in which the amount
 7 involved is in excess of twenty-five thousand dollars (\$25,000). The
 8 hearings before the board shall be de novo and the evidence shall be
 9 preserved on file. The decision of the board shall be final and be
 10 entered of record in the office of the director.

1 **SEC. 43. Compensation.** The members of the appeal board, other
 2 than the director, shall be paid on a per diem basis and the amount
 3 of their compensation shall be fixed by the executive council. They

4 shall be entitled to their actual and necessary expenses while engaged
5 in the performance of their duties, to be allowed and paid in the same
6 manner as those of the director.

CHAPTER 4.

PUBLIC CONTRACTS AND BONDS.

1 **SEC. 44. Definition of terms.** The words "public improvement" as
2 used in this chapter shall mean any building or other construction
3 work to be paid for in whole or in part by the use of funds of any
4 municipality.

5 The word "municipality" as used in this chapter shall mean county,
6 except in the exercise of its power to make contracts for primary road
7 improvements, city, including those acting under special charter, town,
8 township, school district, state fair board, state board of education,
9 and state board of control.

1 **SEC. 45. Notice of hearing on public contracts.** Before any munici-
2 pality shall enter into any contract for any public improvement to
3 cost five thousand dollars (\$5,000.00) or more, the governing body pro-
4 posing to make such contract shall adopt proposed plans and speci-
5 fications and proposed form of contract therefor, fix a time and place
6 for hearing thereon at such municipality affected thereby or other
7 nearby convenient place, and give notice thereof by publication in at
8 least one newspaper of general circulation in such municipality at least
9 ten (10) days before said hearing.

1 **SEC. 46. Objections filed—hearing—decision.** At such hearing,
2 any person interested may appear and file objections to the proposed
3 plans, specifications or contract for, or cost of such improvement. The
4 governing body of the municipality proposing to enter into such con-
5 tract shall hear said objections and any evidence for or against the
6 same, and enter of record its decision thereon.

1 **SEC. 47. Appeal—limitation.** As hereinafter provided, interested
2 objectors may appeal from such decision to the director by serving
3 notice thereof on the clerk or secretary of such municipality within
4 ten (10) days after such decision is entered of record, provided that

5 1. For all school districts, except independent school districts in
6 cities and towns and consolidated school districts, and for towns and
7 townships, the amount involved for the whole improvement is five
8 thousand dollars (\$5,000.00) or more.

9 2. For counties, cities of the second class, towns, and for consoli-
10 dated school districts and for independent school districts in whole or
11 in part in cities of the second class, or towns ten thousand dollars
12 (\$10,000.00) or more.

13 3. For cities of the first class, including cities under special charter,
14 and for school districts in whole or in part in cities of the first class
15 and in cities under special charter, for state institutions and state fair
16 board, twenty-five thousand dollars (\$25,000.00) or more.

17 4. The number of objectors required to perfect an appeal shall be
18 as follows:

19 Under subsection 1—ten (10).

20 Under subsection 2—twenty-five (25).

21 Under subsection 3—fifty (50).

1 **SEC. 48. Information certified to director.** In case an appeal is
2 taken, such body shall forthwith certify and submit to the director
3 for examination and review the following:
4 1. A copy of the plans and specifications for such improvement.
5 2. A copy of the proposed contract.
6 3. An estimate of the cost of such improvement.
7 4. A report of the kind and amount of security proposed to be
8 given for the faithful performance of the contract and the cost of such
9 security.
10 5. A copy of the objections, if any, which have been urged by any
11 taxpayer against the proposed plans, specifications or contract, or the
12 cost of such improvement.
13 6. A separate estimate of the architect's or engineer's fees and
14 cost of supervision.
15 7. A statement of the taxable value of the property within the
16 municipality proposing to make such improvement.
17 8. A statement of the several rates of levy of taxes in such munici-
18 pality for each fund.
19 9. A detailed statement of the bonded and other indebtedness of
20 such municipality.
21 10. In case of state institutions and state fair board, the last three
22 requirements may be omitted.

1 **SEC. 49. Notice of hearing on appeal.** The director shall forthwith
2 fix a time and place in the municipality or nearby convenient place
3 for hearing said appeal, and notice of such hearing shall be given by
4 registered mail to the executive officer of the municipality, and to the
5 first five (5) persons whose names appear upon the notice of appeal,
6 at least ten (10) days before the date fixed for such hearing. The
7 hearing on contracts for the state institutions and state fair board
8 shall be at the seat of government.

1 **SEC. 50. Hearing and decision.** At such hearing, the appellants
2 and any other interested person may appear and be heard. The
3 director shall examine, with the aid of competent assistants, the entire
4 record, and if the director shall find that the plans and specifications
5 and form of contract are suitable for the improvement proposed and
6 that it is for the best interests of the municipality and that such im-
7 provements can be made within the estimates therefor, the director
8 shall approve the same. Otherwise the director shall recommend such
9 modifications of the plans, specifications, or contract, as in his judg-
10 ment shall be for the public benefit, and if such modifications are so
11 made, the director shall approve the same. The director shall certify
12 his decision to the body proposing to enter into such contract, where-
13 upon the municipality shall advertise for bids and let the contract
14 subject to the approval of the director who shall at once render his
15 final decision thereon and transmit the same to the municipality.

1 **SEC. 50-a1. Enforcement of performance of contract.** After any
2 contract for any public improvement has been completed and any five
3 persons interested request it, the director shall examine into the mat-
4 ter as to whether or not the contract has been performed in accordance
5 with its terms, and if on such investigation the director finds that said
6 contract has not been so performed, and so reports to the body letting
7 such contract, it shall at once institute proceedings on the contractor's
8 bond for the purpose of compelling compliance with the contract in
9 all of its provisions.

1 **SEC. 51. Contracts entered into without approval of director void.**
 2 If an appeal is taken, no contract for public improvements shall be
 3 valid unless the same is finally approved by the director. In no case
 4 shall any municipality expend for any public improvement any sum
 5 in excess of five per cent (5%) more than the contract price without
 6 the approval of the director.

1 **SEC. 52. Appeal board to act in certain cases.** If the appeal is from
 2 the action of the state board of education, state board of control, or
 3 state fair board, the additional members of the appeal board shall sit
 4 with the director and they shall hear the appeal as an appeal board,
 5 and in such case the word "director" as used in this chapter shall, so
 6 far as applicable, be construed to mean such appeal board.

1 **SEC. 53. Witness fees—costs.** Witness fees and mileage for wit-
 2 nesses on hearing appeals shall be the same as in the district court;
 3 but objectors or appellants shall not be allowed witness fees or mileage.
 4 Costs of hearings and appeals shall be paid by the municipality.

1 **SEC. 54. Report on completion.** Upon the completion of the im-
 2 provement the executive officer or governing board of the municipality
 3 shall file with the director a verified report showing:
 4 1. The location and character of the improvement.
 5 2. The total contract price for the completed improvement.
 6 3. The total actual cost of the completed improvement.
 7 4. By whom if any one, the construction was supervised.
 8 5. By whom final inspection was made.
 9 6. Whether or not the improvement complies with its contract,
 10 plans and specifications.
 11 7. Any failure of the contractor to comply with the plans and
 12 specifications.

1 **SEC. 55. Notice of meeting for issuance of bonds.** Before any
 2 municipality shall institute proceedings for the issuance of any bonds
 3 or other evidence of indebtedness, excepting such bonds or other evi-
 4 dence of indebtedness as have been authorized by a vote of the people
 5 of such municipality, and except such bonds or obligations as it may
 6 be by law compelled to issue, a notice of such action, including a state-
 7 ment of the amount and purpose of said bonds or other evidence of
 8 indebtedness shall be published at least once in a newspaper of general
 9 circulation within such municipality at least ten (10) days before the
 10 meeting at which it is proposed to issue such bonds.

1 **SEC. 56. Objections may be filed.** At any time before the date fixed
 2 for the issuance of such bonds or other evidence of indebtedness, five
 3 (5) or more taxpayers may file a petition in the office of the clerk or
 4 secretary of the municipality setting forth their objections thereto.

1 **SEC. 57. Notice of hearing on objections.** Upon the filing of any
 2 such petition, the clerk or secretary of such municipality shall im-
 3 mediately certify a copy thereof, together with such other data as
 4 may be necessary in order to present the questions involved, to the
 5 director, and upon receipt of such certificate, petition and information,
 6 the director shall fix a time and place for the hearing of such matter,
 7 which shall be not less than ten (10) or more than thirty (30) days
 8 thereafter, and said hearing shall be held in the municipality in which
 9 it is proposed to issue such bonds or other evidence of indebtedness,

10 or in some other nearby convenient place fixed by the director. Notice
 11 of such hearing shall be given by registered mail to the executive
 12 officer of the municipality and to the five (5) persons whose names
 13 first appear on the petition at least ten (10) days before the date of
 14 such hearing.

1 **SEC. 58. Appeal—decision.** The director shall determine the mat-
 2 ter and his decision shall be final. The same shall be certified to the
 3 executive officer of the municipality affected. In case there is no
 4 appeal, the board of the municipality affected may issue such bonds
 5 or other evidence of indebtedness, if legally authorized so to do, in
 6 accordance with the proposition published, but in no greater amount.
 7 In case of an appeal, the municipality may issue such bonds or other
 8 evidence of indebtedness in accordance with the decision of the di-
 9 rector.

1 **SEC. 59. Bonds issued or taxes levied contrary to this act void.** Any
 2 bonds or other evidence of indebtedness issued contrary to the provi-
 3 sions of this act, and any tax levied or attempted to be levied for the
 4 payment of any such bonds or interest thereon, shall be null and void.

1 **SEC. 59-a1. Time of taking effect.** This chapter shall take effect
 2 and be in force from and after October first, nineteen hundred twenty-
 3 four (1924).

CHAPTER 5.

LOCAL BUDGET LAW.

1 **SEC. 60. Definition of terms.** This chapter shall be known as the
 2 "local budget law".

3 As used in this chapter and unless otherwise required by the context:
 4 1. The word "municipality" shall mean the county, city, town,
 5 township, school district, road district, drainage district, and all other
 6 public bodies or corporations that have power to levy a tax or certify
 7 a tax or sum of money to be collected by taxation.

8 2. The words "levying board" shall mean board of supervisors of
 9 the county and any other public body or corporation that has power
 10 to levy a tax.

11 3. The words "certifying board" shall mean any public body which
 12 has the power or duty to certify any tax to be levied or sum of money
 13 to be collected by taxation.

14 4. The words "fiscal year" shall mean the year ending on the
 15 thirtieth day of June, and any other period of twelve (12) months
 16 constituting a fiscal period, and ending at any other time.

17 5. The word "tax" shall mean any general or special tax or any
 18 special assessment levied against persons, property, or business, for
 19 public purposes as prescribed by law.

20 6. The words "current year" shall mean the year in progress.

1 **SEC. 61. Requirements of local budget.** No municipality shall cer-
 2 tify or levy in any year any tax or assessment on property subject
 3 to taxation unless and until the following estimates have been made,
 4 filed, and considered, as hereinafter provided:

5 1. The amount of income thereof for the several funds from sources
 6 other than taxation.

7 2. The amount proposed to be raised by taxation.

8 3. The amount proposed to be expended in each and every fund and
9 for each and every general purpose during the fiscal year next ensuing.

10 4. A comparison of such amounts so proposed to be expended with
11 the amounts expended for like purposes for the two (2) preceding
12 years.

1 **SEC. 62. Time of filing estimates.** All such estimates and any other
2 estimates required by law shall be made and filed a sufficient length
3 of time in advance of any regular or special meeting of the certifying
4 board or levying board, as the case may be, at which tax levies are
5 authorized to be made to permit publication, discussion, and considera-
6 tion thereof and action thereon as hereinafter provided.

1 **SEC. 63. Estimates itemized.** The estimates herein required shall
2 be fully itemized and classified so as to show each particular class of
3 proposed expenditure, showing under separate heads the amount re-
4 quired in such manner and form as shall be prescribed by the director.

1 **SEC. 64. Estimate for emergencies.** Each municipality may include
2 in the estimate herein required an estimate for emergency or other
3 expenditure which amount cannot reasonably be foreseen at the time
4 the estimates are made, and such emergency fund shall be used for
5 no other purpose.

1 **SEC. 65. Estimated amount to be raised by taxation.** The amount
2 of the difference between the receipts estimated from all sources
3 other than taxation and the estimated expenditures for all purposes,
4 including the estimates for emergency expenditures, shall be the esti-
5 mated amount to be raised by taxation upon the assessable property
6 within the municipality for the next ensuing fiscal year. The estimate
7 shall show the number of dollars of taxation for each thousand dollars
8 of the assessed value of all property that is assessed.

1 **SEC. 66. Filing estimates—notice of hearing.** Each municipality
2 shall file with the secretary or clerk thereof the estimates required
3 to be made in the five preceding sections at least twenty (20) days
4 before the date fixed by law for certifying the same to the levying
5 board and shall forthwith fix a date for a hearing thereon, and shall
6 publish such estimates with a notice of the time when and the place
7 where such hearing shall be held at least ten (10) days before the
8 hearing. For the county and any municipality embraced within the
9 county seat, such publication shall be in an official newspaper published
10 at the county seat. For a municipality outside the county seat in
11 which one or more newspapers are published, such publication shall
12 also be in one of such newspapers.

1 **SEC. 67. Levies void unless notice of hearing given.** The verified
2 proof of the publication of such notice shall be filed in the office of the
3 county auditor and preserved by him. No levy shall be valid unless
4 and until such notice is published and filed.

1 **SEC. 68. Meeting for review of local budget.** The certifying board
2 or the levying board, as the case may be, shall meet at the time and
3 place designated in said notice, at which meeting any person who
4 would be subject to such tax levy, shall be heard in favor of or against
5 the same or any part thereof.

1 **SEC. 69. Record by certifying board.** After the hearing has been
2 concluded, the certifying board shall enter of record its decision, also
3 the amount of the separate appropriations for each fund in the manner
4 and form prescribed by the director and shall certify the same to the
5 levying board, which board shall enter upon the current assessment
6 and tax roll the amount of taxes which it finds shall be levied for the
7 ensuing fiscal year in each municipality for which it makes the tax
8 levy. Any board which has the power to levy a tax without the same
9 first being certified to it, shall follow the same procedure for hearings
10 as is hereinbefore required of certifying boards.

1 **SEC. 70. Tax limited.** No greater tax than that so entered upon
2 the record shall be levied or collected for the municipality proposing
3 such tax for the purpose or purposes indicated; and thereafter no
4 greater expenditure of public money shall be made for any specific
5 purpose than the amount estimated and appropriated therefor, except
6 as provided in sections 64 and 71.

1 **SEC. 71. Further tax limitation.** No tax shall be levied by any
2 municipality in excess of the estimates published and five per cent
3 (5%) additional, except such taxes as are approved by a vote of the
4 people, but in no case shall any tax levy be in excess of any limitation
5 imposed thereon now or hereafter by the constitution and laws of the
6 state.

1 **SEC. 72. Expenses—how paid.** The cost of publishing the notices
2 and estimates required by this chapter, and the actual and necessary
3 expenses of preparing the budget, shall be paid out of the general
4 funds of each municipality respectively.

1 **SEC. 73. Budgets to be certified.** The local budgets of the various
2 municipalities shall be certified by the chairman of the certifying
3 board or the levying board, as the case may be, in duplicate to the
4 county auditor not later than the fifteenth (15th) day of August each
5 year on blanks prescribed by the director, and according to rules and
6 instructions which shall be furnished all certifying and levying boards
7 in printed form by said director. One copy of said budget shall be
8 retained on file in his office by the county auditor, and the other shall
9 be certified by him to the director.

1 **SEC. 74. Summary of budget.** Before forwarding copies of local
2 budgets to the director, the county auditor shall prepare a summary
3 of each budget, showing the condition of the various funds for the
4 fiscal year, including the budgets adopted as herein provided. Said
5 summary shall be printed as a part of the annual financial report of
6 the county auditor, and one copy shall be certified by him to the
7 director.

1 **SEC. 75. Levying board to spread tax rates.** At the time required
2 by law the levying board shall spread the tax rates necessary to pro-
3 duce the amount required for the various funds of the municipality
4 as certified by the certifying board, for the next succeeding year, as
5 shown in the approved budget in the manner provided by law. One
6 copy of said rates shall be certified to the director.

1 **SEC. 76. Tax rates to stand.** The several tax rates and levies of
2 the municipalities thus determined and certified in the manner pro-
3 vided in the preceding sections, except such as are authorized by a

4 vote of the people, shall stand as the tax rates and levies of said
5 municipality for the ensuing year for the purposes set out in the
6 budget.

1 **SEC. 77. Transfer of funds.** Subject to the provisions of any law
2 relating to municipalities, when the necessity for maintaining any
3 fund of the municipality has ceased to exist, and a balance remains
4 in said fund, the certifying board or levying board, as the case may
5 be, shall so declare by resolution, and upon such declaration, such
6 balance shall forthwith be transferred to the general or contingent
7 fund of the municipality, unless other provisions have been made in
8 creating such fund in which such balance remains.

1 **SEC. 78. Return of funds transferred.** Subject to the provisions of
2 law relating to municipalities, and upon the approval of the director,
3 it shall be lawful to transfer money from one fund of a municipality
4 to another fund thereof, and the certifying board or levying board,
5 as the case may be, shall provide that money so transferred must be
6 returned to the fund from which it was transferred as soon as may
7 be, provided, that it shall not be necessary to return to the emergency
8 fund or to any other fund no longer required, any moneys transferred
9 therefrom to any other fund.

1 **SEC. 79. Director to supervise certifying and levying boards and**
2 **prescribe rules.** The director shall exercise general supervision over
3 the certifying boards and levying boards of all municipalities with
4 respect to budgets and shall prescribe for them all necessary rules,
5 instructions, forms, and schedules. The best methods of accountancy
6 and statistical statements shall be used in compiling and tabulating
7 all data required by this act.

1 **SEC. 80. Penalty for failure to perform duties.** Failure on the part
2 of any public official to perform any of the duties prescribed in this
3 act shall constitute a misdemeanor, and shall be sufficient ground for
4 removal from office.

1 **SEC. 81. Annual report to governor.** The director shall make an
2 annual report to the governor setting forth the essential facts and
3 statistical data regarding his administration of this act.

CHAPTER 6.

1 **SEC. 82. Temporary appropriation.** There is hereby appropriated
2 out of the funds in the state treasury not otherwise appropriated, a
3 sum sufficient to carry into effect the provisions of this chapter. This
4 appropriation shall expire on June thirtieth, nineteen hundred twenty-
5 five (1925).

That section thirty-nine-a six (39-a6) of the supplement to the com-
piled code of Iowa is amended, revised, and codified to read as follows:

1 **SEC. 83. Compensation and expenses.** For meetings of the com-
2 mittee other than those held during the time the legislature is in
3 session, each member of the committee shall receive his actual travel-
4 ing expenses and a per diem of ten dollars per day for each day in
5 attendance.

1 **SEC. 84. Temporary appropriation.** There is hereby appropriated,
 2 until July first, nineteen hundred twenty-five (1925), from any moneys
 3 in the state treasury not otherwise appropriated, such sum as may
 4 be necessary to pay the expense and per diem provided for in the last
 5 preceding section.

That section one hundred seventy-five-a sixteen (175-a16) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

1 **SEC. 85. Assistants—appropriation.** The reporter of the supreme
 2 court may, by and with the consent of the supreme court, employ the
 3 necessary assistants and clerical help at such compensation as may
 4 be fixed by the supreme court, in addition to those otherwise provided
 5 by law, and there is hereby annually appropriated out of any money
 6 in the state treasury not otherwise appropriated the sum of five thousand
 7 dollars to be used for the purpose of carrying out the provisions
 8 of this section.

9 This section shall be deemed repealed on and after June thirtieth,
 10 nineteen hundred twenty-five (1925).

That section two hundred forty-one-a thirty-two (241-a32) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

1 **SEC. 86. Appropriation.** There is hereby annually appropriated,
 2 until July first, nineteen hundred twenty-five (1925), out of any un-
 3 appropriated funds in the state treasury a sum sufficient to pay all
 4 obligations incurred under this and the two following chapters of
 5 this title.

That section three hundred thirty-six (336) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

1 **SEC. 87. Guard support fund.** There is appropriated, until July
 2 first, nineteen hundred twenty-five (1925), out of any moneys in the
 3 treasury not otherwise appropriated, the sum of two hundred sixty-
 4 five thousand dollars (\$265,000) per annum, or so much thereof as
 5 may be necessary, for the support of the guard under the provisions
 6 of this chapter not applying to active service, which shall be
 7 drawn by a warrant, drawn by the auditor of state on the state
 8 treasurer, upon the certificate of the adjutant general approved by the
 9 governor and checked by the state board of audit, showing for what
 10 purpose each draft is to be or has been used, and no indebtedness shall
 11 be created in excess of such annual appropriation.

That section three hundred thirty-six-a one (336-a1) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

1 **SEC. 88. Camp Dodge maintenance fund.** There is hereby annually
 2 appropriated, until July first, nineteen hundred twenty-five (1925),
 3 out of any funds in the state treasury not otherwise appropriated the
 4 sum of ten thousand dollars (\$10,000), or so much thereof as may be
 5 necessary, for the maintenance of Camp Dodge. Expenditures from
 6 said appropriation shall be certified by the adjutant general and approved
 7 by the governor, and proper vouchers therefor shall be filed

8 with the state board of audit before warrants are issued by the audi-
 9 tor of state. No indebtedness shall be created in excess of such annual
 10 appropriation.

That section three hundred thirty-eight (338) of the compiled code of Iowa is amended, revised, and codified to read as follows:

1 **SEC. 89. Appropriation for Grand Army of the Republic.** There
 2 is hereby appropriated until July first, nineteen hundred twenty-five
 3 (1925), out of the funds in the state treasury not otherwise appro-
 4 priated, the sum of seven hundred fifty dollars annually, or so much
 5 thereof as may be necessary, for the use of the headquarters, depart-
 6 ment of Iowa, Grand Army of the Republic, for the payment of inci-
 7 dental office expenses, including postage, printing, telegraph, and tele-
 8 phone charges, and other expenses incident to the maintenance of said
 9 headquarters.

That section eight hundred seventy-two (872) of the compiled code of Iowa is amended, revised, and codified to read as follows:

1 **SEC. 90. Expenses.** The expenses incurred under the preceding
 2 sections of this chapter shall be audited by the state board of audit
 3 and shall be paid out of any money in the state treasury not otherwise
 4 appropriated upon warrants drawn by the auditor of state. This sec-
 5 tion shall be deemed repealed on and after June thirtieth, nineteen
 6 hundred twenty-five (1925).

That section eleven hundred eighty-six (1186) of the supplement to the compiled code of Iowa, is amended, revised, and codified to read as follows:

1 **SEC. 91. Annual appropriation.** For the purpose of carrying into
 2 effect the provisions of this chapter, there shall be appropriated out of
 3 the fish and game protection fund any portion thereof which is in the
 4 judgment of the executive council, unnecessary for the support and
 5 maintenance of the fish and game department, and in addition thereto
 6 there shall be appropriated annually out of any moneys in the state
 7 treasury not otherwise appropriated, the sum of seventy-five thousand
 8 dollars (\$75,000.00). This section shall be deemed repealed on and
 9 after June thirtieth, nineteen hundred twenty-five (1925).

That section twenty-three hundred seventeen (2317) of the compiled code of Iowa, is amended, revised, and codified to read as follows:

1 **SEC. 92. Appropriation.** For the purpose of carrying out the provi-
 2 sions of this chapter, there is hereby appropriated until July first,
 3 nineteen hundred twenty-five (1925), out of any moneys in the state
 4 treasury, not otherwise appropriated, the sum of one hundred fifty
 5 thousand dollars (\$150,000.00) annually hereafter.

That section twenty-three hundred forty-six-a one (2346-a1) of the supplement to the compiled code of Iowa, is amended, revised, and codified to read as follows:

1 **SEC. 93. Permanent annual appropriations.** There is hereby appro-
 2 priated out of any money in the state treasury not otherwise appro-
 3 priated, to the state university of Iowa, the sum of seven hundred
 4 thousand dollars (\$700,000.00) annually hereafter for the following
 5 purposes:

6	Education support	\$454,700.00
7	College of applied science, liberal arts, law,	
8	pharmacy and medicine.....	68,350.00
9	College of dentistry.....	23,725.00
10	College of education.....	20,000.00
11	Graduate college	9,000.00
12	College of fine arts.....	3,000.00
13	University extension	17,000.00
14	Summer school	16,000.00
15	Equipment and supplies.....	12,500.00
16	Repair and contingent.....	35,000.00
17	Department of buildings and grounds.....	12,000.00
18	Administration	6,225.00
19	Library	17,500.00
20	Epidemiology laboratory	5,000.00

21 The permanent annual appropriations provided for in this section
 22 shall be paid on the order of the Iowa state board of education, in
 23 monthly installments beginning July first, of each year, with the
 24 exception of the summer school fund, sixteen thousand dollars, which
 25 shall be available on July first of each year.

26 This section shall be deemed repealed on and after June thirtieth,
 27 nineteen hundred twenty-five (1925).

That section twenty-three hundred fifty-one (2351) of the compiled code of Iowa, is amended, revised, and codified to read as follows:

1 **SEC. 94. Appropriation.** There is hereby appropriated until July
 2 first, nineteen hundred twenty-five (1925), out of the money in the
 3 state treasury not otherwise appropriated the sum of twenty-five
 4 thousand dollars (\$25,000.00) annually hereafter for the maintenance
 5 of such a station and the furtherance of the objects, to be expended
 6 on the order and under the direction of said board of education.

That section twenty-three hundred seventy-four-a six (2374-a6) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

1 **SEC. 95. Appropriation.** There is hereby appropriated, out of the
 2 money in the state treasury not otherwise appropriated, the sum of
 3 twenty-one thousand two hundred thirteen dollars and sixty cents
 4 (\$21,213.60), which shall be available immediately upon the passage
 5 of this chapter; and the sum of twenty-one thousand two hundred
 6 thirteen dollars and sixty cents (\$21,213.60) annually hereafter, until
 7 July first, nineteen hundred twenty-five (1925) for the promotion of
 8 the welfare and hygiene of maternity and infancy, provided the provi-
 9 sions of said act of congress named in this chapter shall remain in
 10 force until said date.

That section twenty-three hundred ninety-six-a one (2396-a1) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

1 **SEC. 96. Permanent annual appropriations.** There is hereby appro-
 2 priated to the Iowa state college of agriculture and mechanic arts, out
 3 of any money in the state treasury not otherwise appropriated, the
 4 sum of nine hundred forty thousand dollars (\$940,000) annually here-
 5 after for the following purposes:

6	Permanent collegiate support fund.....	\$505,000.00
7	Summer session	20,000.00
8	Two year and four year courses in home eco-	
9	nomics for homemakers and teachers.....	20,000.00
10	Subcollegiate courses in agriculture, home	
11	economics, and engineering.....	54,000.00
12	Contingent fund, repairs, and minor improve-	
13	ments	46,000.00
14	Library, books and periodicals.....	5,000.00
15	Maintenance and improvement of public	
16	grounds	10,000.00
		660,000.00
17		
18	and for,	
19	Winter short courses in agriculture, home	
20	economics and engineering and trade school	
21	work	9,500.00
22	Veterinary practitioners' courses.....	2,500.00
23	Engineering experiment station.....	15,000.00
24	Good roads experimentation.....	10,000.00
25	Agricultural experiment station.....	115,500.00
26	Agricultural and home economics extension.	90,000.00
27	Engineering extension and trade schools....	25,000.00
28	Veterinary investigations	12,500.00
		280,000.00

29
30 The appropriations in this section shall be paid on the order of the
31 Iowa state board of education, in monthly installments beginning July
32 first, of each year, with the exception of the summer sessions fund of
33 twenty thousand dollars (\$20,000), which shall be available on July
34 first of each year and the winter short course fund of nine thousand
35 five hundred dollars (\$9,500), which shall be available on January first
36 each year.

37 This section shall be deemed repealed on and after June thirtieth,
38 nineteen hundred twenty-five (1925).

That section twenty-four hundred twenty-one (2421) of the compiled
code of Iowa is amended, revised, and codified to read as follows:

1 SEC. 97. **Appropriation.** There is hereby appropriated, until July
2 first, nineteen hundred twenty-five (1925), out of the general funds
3 of the state treasury not otherwise appropriated the sum of fifteen
4 hundred dollars (\$1,500) annually to carry out the provisions of the
5 three preceding sections.

That section twenty-four hundred thirty (2430) of the supplement to
the compiled code of Iowa is amended, revised, and codified to read as
follows:

1 SEC. 98. **Annual appropriation.** There is hereby appropriated, until
2 July first, nineteen hundred twenty-five (1925), out of any moneys
3 not otherwise appropriated the sum of six thousand five hundred
4 dollars (\$6,500) annually, or so much thereof as may be necessary,
5 for carrying out the provisions of section twenty-four hundred twenty-
6 five (2425) of this supplement, and sections twenty-four hundred
7 twenty-six (2426) to twenty-four hundred twenty-nine (2429), in-
8 clusive, of the compiled code.

That section twenty-four hundred thirty-two-a one (2432-a1) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

1 **SEC. 99. Permanent annual appropriations.** There is hereby appro-
2 priated out of any money in the state treasury not otherwise appro-
3 priated, to the Iowa state teachers college, the sum of two hundred
4 eighty-five thousand dollars (\$285,000) annually hereafter for the
5 following purposes:

6	Teachers' fund	\$139,500.00
7	Summer term fund.....	40,000.00
8	Contingent and repair.....	70,000.00
9	Library	5,000.00
10	Librarian's salary fund.....	8,500.00
11	Hospital fund	2,250.00
12	Extension service fund.....	19,750.00

13 The permanent annual appropriations provided for in this section
14 shall be paid on the order of the Iowa state board of education, in
15 monthly installments beginning July first, of each year, with the ex-
16 ception of the summer term fund, forty thousand dollars (\$40,000.00),
17 which shall be available on July first of each year.

18 This section shall be deemed repealed on and after June thirtieth,
19 nineteen hundred twenty-five (1925).

That section twenty-four hundred forty-a one (2440-a1) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

1 **SEC. 100. Permanent annual appropriations.** There is hereby ap-
2 propriated out of any money in the state treasury not otherwise ap-
3 propriated, to the college for the blind, the sum of forty-one thousand
4 six hundred dollars (\$41,600) annually hereafter for the following
5 purposes:

6	Support fund	\$ 40,000.00
7	Repair and contingent fund.....	1,500.00
8	Oculist fund	100.00

9 The permanent annual appropriations provided for in this section
10 shall be paid on the order of the Iowa state board of education, in
11 monthly installments beginning July first of each year.

12 This section shall be deemed repealed on and after June thirtieth,
13 nineteen hundred twenty-five (1925).

That section twenty-five hundred one-a one (2501-a1) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

1 **SEC. 101. Appropriations for institutes.** To defray the expenses of
2 county teachers' institutes, there is hereby appropriated out of any
3 moneys in the state treasury not otherwise set apart a sum not to
4 exceed fifty dollars (\$50.00) annually for each institute held in each
5 county, which sum the superintendent shall receive from the state
6 treasurer, upon the warrant of the state auditor, to be issued to him
7 upon his certificate; which amount, when drawn, shall be forthwith
8 remitted to the proper county superintendent. If any balance remains
9 of this sum after paying the expenses of the institute, it shall be
10 covered into the county treasury of the proper county and credited
11 to the institute fund.

12 This section shall be deemed repealed on and after June thirtieth,
13 nineteen hundred twenty-five (1925).

That section twenty-six hundred eighteen (2618) of the compiled code of Iowa is amended, revised, and codified to read as follows:

1 **SEC. 102. Appropriation.** For the purpose of carrying out the
2 provisions of this chapter there is hereby appropriated out of any
3 money in the state treasury not otherwise appropriated the sum of
4 one hundred thousand dollars (\$100,000) annually.

5 This section shall be deemed repealed on and after June thirtieth,
6 nineteen hundred twenty-five (1925).

That section twenty-seven hundred seventy-five (2775) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

1 **SEC. 103. Compensation and expenses.** No member of the commis-
2 sion shall ever receive any compensation for services as a member,
3 but the traveling expenses of members in attending meetings of the
4 commission, or in visiting or establishing libraries and other incidental
5 and necessary expenses connected with the work of the commission,
6 shall be paid, including the necessary expense in the maintenance
7 and extension of the traveling library system.

1 **SEC. 104. Appropriation.** There is hereby annually appropriated
2 from any funds in the state treasury not otherwise appropriated, the
3 sum of twelve thousand dollars (\$12,000) to carry into effect the
4 provisions of the last preceding section, and any balance not expended
5 in any one year may be added by the commission to the expenditure
6 for any ensuing year.

7 This section shall be deemed repealed on and after June thirtieth,
8 nineteen hundred twenty-five (1925), at which time any unexpended
9 balance shall be credited to the general fund of the state.

That section twenty-eight hundred sixty-four-a seven (2864-a7) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

1 **SEC. 105. Appropriation.** There is hereby appropriated from any
2 unappropriated funds now or hereafter in the state treasury an amount
3 sufficient to pay the obligations created by this chapter. Said costs
4 shall be paid only on itemized vouchers which shall carry a certifi-
5 cate from the chief engineer of the state highway commission that
6 said improvement has been completed according to contract.

7 This section shall be deemed repealed on and after June thirtieth,
8 nineteen hundred twenty-five (1925).

That section twenty-nine hundred forty-eight (2948) of the compiled code of Iowa, is amended, revised, and codified to read as follows:

1 **SEC. 106. Machinery for counties and highway commission.** The
2 state highway commission, with the consent of the board of super-
3 visors of any county, is authorized to purchase for and on behalf of
4 any such county, road material or road machinery, after receiving
5 competitive bids, and to pay for the same out of such county's allot-
6 ment of the primary fund, and is directed to purchase, rent or lease
7 any machinery or other articles necessary for the use and most eco-

8 nomical operation of field engineering work, the testing of materials,
9 the preparation of plans, and for allied purposes, in order to enable
10 the commission to carry out the provisions of this chapter, and to pay
11 for the same out of the state highway commission maintenance fund.

1 **SEC. 107. Donations by federal government.** Should the govern-
2 ment of the United States provide for free distribution among the
3 states, of machinery or other equipment, suitable for use in road im-
4 provement, the state highway commission is empowered to receive
5 and receipt for such machinery and equipment, and to take such
6 action as will secure to the state the benefit of any such tenders by
7 the federal authorities. Said commission is further authorized, in
8 the event of such distribution to the states by the federal authorities,
9 to make such apportionment of said machinery or other equipment
10 among the counties of the state as in its judgment will best facilitate
11 work in progress or contemplated by any county or counties, but the
12 title and right of possession of such property so received from the
13 federal government shall at all times rest in the state highway com-
14 mission for the use and benefit of the state.

1 **SEC. 108. Appropriation.** The executive council is hereby author-
2 ized to pay the expense, if any, attending the transportation of such
3 machinery or other equipment to the state of Iowa, out of any funds
4 in the state treasury not otherwise appropriated. This section shall
5 be deemed repealed on and after June thirtieth, nineteen hundred
6 twenty-five (1925).

That section thirty hundred eighty-one-a thirteen (3081-a13) of the supplement to the compiled code of Iowa, is amended, revised, and codified to read as follows:

1 **SEC. 109. Appropriation.** There is hereby appropriated, until July
2 first, nineteen hundred twenty-five (1925), out of the funds in the
3 state treasury, not otherwise appropriated, the sum of ten thousand
4 dollars (\$10,000.00) annually, or so much thereof as may be necessary,
5 the same to be expended by the state railroad commission to carry
6 out the provisions of this chapter.

That section fifty hundred forty-four-a one (5044-a1) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

1 **SEC. 110. Appropriation.** There is hereby appropriated, until July
2 first, nineteen hundred twenty-five (1925), out of the funds in the
3 state treasury, not otherwise appropriated, the sum of twenty-five
4 thousand dollars (\$25,000.00) annually, or so much thereof as may
5 be necessary, the same to be expended by the state railroad commis-
6 sion in the preparation and submission of cases involving interstate
7 rates or services affecting Iowa, and in the investigation and determi-
8 nation of all cases within its jurisdiction, and to defray the general
9 expenses of the administration of the duties of the state railroad com-
10 mission.

That section fifty-four hundred thirty-nine-a one (5439-a1) of the supplement to the compiled code of Iowa, is amended, revised, and codified to read as follows:

1 **SEC. 111. Contingent fund.** For the purpose of carrying the
 2 provisions of this chapter into effect, and providing for the payment
 3 of necessary expenses not otherwise provided for, there is hereby
 4 appropriated, until July first, nineteen hundred twenty-five (1925),
 5 as a contingent fund for the use of the secretary of state during each
 6 biennial period the sum of twenty-five hundred dollars (\$2500.00).
 7 Payments from said fund shall be made on order of such secretary by
 8 warrant drawn by the auditor of state against such fund upon the
 9 state treasurer, an itemized statement of expense so incurred to be
 10 filed with the state board of audit.

That section sixty-four hundred seventy-three (6473) of the compiled code of Iowa, is amended, revised, and codified to read as follows:

1 **SEC. 112. How constituted.** The members of the commission shall
 2 be selected with reference to their fitness for the duties required and
 3 at least one of them shall be a competent surveyor and civil engineer.

1 **SEC. 113. Compensation.** They shall receive for their services such
 2 amount as the executive council may deem reasonable, to be certified
 3 by the executive council to the auditor of state, who shall draw his
 4 warrant for the amount, and the same shall be paid out of the general
 5 fund. This section shall be deemed repealed on and after June thir-
 6 tieth, nineteen hundred twenty-five (1925).

That section sixty-four hundred seventy-six (6476) of the compiled code of Iowa, is amended, revised, and codified to read as follows:

1 **SEC. 114. Expenses of survey, appraisement and advertising—how**
 2 **paid.** The expenses of the survey and the appraisement, the expenses
 3 of the secretary of state or the clerk of the state land office in making
 4 the trip into the county to select the commissioners to appraise the
 5 land, the expenses of advertising and readvertising for sale of the
 6 land, and the expenses of reappraising whenever such reappraisement
 7 is deemed necessary, shall be certified by the secretary of state to the
 8 auditor of state, who shall draw his warrant for the amount, and the
 9 same shall be paid out of the general fund. This section shall be
 10 deemed repealed on and after June thirtieth, nineteen hundred twenty-
 11 five (1925).

That sections ninety hundred fifty-six (9056) and ninety hundred fifty-seven (9057) of the compiled code of Iowa are amended, revised, and codified to read as follows:

1 **SEC. 115. Power of special agents.** Special agents appointed by
 2 the governor shall have the rights and powers possessed by special
 3 agents of the department of justice appointed by the attorney general,
 4 and shall give bond in the same amount.

1 **SEC. 116. Salary and expenses.** Special agents appointed by the
 2 governor shall be paid their actual and necessary expenses incurred
 3 in the discharge of their duties, and such salary as the executive
 4 council shall fix. Not more than one special agent may be employed
 5 by the governor for a period in excess of thirty (30) days without
 6 the consent of the executive council.

1 **SEC. 117. Temporary appropriation.** There is appropriated, until
 2 July first, nineteen hundred twenty-five (1925), from any funds in

3 the state treasury not otherwise appropriated, such sum as may be
4 necessary to pay the salaries and expenses of special agents appointed
5 by the governor.

That sections five (5) and six (6) of house file No. ten (10) of the acts of the extra session of the fortieth general assembly, said house file being entitled "An act to amend, revise, and codify chapter six (6) of title two (2) of the compiled code of Iowa and of the supplement to said code, relating to the department of justice and the attorney general and making an appropriation for the expenses provided", are amended, revised, and codified to read as follows:

1 **SEC. 118. Special counsel.** No compensation shall be allowed to any
2 person for services as an attorney or counsellor to any department of
3 the state government, or the head thereof, or to any state board or
4 commission, except in cases specially authorized by law, but the execu-
5 tive council may employ legal assistance, at a reasonable compensation,
6 in any pending action or proceeding to protect the interests of the
7 state, but only upon a sufficient showing, in writing, made by the at-
8 torney general, that his department cannot for reasons stated by him
9 perform said service, which reasons and action of the council shall
10 be entered upon its records. Such compensation shall, until July first,
11 nineteen hundred twenty-five (1925), be payable out of any unappro-
12 priated funds in the state treasury.

1 **SEC. 119. Expenses.** The attorney general and his assistants shall
2 be repaid their actual and necessary expenses incurred in transacting
3 their official duties at places other than the seat of government.

That sections two thousand seven hundred seventy-six (2776) to two thousand seven hundred eighty-one (2781), inclusive, of the compiled code of Iowa, and sections two thousand seven hundred eighty-one-a one (2781-a1) and two thousand seven hundred eighty-one-a two (2781-a2) of the supplement to the compiled code are amended, revised, and codified to read as follows:

1 **SEC. 120. State historical society—duties.** That the state historical
2 society shall be maintained in connection with and under the auspices
3 of the state university of Iowa, for carrying out the work of collecting
4 and preserving materials relating to the history of Iowa and illustra-
5 tive of the progress and development of the state; for maintaining
6 a library and collections, and conducting historical studies and re-
7 searches; for issuing publications, and for providing public lectures
8 of historical character, and otherwise disseminating a knowledge of
9 the history of Iowa among the people of the state.

1 **SEC. 121. Appropriations.** There is hereby appropriated for the
2 use of the state historical society, out of money in the state treasury
3 not otherwise appropriated, annually until July 1, 1925, the sum of
4 forty-four thousand five hundred dollars (\$44,500.00) which shall be
5 payable in quarterly installments upon the order of the board of
6 curators of said society.

1 **SEC. 122. Interpretative clause.** The amendment, revision, and
2 codification of sections eighty-two (82) to one hundred twenty-one
3 (121), inclusive, which embrace appropriations, is for the sole purpose
4 of terminating said existing appropriations at the time indicated, and

5 should any such appropriations as indicated in this act be in excess of
6 those now authorized, they shall be reduced to said amount and in no
7 case shall they be increased.

1 **SEC. 123. Publication clause.** This act being deemed of immediate
2 importance shall take effect and be in full force from and after its
3 publication in the Des Moines News and the Plain Talk, newspapers
4 published in the city of Des Moines, Iowa.

Approved April 25, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines News April 30,
1924, and Plain Talk, Des Moines, May 1, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 5

PRIMARY ELECTIONS

S. F. 21

AN ACT to amend, revise, and codify chapter two (2) of title four (4) of the compiled code of Iowa and of the supplement to said code, relating to nominations by primary elections and conventions; also to amend section three (3) of house file two hundred fifty-eight (258), passed at the extra session of the fortieth general assembly, entitled "An act relating to the nomination and election of officers, employees, and assistants in cities acting under the commission form of government."

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

That chapter two (2) of title four (4) of the compiled code of Iowa and of the supplement to said code is amended, revised, and codified to read as follows:

1 **SECTION 1. Primary election defined.** The term "primary elec-
2 tion" as used in this chapter shall be construed to apply to an election
3 by the members of various political parties:

4 1. For the purpose, of placing in nomination candidates for pub-
5 lic office.

6 2. For selecting delegates to conventions.

7 3. For the selection of party committeemen.

1 **SEC. 2. Political party defined.** The term "political party" shall
2 mean a party which, at the last preceding general election, cast for
3 its candidate for governor at least two per cent (2%) of the total vote
4 cast at said election. A political organization which is not a "political
5 party" within the meaning of this section may nominate candidates
6 and have the names of such candidates placed upon the official ballot
7 by proceeding under chapter three (3) of this title.

1 **SEC. 3. Offices affected by primary.** Candidates of all political
2 parties for all offices which are filled at a regular biennial election
3 by direct vote of the people, except the office of judge of the supreme
4 and district courts, shall be nominated at a primary election at the
5 time and in the manner hereinafter directed.

1 **SEC. 4. Delegates and party committeemen.** Delegates to the
2 county convention of political parties and party county committeemen
3 of such parties shall be elected at said primary election at said times
4 and places.

1 **SEC. 5. Applicable statutes.** The provisions of chapters six (6)
2 and seven (7) of this title and chapter fifty-three (53) of title thirty-
3 three (33) shall apply, so far as applicable, to all said primary elec-
4 tions, except as hereinafter provided.

1 **SEC. 6. Nomination of United States senators.** Senators in the
2 congress of the United States, in case of a full term, shall be nomi-
3 nated in the year preceding the expiration of the term of office of the
4 incumbent. In case of a vacancy, such senators shall be nominated
5 in the year in which occurs the first biennial election following the
6 occurrence of the vacancy.

1 **SEC. 7. Time of holding.** The primary election by all political
2 parties shall be held at the usual voting places of the several pre-
3 cincts on the first Monday in June in each even-numbered year.

1 **SEC. 8. Secretary of state to furnish blanks.** The secretary of
2 state shall, at state expense, furnish blank nomination papers, in the
3 form provided in this chapter, to any qualified elector who desires to
4 petition for the nomination of any candidate, or to any person who
5 intends to be a candidate, for any office for which nomination papers
6 are required to be filed in his office.

1 **SEC. 9. County auditor to furnish blanks.** The county auditor shall,
2 at county expense, perform the duty specified in the preceding sec-
3 tion, as to all offices for which nomination papers are required to be
4 filed in his office.

1 **SEC. 10. Blanks furnished by others.** Blank nomination papers
2 which are in form substantially as provided by this chapter may be
3 used even though not furnished by the secretary of state or county
4 auditor.

1 **SEC. 11. Filing of nomination papers.** Nomination papers in be-
2 half of a candidate shall be filed:

3 1. For an elective county office, in the office of the county auditor
4 at least thirty (30) days prior to the day fixed for holding the primary
5 election.

6 2. For United States senator, for an elective state office, for rep-
7 resentative in congress, and for member of the general assembly, in
8 the office of the secretary of state not more than sixty (60) days nor
9 less than forty (40) days prior to the day fixed for holding said pri-
10 mary election.

1 **SEC. 12. Noting time of filing.** The officer receiving nomination
2 papers for filing shall indorse thereon the day, and time of day, of
3 filing.

1 **SEC. 13. Failure to file nomination papers.** No candidate for any
2 office named in the second preceding section shall have his name
3 printed on the official primary ballot of his party unless nomination
4 papers are filed as therein provided.

1 SEC. 14. **Form of nomination papers.** All nomination papers shall
2 be about eight and one-half (8½) by thirteen (13) inches in size and
3 in substantially the following form:

4 "I, the undersigned, a qualified elector of.....
5 county, and state of Iowa, and a member of the.....
6 party, hereby nominate.....of.....county,
7 state of Iowa, who has affiliated with and is a member of the.....
8party, as a candidate for the office of.....
9 to be voted for at the primary election to be held in June, 19.....".

10 No signatures shall be counted unless they are on sheets each hav-
11 ing such form written or printed at the top thereof.

1 SEC. 15. **Requirements in signing.** The following requirements
2 shall be observed in the signing and preparation of nomination blanks:

3 1. Each signer may sign as many nomination papers for the same
4 office as there are officers to be elected to said office, and no more.

5 2. Each signer shall add his residence, with street and number,
6 if any, and the date of signing.

7 3. All signers, for all nominations, of each separate part of a nom-
8 ination paper, shall reside in the same county.

9 4. When more than one (1) sheet is used, the sheets shall be
10 neatly arranged and securely fastened together before filing, and
11 shall be considered one (1) nomination paper.

12 5. Only one (1) candidate shall be petitioned for or nominated in
13 the same nomination paper.

1 SEC. 16. **Withdrawals and additions not allowed.** A nomination
2 paper, when filed, shall not be withdrawn nor added to, nor any sig-
3 nature thereon revoked.

1 SEC. 17. **Affidavit to nomination papers.** The affidavit of a quali-
2 fied elector, other than the candidate, shall be appended to each such
3 nomination paper, or papers, if more than one (1) for any candidate,
4 stating that he is personally acquainted with all the persons who have
5 signed the same; that he knows them to be electors of that county
6 and believes them to be affiliated with the party named therein; that
7 he knows that they signed the same with full knowledge of the con-
8 tents thereof; that their respective residences are truly stated therein;
9 and that each signer signed the same on the date stated opposite his
10 name.

1 SEC. 18. **Affidavit by candidate.** Every candidate shall make and
2 file an affidavit in substantially the following form:

3 "I,, being duly sworn, say that I
4 reside at.....street, (city or town) of.....
5 county of.....in the state of Iowa; that I am
6 eligible to the office for which I am a candidate, and that the political
7 party with which I affiliate is the.....party; that I
8 am a candidate for nomination to the office of.....
9 to be made at the primary election to be held in June, 19....., and
10 hereby request that my name be printed upon the official primary
11 ballot as provided by law, as a candidate of the.....
12 party. I furthermore declare that if I am nominated and elected I
13 will qualify as such officer.

14 (Signed)

15 Subscribed and sworn to (or affirmed) before me by.....
 16on this.....day of....., 19...
 17
 18 (Name)
 19”
 20 (Official Title)

1 **SEC. 19. Manner of filing affidavit.** The affidavit provided in the
 2 preceding section shall be filed with the nomination papers when such
 3 papers are required; otherwise alone.

1 **SEC. 20. Signatures required.** Nomination papers shall be signed
 2 as follows:

3 1. If for a state office, United States senator, or elector at large,
 4 by at least one per cent (1%) of the voters of the party of such candi-
 5 dates, in each of at least ten (10) counties of the state, and in the
 6 aggregate not less than one-half (1/2) of one per cent (1%) of the
 7 total vote of his party in the state, as shown by the last general
 8 election.

9 2. If for a representative in congress, district elector, or senator
 10 in the general assembly in districts composed of more than one (1)
 11 county, by at least two per cent (2%) of the voters of his party, as
 12 shown by the last general election, in at least one-half (1/2) of the
 13 counties of the district, and in the aggregate not less than one per
 14 cent (1%) of the total vote of his party in such district, as shown by
 15 the last general election.

16 3. If for an office to be filled by the voters of the county, by at
 17 least two per cent (2%) of the party vote in the county, as shown by
 18 the last general election.

19 In each of the above cases, the vote to be taken for the purpose of
 20 computing the percentage shall be the vote cast for the head of the
 21 ticket.

1 **SEC. 21. Candidates for township or precinct office.** The name of
 2 a candidate for an office to be filled by the voters of any subdivision
 3 of a county, including the office of party committeeman, shall be
 4 printed on the official primary ballot of his party:

5 1. If a nomination paper signed by ten (10) qualified voters of
 6 said subdivision is filed in his behalf with the county auditor at least
 7 twenty (20) days prior to such primary election, or

8 2. If the candidate files with the county auditor, twenty (20)
 9 days prior to such primary election, his personal affidavit as provided
 10 by section eighteen (18) of this chapter.

1 **SEC. 22. Nominations certified.** The secretary of state shall, at
 2 least thirty (30) days before a primary election, furnish to each
 3 county auditor a certificate under his hand and seal, which certifi-
 4 cate shall show:

5 1. The name and postoffice address of each person for whom a
 6 nomination paper has been filed in his office, and for whom the voters
 7 of said county have the right to vote at said election.

8 2. The office for which such person is a candidate.

9 3. The political party from which such person seeks a nomination.

10 4. The order in which the names of all candidates for offices to be

11 filled by the voters of the entire state shall be arranged and printed
 12 on the primary ballot in said county.

1 **SEC. 23. Order of names of candidates.** The secretary of state
 2 shall arrange the various counties in the order of the vote cast by
 3 each political party in each county for its candidate for governor at
 4 the last preceding general election, or for the head of the ticket of
 5 any political party when it had no candidate for governor at such
 6 election, numbering the counties consecutively on each list from one
 7 (1) to ninety-nine (99), inclusive, beginning with the county which
 8 cast the largest vote, which shall be numbered "1". He shall then
 9 arrange the surnames of such candidates in alphabetical order for
 10 the respective offices for the several political parties for the first
 11 county on the respective lists; thereafter, for each succeeding county,
 12 the names appearing first for the respective offices in the last preced-
 13 ing county shall be placed last, so that the names that occupied sec-
 14 ond position before the change shall occupy first position after the
 15 change.

1 **SEC. 24. Notice of election.** Such auditor shall, immediately after
 2 receiving said certified matter from the secretary of state, publish a
 3 proclamation of the time of holding the primary election, the hours
 4 during which the polls will be open, the offices for which candidates
 5 are to be nominated and that the primary election will be held in the
 6 regular polling places in each precinct.

1 **SEC. 25. Publication of notice.** Such notice shall appear once each
 2 week for two (2) consecutive weeks before the primary election, in
 3 not to exceed two (2) newspapers of general circulation published
 4 in such county. One (1) of such newspapers shall represent the po-
 5 litical party which cast the largest vote in such county at the last
 6 preceding general election, and the other, if any, shall represent the
 7 political party which cast the next largest vote in such county at such
 8 general election.

1 **SEC. 26. Correction of errors.** The county auditor shall correct
 2 any errors or omissions in the names of candidates and any other
 3 errors brought to his knowledge before the printing of the ballots.

1 **SEC. 27. Ballot—form.** The official primary election ballot shall
 2 be prepared, arranged, and printed substantially in the following form:

3 PRIMARY ELECTION BALLOT

4 (Name of Party)

5 of

6Township or Precinct,Ward, City or
 7 Town of....., County of....., State of Iowa.

8 Primary election held on the.....day of June, 19.....

9 FOR UNITED STATES SENATOR

10 (Vote for one.)

11 William K. Brown

12 J. R. Wayne

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FOR GOVERNOR

(Vote for one.)

- Howard Collins
- William Longley
-

(Followed by other elective state and district officers in order.)

FOR COUNTY AUDITOR

(Vote for one.)

- William Strong
- Robert Thompson
-

(Followed by other elective county officers in order.)

FOR DELEGATES TO COUNTY CONVENTION

(Vote for)

-
-
-
-
-

FOR TOWNSHIP CLERK

(Vote for one.)

- John H. Black
- Joseph Raymond
-

FOR TOWNSHIP TRUSTEES

(Vote for two.)

- Clarence Foster
- William Jones
- H. S. Wilson
-

(Followed by other elective township officers in order.)

FOR PARTY COMMITTEEMAN

(Vote for one.)

- John Doe
- Richard Roe
-

1 **SEC. 28. Printing of ballots.** The ballots of each political party
2 shall be printed in black ink, on separate sheets of paper, uniform in
3 color, quality, texture, and size, with the name of the political party
4 printed at the head of said ballots, which ballots shall be prepared
5 by the county auditor in the same manner as for the general election,
6 except as in this chapter provided.

1 **SEC. 29. Names of state candidates.** The names of candidates for
2 offices to be filled by the voters of the entire state shall be arranged

3 and printed on the primary ballots in the order in which they are
 4 certified by the secretary of state.

1 **SEC. 30. Names of district and county candidates.** The names of
 2 candidates for offices to be filled by the voters of a county, and by the
 3 voters of any district of the state composed of more than one (1)
 4 county, shall be arranged and printed upon the primary election bal-
 5 lots in the following manner: The county auditor shall prepare a list
 6 of the election precincts of his county, by arranging the various town-
 7 ships, towns, and cities in the county in alphabetical order, and the
 8 wards or precincts of each city, town, or township in numerical order
 9 under the name of such city, town, or township. He shall then arrange
 10 the surnames of all candidates for such offices alphabetically for the
 11 respective offices for the first precinct in the list; thereafter, for each
 12 succeeding precinct, the names appearing first for the respective offices
 13 in the last preceding precinct shall be placed last, so that the names
 14 that were second before the change shall be first after the change.

1 **SEC. 31. Names of township or district candidates.** The names of
 2 candidates for all offices to be filled by the voters of a territory smaller
 3 than a county shall be arranged and printed alphabetically according
 4 to the surnames for the respective offices.

1 **SEC. 32. Sample ballots.** The county auditor shall take from the
 2 official printed ballots of each precinct ten (10) ballots of each political
 3 party, and shall write or stamp, in red ink, near the top of each ballot,
 4 the words "sample ballot" and shall sign or stamp his official signature
 5 thereunder. Said ballots shall be delivered to the judges but shall not
 6 be voted, received, or counted. Said judges shall, before the opening
 7 of the polls, cause said sample ballots to be posted in and about the
 8 polling places.

1 **SEC. 33. Judges and clerks.** Judges and clerks of primary elections
 2 shall be selected, appointed, and shall organize, and vacancies shall be
 3 filled, as in case of general elections. Judges are authorized to ad-
 4 minister oaths as hereinafter provided.

1 **SEC. 34. Expenses of primary elections.** The expenses of primary
 2 elections shall be paid in the same manner as expenses of general
 3 elections. The compensation of judges and clerks shall be thirty
 4 cents (30c) per hour.

1 **SEC. 35. Supplies—poll books and ballots.** All necessary election
 2 supplies, including poll books as provided by law for the general elec-
 3 tion, together with a sufficient number of official primary ballots of
 4 each party, shall be furnished for the primary election board for each
 5 precinct by the county auditor.

1 **SEC. 36. Form of poll books.** Such poll books shall contain blank
 2 spaces for the names of the candidates of the several parties for the
 3 different offices to be written in and shall be in substantially the fol-
 4 lowing form:

5			Repub-	Demo-	Prohibi-	
6	No.	Name	lican	crat	tionist	Socialist
7	1	James Smith	X			
8	2	Tom Jones		X		
9	3	Dan Brown			X	
10	4	George White				X

1 **SEC. 37. Designating party affiliation.** It shall be the duty of the
2 clerks of the primary election when entering the name of a voter to
3 place in the poll books a cross, thus (X), in the column designating
4 the party ticket which was given to said voter upon his application
5 for a ticket.

1 **SEC. 38. Australian ballot.** The Australian ballot system as now
2 used in this state, except as herein modified, shall be used at said
3 primary election. The indorsement of the judges and the facsimile
4 of the auditor's signature shall appear upon the ballots as provided
5 for general elections.

1 **SEC. 39. Opening of polls.** In cities where registration is required,
2 the polls shall be open from seven (7) o'clock a. m. to eight (8) o'clock
3 p. m., and in all other precincts from nine (9) o'clock a. m. to eight
4 (8) o'clock p. m.

1 **SEC. 40. Voter confined to party ticket.** The elector shall be allowed
2 to vote for candidates for nomination on the ballot of the party with
3 which he is registered as affiliated, and shall receive no other ballot.
4 The voter shall return the ballot, folded, to one of the judges who shall
5 deposit it in the ballot box.

1 **SEC. 41. Ballot for another party's candidate.** If any primary
2 elector write upon his ticket the name of any person who is a candi-
3 date for the same office upon some other party ticket than that upon
4 which his name shall be so written, such ballot shall be so counted for
5 such person only as a candidate of the party upon whose ballot his
6 name is written, and shall in no case be counted for such person as a
7 candidate upon any other ticket.

1 **SEC. 42. Records of party affiliation.** The official records of party
2 affiliation now existing in the office of the several county auditors of
3 the state shall be used in the primary election of nineteen hundred
4 twenty-four (1924). Prior to all subsequent primary elections, the
5 county auditor shall, for each precinct, prepare two (2) alphabetically
6 arranged lists of all voters, with their party affiliation, as shown
7 by the poll books of the last preceding primary election, and deliver
8 the same to the judges at least one (1) day prior to each primary
9 election. All such lists shall, with the poll books, be returned by the
10 judges to the auditor.

1 **SEC. 43. Change of party affiliation.** Any elector, who, having
2 declared his party affiliation, desires to change the same, may, not less
3 than ten (10) days prior to the date of any primary election, file a
4 written declaration with the county auditor stating his change of
5 party affiliation, and the auditor shall enter a record of such change
6 on the poll books of the last preceding primary election in the proper
7 column opposite the voter's name and on the voting list.

1 **SEC. 44. New voters.** Any elector whose party affiliation has not,
2 for any reason, been registered, or any elector who has changed his
3 residence to another precinct, or a first voter or citizen of this state
4 casting his first vote in this state, shall be entitled to vote at any pri-
5 mary election by declaring his party affiliation at the time of voting.

1 **SEC. 45. Challenges.** Each political party shall be entitled to have
2 two (2) party challengers present at each polling place, to be ap-

3 pointed by the respective party committeemen. Any judge or clerk
4 of the primary election or any party challenger may challenge any
5 voter upon the grounds mentioned in section four hundred forty-three
6 (443) and such challenge shall be determined as there provided.

1 **SEC. 46. Change of affiliation—challenge.** Any elector whose party
2 affiliation has been recorded as provided by this chapter, and who
3 desires to change his party affiliation on the primary election day,
4 shall be subject to challenge. If the person challenged insists that
5 he is entitled to vote the ticket of the political party to which he has
6 transferred his political affiliation and the challenge is not withdrawn,
7 one of the judges shall tender to him the following oath: "You do
8 solemnly swear (or affirm) that you have in good faith changed your
9 party affiliation to and desire to be a member of the.....
10 party." If he take such oath he shall thereupon be given a ticket of
11 such political party and the clerks of the primary election shall change
12 his enrollment of party affiliation accordingly.

1 **SEC. 47. Counting ballots and preparing returns.** Upon the closing
2 of the polls the judges and clerks shall immediately:

3 1. Place the ballots of the several political parties in separate piles.

4 2. Separately count the ballots of each party, and make the correct
5 entries thereof on the tally sheets.

6 3. Certify to the number of votes cast upon the ticket of each
7 political party for each candidate for each office.

8 4. Seal the ballots cast on behalf of each of the parties in separate
9 envelopes, and on the outside of such envelope write or print the names
10 of said party's candidates for all offices and opposite each name enter
11 the number of votes cast for such candidate in said precinct.

12 5. Seal all the envelopes of all political parties in one (1) large
13 envelope and on the outside thereof, or on a paper attached thereto,
14 enter the number of votes cast by each party in said precinct.

15 6. Seal the poll books, containing the tally sheets and certificates
16 of the election judges, in an envelope, on the outside of which are
17 written or printed in perpendicular columns the names of the several
18 political parties with the names of the candidates for the different
19 offices under their party name, and opposite each candidate's name
20 enter the number of votes cast for such candidate in said precinct.

21 7. Enter at the bottom of each party column on said envelope the
22 total vote cast by said party in said precinct.

1 **SEC. 48. Delivering returns.** Said judges and clerks shall deliver
2 said poll books, tally sheets, certificates, envelopes containing ballots,
3 and all unused supplies to the county auditor within twenty-four (24)
4 hours after the close of the polls. Said auditor shall carefully pre-
5 serve said returns and envelopes in the condition in which received
6 and deliver them to the county board of canvassers.

1 **SEC. 49. Messenger sent for returns.** If the returns from any pre-
2 cinct are not delivered as provided in the preceding section, the county
3 auditor shall forthwith send a messenger for any such missing returns,
4 and said messenger shall be paid as provided for such services in the
5 general election law.

1 **SEC. 50. Elector may ascertain vote cast.** Any elector of the county
2 shall have the right, before the day fixed for canvassing the returns,

3 to ascertain the vote cast for any candidate in any precinct in the
4 county, as shown on the outside of the envelope containing the poll
5 books.

1 **SEC. 51. Canvass by county board of canvassers.** On the second
2 Tuesday next following the primary election, the board of supervisors
3 shall meet, open, and canvass the returns from each voting precinct
4 in the county, and make abstracts thereof, stating in words written at
5 length:

6 1. The number of ballots cast in the county by each political party,
7 separately, for each office.

8 2. The name of each person voted for and the number of votes
9 given to each person for each different office.

1 **SEC. 52. Signing and filing of abstract.** The members of the board
2 shall sign said abstracts and certify to the correctness thereof, and file
3 the same with the county auditor.

1 **SEC. 53. Finality of canvass.** Such canvass and certificate shall be
2 final as to all candidates for nomination to any elective county office
3 or office of a subdivision of a county.

1 **SEC. 54. Who nominated for county office.** The candidate or candi-
2 dates of each political party for each office to be filled by the voters of
3 the county having received the highest number of votes, and not less
4 than thirty-five per cent (35%) of all the votes cast by the party for
5 such office, shall be duly and legally nominated as the candidate of
6 his party for such office, except that no candidate whose name is not
7 printed on the official ballot who receives less than ten per cent (10%)
8 of the whole number of votes cast in the county for governor on the
9 party ticket with which he affiliates, at the last general election, shall
10 be declared to have been nominated to any such office.

1 **SEC. 55. Who nominated for township office.** The candidate or
2 candidates of each political party for each office to be filled by the
3 voters of any subdivision of a county having received the highest
4 number of votes shall be duly and legally nominated as the candidate
5 of his party for such office, except that no candidate whose name is
6 not printed on the official primary ballot, who receives less than five
7 per cent (5%) of the votes cast in such subdivision for governor on
8 the party ticket with which he affiliates, at the last general election,
9 nor less than five (5) votes, shall be declared to have been nominated
10 to any such office.

1 **SEC. 56. Nominee's right to place on ballot.** Each candidate so
2 nominated shall be entitled to have his name printed on the official
3 ballot to be voted for at the general election without other certificate.

1 **SEC. 57. Nominee certified.** The said canvassing board shall sep-
2 arately prepare and certify a list of the candidates of each party so
3 nominated. It shall deliver to the chairman of each party central
4 committee for the county a copy of the list of candidates nominated
5 by the party he represents; and shall also certify and deliver to such
6 chairman a list of the offices to be filled by the voters of a county for
7 which no candidate of his party was nominated because of the failure
8 of any candidate for any such office to receive the legally required
9 number of votes, together with the names of the candidate for each

10 of such offices voted for at the primary election and the number of
11 votes received by each of such candidates.

1 **SEC. 58. Recount of ballots.** Any candidate whose name appears
2 upon the official primary ballot of any voting precinct may require
3 the board of supervisors of the county in which such precinct is situ-
4 ated to recount, at the time fixed for canvassing the returns of the
5 judges of election, the ballots cast in any such precinct as to the office
6 for which he was a candidate, by filing with the county auditor not
7 later than the day before such meeting, a showing in writing, duly
8 sworn to by such candidate, that fraud was committed, or error or
9 mistake made, in counting or returning the votes cast in any such
10 precinct as to the office for which he was a candidate.

1 **SEC. 59. Showing must be specific.** The showing for such recount
2 must be specific, and from it there must appear reasonable ground
3 to believe that a recount of the ballots would produce a result as to
4 the applicant's candidacy different from the returns made by the
5 judges.

1 **SEC. 60. Recount granted.** If such showing is made to the satis-
2 faction of the board, it shall thereupon recount the ballots cast in any
3 such precinct for the office for which the contestant was a candidate,
4 and if the result reached by the board on the recount of the ballots
5 as to such office be different from that returned by the judges of elec-
6 tion, it shall be substituted therefor as the true and correct return and
7 so regarded in all subsequent proceedings. The action of the board
8 shall be final and no other contest of any kind shall be permitted.

1 **SEC. 61. Candidate defined.** The term "candidate" as used in the
2 three (3) preceding sections shall include and apply to persons voted
3 for as delegates and party committeemen.

1 **SEC. 62. Abstracts to secretary of state.** The county board of
2 canvassers shall also make a separate abstract of the canvass as to
3 the following offices and certify to the same and forthwith forward
4 it to the secretary of state, viz.:

- 5 1. United States senator.
- 6 2. All state offices.
- 7 3. Representative in congress.
- 8 4. Senators and representatives in the general assembly.

1 **SEC. 63. Returns filed and abstracts recorded.** When the canvass
2 is concluded, the board shall deliver the original returns to the auditor,
4 who shall file the same and record each of the abstracts above men-
5 tioned in the election book.

1 **SEC. 64. Proceedings to be published.** The published proceedings
2 of the canvassing board shall be confined to a brief statement of:

- 3 1. The names of the candidates nominated by the electors of the
4 county or subdivision thereof and the offices for which they are so
5 nominated.
- 6 2. The offices for which no nomination was made by a political
7 party participating in the primary, because of the failure of the can-
8 didate to receive the legally required number of votes cast by the party
9 for such office.

1 **SEC. 65. Canvass by state board.** On the second Monday after the
2 June primary election, the executive council shall meet as a canvassing
3 board, and open and canvass the abstract returns received from each
4 county in the state. The board shall make an abstract of its canvass,
5 stating in words written at length, the number of ballots cast by each
6 political party, separately, for each office designated in the abstracts
7 forwarded to the secretary of state, the names of all the persons
8 voted for, and the number of votes received by each person for each
9 office, and shall sign and certify thereto.

1 **SEC. 66. State canvass conclusive.** The canvass and certificates by
2 the state board of canvassers shall be final as to all candidates named
3 therein.

1 **SEC. 67. Who nominated.** The candidate of each political party for
2 each office to be filled by vote of the people having received the high-
3 est number of votes in the state or district of the state, as the case
4 may be, provided he received not less than thirty-five per cent (35%)
5 of all the votes cast by the party for such office, shall be duly and
6 legally nominated as the candidate of his party for such office, except
7 as provided in the following section.

1 **SEC. 68. Minimum requirement for nomination.** A candidate whose
2 name is not printed on the official ballot, must, in order to be nomi-
3 nated, receive such number of votes as will equal at least ten per cent
4 (10%) of the whole number of votes cast for governor at the last
5 general election in the state, or district of the state, as the case may
6 be, on the ticket of the party with which such candidate affiliates.

1 **SEC. 69. Nominee's right to place on ballot.** Each candidate so
2 nominated shall be entitled to have his name printed on the official
3 ballot to be voted at the general election without other certificate.

1 **SEC. 70. Certified list of nominees.** The state board of canvassers
2 shall prepare and certify separate lists of the candidates nominated
3 by each party, as shown by the state canvass, and deliver to the chair-
4 man of each party central committee for the state a copy of the list
5 of candidates nominated by the party which said chairman represents.

1 **SEC. 71. Certificates in case of failure to nominate.** Said state
2 board shall, at once after completing its canvass, prepare separate
3 certificates for each political party as to each office for which no can-
4 didate was nominated because of the failure of any candidate for any
5 such office to receive the legally required number of votes cast by such
6 party for such office. Such certificates shall show the names of the
7 several candidates for each of such offices voted for at the primary
8 election and the number of votes received by each of said candidates.

1 **SEC. 72. Delivery of certificates.** The certificate provided in the
2 last preceding section shall be sent:

3 1. To the chairman of the state central committee of said party,
4 in case of offices to be filled by the voters of the entire state.

5 2. To the chairman, if known, of the district central committee
6 of said party, and to each county auditor, in case of offices to be filled
7 by the voters of any district of the state composed of more than one
8 (1) county.

9 3. To the chairman of the county central committee of said party,
10 and to the county auditor, in case of offices to be filled by the voters
11 of a district of the state composed of one (1) county.

1 SEC. 73. **Messenger sent for abstracts.** If returns of abstracts have
2 not been received by the state canvassing board from all the counties
3 by the time fixed for such state canvass, the secretary of state shall
4 immediately send a messenger after said missing abstracts, and the
5 said board may adjourn from time to time until said abstracts are
6 received.

1 SEC. 74. **State returns filed and recorded.** When the canvass is
2 concluded, the board shall deliver the original abstract returns to the
3 secretary of state, who shall file the same in his office and record the
4 abstracts of the canvass of the state board and certificates attached
5 thereto in the book kept by him known as the election book.

1 SEC. 75. **Secretary of state to certify nominees.** Not less than
2 fifteen (15) days before the general election the secretary of state
3 shall certify to the auditor of each county, under separate party head-
4 ings, the name of each person nominated as shown by the official can-
5 vass made by the executive council, or as certified to him by the proper
6 persons when any person has been nominated by a convention or by
7 a party committee, or by petition, his place of residence, the office
8 to which he is nominated, and the order in which the tickets of the
9 several political parties shall appear on the official ballot.

1 SEC. 76. **Certificate in case of additional nominations.** If, after the
2 foregoing certificate has been forwarded, other authorized nominations
3 are certified to the secretary of state, including nominations to be
4 voted on at any time at a special election, said secretary shall at once,
5 in the form provided in the preceding section, certify said nominations
6 to the county auditors with a statement showing the reason therefor.

1 SEC. 77. **Tie vote.** In case of a tie vote resulting in no nomination
2 for any office, or election of delegates or party committeeman, the tie
3 shall forthwith be determined by lot by the board of canvassers, or
4 judges of election, as the case may be.

1 SEC. 78. **Vacancies in nominations prior to convention.** Vacancies
2 in nominations made in the primary election when such vacancies occur
3 before the holding of the county, district, or state convention, shall
4 be filled:

5 1. By the county convention if the office in which the vacancy oc-
6 curs is to be filled by the voters of the county.

7 2. By a district convention if the office in which the vacancy occurs
8 is to be filled by the voters of a district composed of more than one
9 (1) county.

10 3. By the state convention if the office in which the vacancy occurs
11 is to be filled by the voters of the entire state.

1 SEC. 79. **Failure of convention to fill.** If the convention does not
2 fill such vacancy, the same shall, except in case of vacancy in the
3 office of United States senator, be filled by the party central commit-
4 tee for the county, district, or state as the case may be.

1 SEC. 80. **Vacancies in nominations subsequent to convention.** Va-
2 cancies in nominations made in the primary election when such vacan-

3 cies occur after the holding of a county, district, or state convention,
4 shall, except as provided in the next section, be filled by the party
5 central committee for the county, district, or state as the case may be.

1 **SEC. 81. Vacancies in nomination of United States senator.** Vacan-
2 cies in nominations made in the primary election, for office of United
3 States senator, when such vacancy occurs after the holding of the
4 state convention or too late to be filled by said convention and thirty
5 (30) days prior to the holding of the regular November election, shall
6 be filled by a state convention. For this purpose, the chairman of the
7 party's state central committee shall, within ten (10) days after said
8 vacancy occurs, reconvene the delegates to the last preceding state
9 convention.

1 **SEC. 82. Vacancies in office prior to convention.** Nominations occa-
2 sioned by vacancies in office when such vacancies occur too late for the
3 filing of nomination papers for candidates in the primary election, and
4 before the holding of the county, district, or state convention, shall
5 be made by the convention which has jurisdiction to make nominations
6 for the office in question.

1 **SEC. 83. Vacancies in office subsequent to convention—United States**
2 **senator.** Nominations occasioned by vacancies in office when such va-
3 cancies occur after the holding of the county, district, or state conven-
4 tion, or when they occur before said convention but too late to be made
5 thereby, shall be made by the party central committee for the county,
6 district, or state, as the case may be, except that when the vacancy
7 is in the office of senator of the United States, and occurs thirty (30)
8 days prior to the holding of the regular November election, nomination
9 shall be made by convention as provided in case of vacancies in nomi-
10 nations for such office.

1 **SEC. 84. Vacancies in office of representative in congress or state**
2 **senator.** A nomination to be voted on at a special election and occa-
3 sioned by a vacancy in the office of representative in congress, or
4 senator in the general assembly for a district composed of more than
5 one county, shall be made by a convention duly called by the district
6 central committee.

1 **SEC. 85. Vacancies in office of state senator or representative.** A
2 nomination to be voted on at a special election and occasioned by a
3 vacancy in the office of representative in the general assembly, or of
4 a senator in such assembly for a district composed of one county, shall
5 be made by the county central committee.

1 **SEC. 86. When county convention reconvened.** When a nomination
2 is directed to be made by a district convention composed of more than
3 one county, and the county convention in any county of the district
4 has adjourned without selecting delegates to such convention, the
5 county convention shall be reconvened for the purpose of making such
6 selection.

1 **SEC. 87. Committee may call convention.** A party central commit-
2 tee empowered to make a nomination to fill a vacancy, either in a
3 nomination authorized to be made at the primary or to fill a vacancy
4 in office, may in lieu of exercising such right, call a convention to make
5 such nomination.

1 **SEC. 88. Vacancies in nominations and in offices for subdivisions of**
2 **county.** Vacancies in nominations made in the primary election, and
3 nominations occasioned by vacancies in offices, when such offices are
4 to be filled by a territory smaller than a county shall be filled by the
5 members of the party committee for the county from such subdivision.

1 **SEC. 89. Certification of vacancy nominations.** Nominations made
2 in case of vacancies, and nominations made by state, district, and
3 county conventions, shall, under the name, place of residence, and
4 postoffice address of the nominee, and the office to which he is nomi-
5 nated, and the name of the political party making the nomination, be
6 forthwith certified to the proper officer by the chairman and secretary
7 of the convention, or by the committee, as the case may be, and if
8 such certificate is received in time, the names of such nominees shall
9 be printed on the official ballot the same as if the nomination had been
10 made in the primary election.

1 **SEC. 90. County convention.** Each political party shall hold a
2 county convention at the county seat on the fourth Saturday following
3 each primary election, which convention shall convene at eleven (11)
4 o'clock a. m.

1 **SEC. 91. Delegates—committee to fix number.** Said county conven-
2 tion shall be composed of delegates elected at the last preceding pri-
3 mary election. The number of delegates from each voting precinct
4 shall be determined by a ratio adopted by the respective party county
5 central committees, and a statement designating the number from
6 each voting precinct in the county shall be filed by such committee
7 in the office of the county auditor at least thirty (30) days before the
8 primary election; if not so done, the auditor shall fix the number.

1 **SEC. 92. Election of delegates.** The requisite number of names of
2 candidates of his choice for delegates to the county convention to
3 which each precinct is entitled shall be written, or pasted with uniform
4 white pasters, on the blank lines upon the ballot, by the voter while
5 in the booth, or by someone designated by a voter unable to write,
6 after the ballots are received and before they are deposited, and the
7 requisite number of persons from each precinct who receive the high-
8 est number of votes shall be the delegates from the precinct to the
9 county convention.

1 **SEC. 93. Returns as to delegates and committeeman.** Returns shall
2 be made by the judges of election respecting delegates and members
3 of the county central committee in the same manner as for other
4 offices, except that the judges of election shall canvass the returns
5 as to delegates and members of the county central committee, and
6 certify the result to the auditor with the returns.

1 **SEC. 94. Notification and certificate as to delegates.** The auditor
2 shall, immediately after the final count and canvass of the votes and
3 returns by the board of supervisors, notify the delegates and members
4 of the county central committee who have thus been elected, of their
5 election, and of the time and place of holding the county convention,
6 and shall on the second Thursday following the primary election, de-
7 liver a certified list thereof to the chairmen of the respective party
8 central committees for the county.

1 **SEC. 95. Term of office of delegates.** The term of office of such
2 delegates shall begin on the day following the final canvass of the votes
3 by the board of supervisors, and shall continue for two (2) years and
4 until their successors are elected.

1 **SEC. 96. Calling convention to order—list of offices.** When the
2 delegates, or a majority thereof, or when delegates representing a
3 majority of the precincts, thus elected, shall have assembled in the
4 county convention, the convention shall be called to order by the chair-
5 man of the county central committee, who shall present the certified
6 list of delegates and members of the county central committee, and
7 a list of the offices for which no nomination was made at the primary
8 election by reason of the failure of any candidate for any such office
9 to receive the legally required number of all votes cast by such party
10 therefor.

1 **SEC. 97. Proxies prohibited.** If any precinct shall not be fully
2 represented the delegates present from such precinct shall cast the full
3 vote thereof, and there shall be no proxies.

1 **SEC. 98. Duties performable by county convention.** The said county
2 convention shall:

3 1. Make nominations of candidates for the party for any office to
4 be filled by the voters of a county when no candidate for such office
5 has been nominated at the preceding primary election by reason of the
6 failure of any candidate for any such office to receive the legally re-
7 quired number of votes cast by such party therefor.

8 2. Make nominations in those cases where a nomination made in
9 the primary election has become vacant before the convening of the
10 convention.

11 3. Make nominations to fill vacancies in office occurring too late
12 to file nomination papers in the primary election.

13 4. Elect delegates to the next ensuing regular state convention,
14 to the state judicial convention, and to all district conventions of that
15 year, including judicial district convention, upon such ratio of repre-
16 sentation as may be determined by the party organization for the
17 state, district or districts of the state, as the case may be. Delegates
18 to district conventions need not be selected in the absence of any
19 apparent reason therefor.

20 5. Elect a member of the party central committee for the sena-
21 torial and congressional districts composed of more than one (1)
22 county.

23 6. Elect the member, or members, of the judicial district central
24 committee as required by the law relative to the nomination and elec-
25 tion of supreme, district, and superior judges.

1 **SEC. 99. Nominations prohibited.** In no case shall the county con-
2 vention make a nomination for an office for which no person was voted
3 for in the primary election of such party, except nominations to fill
4 vacancies in office when such vacancies occurred too late for the filing
5 of nomination papers.

1 **SEC. 100. Party committeeman and term of office.** A man member
2 and a woman member of the county central committee for each politi-
3 cal party shall, at said primary election, be elected from each precinct.
4 The term of office of a member shall begin immediately following the

5 adjournment of the county convention and shall continue for two (2)
 4 years and until his or her successor is elected and qualified, unless
 5 sooner removed by the county central committee for inattention to
 6 duty, incompetency, or failure to support the ticket nominated by the
 7 party which elected such member.

1 **SEC. 101. Organization of central committee.** The county central
 2 committee elected in the primary election shall organize on the day
 3 of the convention, immediately following the same. Vacancies in such
 4 committee may be filled by majority vote of the committee, but no
 5 two members thereof from the same precinct shall be of the same sex.

1 **SEC. 102. District convention.** Each political party shall hold a
 2 senatorial or congressional convention in districts composed of more
 3 than one county:

4 1. When no nomination was made in the primary election for the
 5 office of senator in the general assembly, or of representative in con-
 6 gress, as the case may be, because of the failure of any candidate to
 7 receive the legally required number of votes cast by his party for
 8 such candidates.

9 2. When a vacancy exists in a nomination made in the primary
 10 election.

11 3. When a nomination is required to fill a vacancy in either of said
 12 offices, and when said vacancy occurred after said primary election,
 13 or if before said election, too late for the filing of nomination papers.

1 **SEC. 103. Call for district convention.** The district central com-
 2 mittee, through its chairman, shall as soon as practicable after the
 3 necessity for such convention is known, issue a call for such senatorial
 4 or congressional convention, and immediately file a copy thereof with
 5 each county auditor in the district. Said call shall state the number
 6 of delegates to which each county will be entitled, the time and place
 7 of holding the convention, and the purpose thereof.

1 **SEC. 104. Duty of county auditor.** The county auditor, in case the
 2 district delegates for his county have not been selected, shall deliver
 3 a copy of said call to the chairman of the convention which selects said
 4 delegates.

1 **SEC. 105. Organization and procedure.** The organization of a dis-
 2 trict convention and the procedure therein shall be substantially the
 3 same as in the state convention.

1 **SEC. 106. Nominations authorized.** The convention when organized
 2 shall make nominations to meet any of the conditions named in the
 3 fourth preceding section.

1 **SEC. 107. Nominations prohibited.** In no case shall any district
 2 convention of a party make a nomination for an office for which no
 3 person was voted for in the primary election of such party, except
 4 nominations to fill vacancies in office when such vacancies occurred
 5 too late for the filing of nomination papers.

1 **SEC. 108. State convention.** Each political party shall, not earlier
 2 than the first nor later than the fifth Wednesday following the county
 3 convention, hold a state convention at such time and place as may be
 4 determined by party organization.

1 **SEC. 109. Organization—proxies prohibited.** The convention shall
2 be called to order by the chairman of the state central committee,
3 who shall thereupon present a list of delegates, as certified by the
4 various county conventions, and effect a temporary organization.
5 If any county shall not be fully represented, the delegates present
6 from such county shall cast the full vote thereof, and there shall
7 be no proxies.

1 **SEC. 110. Nominations authorized.** Said state convention shall
2 make nominations of candidates for the party for any office to be
3 filled by the voters of the entire state:

4 1. When no candidate for such office has been nominated at the
5 preceding primary election by reason of the failure of any candidate
6 for any such office to receive the legally required number of votes
7 cast by such party therefor.

8 2. When a vacancy exists in a nomination made in the primary
9 election.

10 3. When a nomination is required to fill a vacancy in an office
11 and when such vacancy occurred after the primary election, or if
12 before such election, too late for the filing of nomination papers.

13 3a. Presidential electors in those years when presidential candi-
14 dates are to be voted on.

15 4. In all cases otherwise provided by law.

1 **SEC. 111. Nominations prohibited.** In no case shall the state con-
2 vention of a party make a nomination for an office for which no
3 person was voted for in the primary election of such party, except
4 nominations to fill vacancies in office when such vacancies occurred
5 too late for the filing of nomination papers.

1 **SEC. 112. State central committee—platforms.** Said conventions
2 shall elect a state central committee consisting of one man and of
3 one woman from each congressional district, adopt state platforms,
4 and transact such other business as may properly be brought before
5 it. The state central committee elected at said state convention may
6 organize at pleasure for political work as is usual and customary with
7 such committees, and shall continue to act until succeeded by another
8 committee duly elected.

1 **SEC. 113. Primary elections in certain cities.** This chapter shall,
2 so far as applicable, govern the nominations of candidates by political
3 parties for all offices to be filled by a direct vote of the people in cities
4 of the first class and cities acting under a special charter having a
5 population of over fifteen thousand (15,000), except all such cities
6 as adopt a plan of municipal government which specifically provides
7 for a nonpartisan primary election.

1 **SEC. 114. Duty of city and town officers.** The duties devolving
2 upon the county auditor and board of supervisors, by this chapter,
3 shall, in municipal elections, devolve upon the city auditor and city
4 council, respectively. Said council shall meet to perform said duties
5 within two (2) days next following the primary election.

1 **SEC. 115. Time of holding municipal primary.** Municipal primaries
2 shall be held on the last Monday in February of the year in which
3 general municipal elections are held.

1 SEC. 115-a1. That section three of House File two hundred fifty-
2 eight (258) passed at the extra session of the fortieth general assem-
3 bly, is hereby amended by striking out of the second line thereof the
4 word "Monday" and by inserting in lieu thereof the word "Tuesday".

1 SEC. 116. **Percentage of signers in municipal primary.** The per-
2 centage of voters signing petitions required for printing the name of
3 a candidate upon the official primary ballot shall be the same as is
4 required of a candidate for a county office and shall be based upon
5 the vote cast for mayor by the respective parties in the preceding
6 city election.

1 SEC. 117. **Certain names not printed on ballots.** The names of
2 candidates for ward aldermen, for city precinct committeemen and
3 for delegates to the city convention, shall not be printed upon the
4 official primary ballot but in each case a blank line or lines shall be
5 provided therefor.

1 SEC. 118. **When plurality vote nominates and elects.** A plurality
2 shall nominate the party candidate for alderman and a plurality shall
3 elect the precinct committeemen and delegates to the city convention.

1 SEC. 119. **Expense of municipal primary.** The entire expense of
2 conducting said municipal primary election shall be audited by the city
3 council and paid by the city.

1 SEC. 120. **Misconduct of election officials—penalty.** Any party com-
2 mitteeman or any primary election officer or public officer upon whom
3 a duty is imposed by this chapter or by chapters herein made ap-
4 plicable, who shall wilfully neglect to perform any such duty, or who
5 shall wilfully perform it in such a way as to hinder the objects thereof,
6 or shall disclose to anyone, except as may be ordered by any court of
7 justice, the manner in which a ballot may have been voted, shall be
8 punished by a fine of not less than one hundred dollars (\$100.00) nor
9 more than one thousand dollars (\$1,000.00), or by imprisonment in
10 the penitentiary not to exceed five (5) years, or by both such fine and
11 imprisonment.

1 SEC. 121. **Bribery—illegal voting.** Whoever is guilty of any of
2 the following acts shall be fined not less than one hundred dollars
3 (\$100.00) nor more than five hundred dollars (\$500.00), or be impris-
4 oned in the county jail not less than thirty (30) days nor more than
5 six (6) months, to wit:

6 1. Offering or giving a bribe, either in money or other considera-
7 tion, to any elector for the purpose of influencing his vote at a primary
8 election.

9 2. Receiving and accepting such bribe by an elector entitled to
10 vote at any primary election.

11 3. Making false answers to any of the provisions of this chapter
12 relative to his qualifications and party affiliations.

13 4. Wilfully voting or offering to vote at a primary election by one
14 who has not been a resident of this state for six (6) months next
15 preceding said primary election, or who is not twenty-one (21) years
16 of age, or who is not a citizen of the United States.

17 5. Wilfully voting or offering to vote at a primary election by
18 one who knows himself not to be a qualified elector of the precinct
19 where he votes or offers to vote.

20 6. Violating any provision of this chapter, or any provision of
21 law made applicable to this chapter.

22 7. Knowingly procuring, aiding, or abetting any violation specified
23 in this section.

1 **SEC. 122. Nominations by petition.** This chapter shall not be con-
2 strued to prohibit nomination of candidates for office by petition as
3 hereafter provided in this title, but no person so nominated shall be
4 permitted to use the name of any political party authorized or entitled
5 under this chapter to nominate a ticket by primary vote, or that has
6 nominated a ticket by primary vote under this chapter.

1 **SEC. 123. Publication clause.** This act being deemed of immediate
2 importance shall be in full force and effect from and after its publi-
3 cation in the Des Moines Capital and the Des Moines Register, news-
4 papers published in the city of Des Moines, Iowa.

Approved March 27, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Register March 31,
1924, and the Des Moines Capital March 31, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 6

CORPORATIONS

S. F. 201

AN ACT to amend, revise, and codify sections fifty-three hundred forty-five (5345),
fifty-four hundred forty-four (5444), fifty-four hundred forty-eight (5448),
and fifty-four hundred fifty-three (5453) of the compiled code of Iowa, and
sections fifty-three hundred thirty-one (5331) and fifty-three hundred sixty-
seven (5367) of the supplement to the compiled code, relating to corporations.

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

That sections fifty-three hundred forty-five (5345), fifty-four hundred
forty-four (5444), of the compiled code of Iowa, are amended, revised,
and codified to read as follows:

1 **SEC. 1. Certain corporations exempted.** Nothing in this chapter
2 shall be construed as imposing an annual fee or requiring a report
3 from any corporation organized for religious, educational, scientific,
4 or charitable purposes or other corporations not organized for pe-
5 cuniary profit, or from any corporation engaged in the banking or
6 loan and trust business, nor from insurance companies or associations
7 who have paid or have been exempted from the taxes provided in
8 sections forty-five hundred seventeen (4517) and forty-five hundred
9 twenty-one (4521), of the compiled code of Iowa, and received a cer-
10 tificate of authority from the commissioner of insurance.

That section five thousand four hundred forty-eight (5448), of the com-
piled code of Iowa, is amended, revised, and codified to read as follows:

1 **SEC. 2. Power to confer degrees.** Any corporation of an academical
2 character may confer the degrees usually conferred by such an in-
3 stitution.

That section fifty-four hundred fifty-three (5453) of the compiled code of Iowa, is amended, revised, and codified to read as follows:

1 **SEC. 3. Amendment of articles—corporation not for profit.** Any
 2 corporation organized under this chapter may change its name or
 3 amend its articles of incorporation by a vote of a majority of the mem-
 4 bers, in such manner as may be provided in its articles, but if no such
 5 provision is made in the articles the same may be amended at any
 6 regular meeting or special meeting called for that purpose by the
 7 president or secretary or a majority of the board of directors. Notice
 8 of any meeting at which it is proposed to amend the articles of incor-
 9 poration, shall be given by mailing to each member at his last known
 10 post office address at least ten days prior to such meeting, a notice
 11 signed by the secretary setting forth the proposed amendments in
 12 substance, or by two publications of said notice in some daily or weekly
 13 newspaper in general circulation in the county wherein said corpora-
 14 tion has its principal place of business. The last publication of said
 15 notice shall be not less than ten days prior to the date of said meeting.
 16 If the trustees, directors or managers of such corporation are ap-
 17 pointed by two or more synods, conferences, associations or other
 18 ecclesiastical bodies, such change or amendment shall not be made
 19 without the concurrence of a majority of those appointed by each such
 20 body.

That section fifty-three hundred thirty-one (5331) of the supplement to the compiled code of Iowa, is amended, revised, and codified to read as follows:

1 **SEC. 4. Limit of indebtedness.** Such articles must fix the highest
 2 amount of indebtedness or liability to which the corporation is at any
 3 one time to be subject, which in no case, except risks of insurance
 4 companies, and liabilities of banks not in excess of their available
 5 assets, not including their capital, shall exceed two-thirds of its capi-
 6 tal stock.

1 **SEC. 5.** The provisions of the last preceding section shall not apply:
 2 1. To the bonds or other railway or street railway securities,
 3 issued or guaranteed by railway or street railway companies of the
 4 state, in aid of the location, construction and equipment of railways or
 5 street railways, to an amount not exceeding sixteen thousand dollars
 6 per mile of single track, standard gauge, or eight thousand dollars per
 7 mile of single track, narrow gauge, lines of road for each mile of
 8 railway or street railway actually constructed and equipped.

9 2. To the debentures or bonds of any company incorporated under
 10 the provisions of this chapter, the payment of which shall be secured
 11 by an actual transfer of real estate securities for the benefit and pro-
 12 tection of purchasers thereof; such securities to be at least equal in
 13 amount to the par value of such bonds or debentures, and to be first
 14 liens upon unincumbered real estate worth at least twice the amount
 15 loaned thereon; nor to debentures or bonds issued by any corporation
 16 organized under this chapter for the purpose of manufacturing or
 17 selling gas, heat, steam or electricity, or constructing or operating
 18 interurban or street railways, or waterworks, or for any one or more
 19 of said purposes, when such debentures or bonds are not issued in
 20 an amount exceeding twice the amount of the paid up capital stock
 21 of such corporation.

22 3. To the debentures or bonds of any company organized under the
 23 provisions of this chapter, provided said company shall have not less
 24 than one million dollars paid in and outstanding capital stock, the
 25 payment of which debentures and bonds shall be secured by the actual
 26 transfer of the obligations of individuals, partnerships, associations
 27 or corporations, for the benefit and protection of purchasers thereof;
 28 provided that where such obligations are secured by actual transfer
 29 of warehouse receipts of bonded warehouses as security collateral
 30 thereto, said obligation to represent not exceeding seventy-five per
 31 cent of market value of the commodity represented by such ware-
 32 house receipt, debentures or bonds may be issued to an amount not
 33 in excess of one hundred per cent of the actual value of said obliga-
 34 tions; provided, further, that the said debentures shall be first liens
 35 upon the said obligations and upon the warehouse receipts collateral
 36 thereto; and provided further, that where such debentures or bonds
 37 shall be issued upon the security of obligations indorsed by a bank
 38 permitted to do banking business in the state of Iowa, or obligations
 39 secured by collateral other than warehouse receipts of bonded ware-
 40 houses, said collateral to consist of chattel loans on live stock up to
 41 eighty per cent of its value, or investments authorized by law for Iowa
 42 savings banks, they shall not be issued for an amount in excess of
 43 ninety per cent of the actual value of such obligations, and such
 44 debentures or bonds shall be first liens upon said obligations, and the
 45 collateral thereto.

46 4. To liabilities incurred through federal intermediate credit banks
 47 organized under the provisions of the act of Congress of March 4th,
 48 1923, known as the Agricultural Credit Act of 1923, relating to agri-
 49 cultural credits, when such liabilities are secured by warehouse re-
 50 cepts for agricultural products or chattel mortgages of livestock.

That section fifty-three hundred sixty-seven (5367) of the supplement to the compiled code of Iowa, is amended, revised, and codified to read as follows:

1 **SEC. 6. Foreign corporations—filing articles—process—application**
 2 **—increase of capital—fees.** Any corporation for pecuniary profit or-
 3 ganized under the laws of another state, or of any territory of the
 4 United States, or of any foreign country, which has transacted busi-
 5 ness in the state of Iowa since the first day of September, eighteen
 6 hundred eighty-six, or desires hereafter to transact business in this
 7 state, and which has not a permit to do such business, shall file with
 8 the secretary of state a certified copy of its articles of incorporation,
 9 duly attested by the secretary of state or other state officer in whose
 10 office the original articles were filed, accompanied by a resolution of
 11 its board of directors or stockholders authorizing the filing thereof,
 12 and also authorizing service of process to be made upon any of its
 13 officers or agents in this state engaged in transacting its business, and
 14 requesting the issuance to such corporation of a permit to transact
 15 business in this state; said application to contain a stipulation that
 16 such permit shall be subject to the provisions of this chapter. Said
 17 application shall also contain a statement subscribed and sworn to by
 18 at least two of the principal officers of the corporation, setting forth
 19 the following facts, to-wit:

- 20 1. The total authorized capital of the corporation.
- 21 2. The total paid up capital of the corporation.

22 3. The total value of all assets of the corporation, including money
23 and property other than money represented by capital, surplus, un-
24 divided profits, bonds, promissory notes, certificates of indebtedness
25 or other designation, whether carried as money on hand or in bank,
26 real estate or personal property of any description.

27 4. The total value of money and all other property the corporation
28 has in use or held as investment in the state of Iowa, at the time the
29 statement is made (if any).

30 5. The total value of money and all other property the corporation
31 proposes or expects to make use of in the state of Iowa, during the
32 ensuing year.

33 6. Certified copy of the resolution of the board of directors of said
34 corporation giving name and address in Iowa of a resident agent on
35 whom the service of original notice of civil suit in the courts of this
36 state may be served. Failing which, or in the event such agent may
37 not be found within the state, service of such process may then be
38 made upon said corporation through the secretary of state of Iowa
39 by sending the original and two copies thereof to him, and on the
40 original of which he shall accept service on behalf of said corporation,
41 retain one copy for his files and send the other by registered mail to
42 the corporation at the address of its home office as shown by the
43 records in his office, which service shall have the same force and effect
44 as if lawfully made upon said corporation within the county where
45 such civil suit could be maintained against it under the laws of this
46 state.

47 The secretary of state can make such independent and further in-
48 vestigation as to the property within this state owned by any such
49 corporation as he may desire, and upon the true facts determine
50 the value thereof, and fix the fee to be paid by such company. Before
51 a permit is issued authorizing such corporation to transact business
52 in the state of Iowa, said corporation shall file with the secretary of
53 state a certified copy of the articles of incorporation, with resolution
54 and statement as previously set forth, and pay a filing fee of twenty-
55 five dollars upon ten thousand dollars or less of money and property
56 of such company actually within the state of Iowa, and of one dollar
57 for each one thousand dollars of such money or property within this
58 state in excess of ten thousand dollars. If from time to time the
59 amount of money or other property in use in the state of Iowa by
60 said foreign corporation is increased, said corporation shall at the
61 time of said increase, or at the time of making annual report to the
62 secretary of state, in July of each year, file with the secretary of
63 state a sworn statement showing the amount of such increase, and
64 shall pay a filing fee thereon of one dollar for each one thousand dol-
65 lars or fraction thereof of such increase.

66 The secretary of state shall number consecutively all such certified
67 copies heretofore and hereafter filed in his office and shall maintain
68 a card index thereof alphabetically arranged and shall preserve the
69 same and the originals of said certified copies as permanent records
70 of his office.

71 The secretary of state shall upon request furnish a blank upon
72 which to make report of such increase of capital in use within the
73 state. Any corporation transacting business in this state prior to
74 the first day of September, eighteen hundred eighty-six, shall be
75 exempt from the payment of the fees required under the provisions

76 of this section. The secretary of state shall thereupon issue to such
 77 corporation, a permit, in such form as he may prescribe, for the trans-
 78 action of the business of such corporation, and upon the receipt of
 79 such permit said corporation shall be permitted and authorized to
 80 conduct and carry on its business in this state. No foreign stock cor-
 81 poration doing business in this state shall maintain any action in this
 82 state upon any contract made by it in this state unless prior to the
 83 making of such contract it shall have procured such permit. This
 84 prohibition shall also apply to any assignee of such foreign stock cor-
 85 poration and to any person claiming under such assignee of such for-
 86 eign corporation or under either of them.

1 **SEC. 7. Publication clause.** This act being deemed of immediate
 2 importance shall be in full force and effect after publication in the
 3 Des Moines Capital and the Iowa Forum, newspapers published in the
 4 city of Des Moines, Iowa.

Approved March 27, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Capital April 2,
 1924, and the Iowa Forum April 2, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 7

CITY ELECTIONS

H. F. 258

AN ACT to amend, revise, and codify sections forty-two hundred nineteen (4219),
 forty-two hundred nineteen-a one (4219-a1), and forty-two hundred twenty-
 four (4224) of the supplement to the compiled code of Iowa, relating to the
 nomination and election of officers, employees, and assistants in cities acting
 under the commission form of government.

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

That sections forty-two hundred nineteen (4219), and forty-two hundred
 nineteen-a one (4219-a1) of the supplement to the compiled code of
 Iowa are amended, revised, and codified to read as follows:

1 **SECTION 1. Combination of offices in certain cities.** In cities hav-
 2 ing a population of two thousand (2,000) and not over twenty-five
 3 thousand (25,000) the two (2) councilmen shall be nominated and
 4 elected as follows:

5 1. One (1) councilman to preside over the departments of "ac-
 6 counts and finances" and "public safety", and

7 2. One (1) councilman to preside over the departments of "parks
 8 and public property" and "streets and public improvements".

1 **SEC. 2. Nomination by primary required.** Candidates to be voted
 2 for at all general municipal elections at which a mayor and councilmen
 3 are to be elected under the provisions of this chapter shall be nomi-
 4 nated by a primary election, and no other name shall be placed upon
 5 the general municipal ballot except those selected in the manner
 6 hereinafter prescribed.

1 SEC. 3. Time, place, and manner of conducting primary. The pri-
2 mary election for such nomination shall be held on the second Monday
3 preceding the general municipal election. It shall be held at the same
4 place, so far as possible, and the polls shall be opened and closed at
5 the same hours, as are required for said general municipal election.

1 SEC. 4. Judges and clerks. The judges and clerks of election ap-
2 pointed for the general municipal election shall be the judges and
3 clerks of the primary election.

1 SEC. 5. Affidavit of candidacy. Any person desiring to become a
2 candidate for mayor or councilman shall, at least ten (10) days prior
3 to said primary election, file with the city clerk a statement of such
4 candidacy, in substantially the following form:

5 State of Iowa }
6 } ss.
7 County. }
8 I,, being first duly sworn, say that
9 I reside at.....street, city of.....
10 county of....., state of Iowa; that I am a qualified
11 voter therein; that I am a candidate for nomination to the office of
12 (Here specify the office of mayor, or the particular department or de-
13 partments, as the case may be), to be voted upon at the primary
14 election to be held on.....Monday of.....19...
15 and I hereby request that my name be printed upon the official primary
16 ballot for nomination by such primary election for such office.
17 (Signed).....
18 Subscribed and sworn to (or affirmed) before me by.....
19on this.....day of....., 19...
20
21 (Official signature of officer administering oath)

1 SEC. 6. Nominating petition. The candidate shall, at the time of
2 filing his statement of candidacy, file therewith a petition of at least
3 one hundred (100) qualified voters requesting such candidacy.

1 SEC. 7. Form of petition. Said petition shall be in substantially
2 the following form:

3 PETITION ACCOMPANYING NOMINATING STATEMENT.
4 The undersigned, duly qualified electors, of the city of.....
5, and residing at the places set opposite our respec-
6 tive names hereto, do hereby request that the name of (name of can-
7 didate) be placed on the ballot as a candidate for nomination for
8 (Here specify the office of mayor or the particular department or
9 departments, as the case may be) at the primary election to be held
10 in such city on theMonday of, 19...
11 We further state that we know him to be a qualified elector of
12 said city and a man of good moral character and qualified in our judg-
13 ment for the duties of such office.
14 Name of Street City of
15 Qualified Electors. Residence Number. Residence.
16

1 SEC. 8. Verification of petition. The affidavit of one (1) or more
2 electors of the city, as to the qualifications and residence, with street

3 number, of each signer of the petition, shall be indorsed on or attached
4 to each petition.

1 SEC. 9. **Publication of primary ballot.** Immediately upon the ex-
2 piration of the time of filing the statements and petitions for candi-
3 dacies, the city clerk shall cause to be published for three (3) succes-
4 sive days in all the daily newspapers published in the city, in proper
5 form, the names of the persons as they are to appear upon the pri-
6 mary ballot, in the first of the precincts as arranged by him, and if
7 there be no daily newspaper, then in two (2) issues of any other news-
8 papers that may be published in said city.

1 SEC. 10. **Preparation of ballots—party name.** The city clerk shall
2 cause the primary ballots to be printed upon plain, substantial white
3 paper, and to be authenticated by a facsimile of his signature. No
4 ballot shall have any party designation thereon.

1 SEC. 11. **Form of ballot in major cities.** The ballots in all cities
2 having a population of twenty-five thousand (25,000) or over shall be
3 in substantially the following form:

4 OFFICIAL PRIMARY BALLOT
5 CANDIDATES FOR NOMINATION FOR MAYOR AND COUNCIL-
6 MEN OF (Name of City) AT THE PRIMARY ELECTION
7 (Place a cross in the square preceding the name of the persons for
8 whom you wish to vote)
9 FOR MAYOR
10 (Vote for one)
11 Name of candidate
12 Name of candidate
13 FOR SUPERINTENDENT OF ACCOUNTS AND FINANCES
14 (Vote for one)
15 Name of candidate
16 Name of candidate
17 FOR SUPERINTENDENT OF PUBLIC SAFETY
18 (Vote for one)
19 Name of candidate
20 Name of candidate
21 FOR SUPERINTENDENT OF STREETS AND PUBLIC IMPROVE-
22 MENTS
23 (Vote for one)
24 Name of candidate
25 Name of candidate
26 FOR SUPERINTENDENT OF PARKS AND PUBLIC PROPERTY
27 (Vote for one)
28 Name of candidate
29 Name of candidate

30 Attest: OFFICIAL BALLOT
31 (Signature)
32
33 City Clerk

1 SEC. 12. **Form of ballot in minor cities.** The ballot in all cities
2 having a population of two thousand (2,000) and less than twenty-
3 five thousand (25,000) shall be in substantially the following form:

4 OFFICIAL PRIMARY BALLOT

5 CANDIDATES FOR NOMINATION FOR MAYOR AND COUNCIL-
6 MEN OF (Name of City) AT THE PRIMARY ELECTION

7 (Place a cross in the square preceding the name of the persons for
8 whom you wish to vote.)

9 FOR MAYOR

10 (Vote for one)

11 Name of candidate

12 Name of candidate

13 FOR SUPERINTENDENT OF ACCOUNTS, FINANCES, AND PUB-
14 LIC SAFETY

15 (Vote for one)

16 Name of candidate

17 Name of candidate

18 FOR SUPERINTENDENT OF PARKS AND PUBLIC PROPERTY,
19 STREETS AND PUBLIC IMPROVEMENTS

20 (Vote for one)

21 Name of candidate

22 Name of candidate

23 Attest: OFFICIAL BALLOT
24 (Signature)

25
26 City Clerk

1 SEC. 13. **Arrangement of names on ballot.** The names of the can-
2 didates shall be arranged and printed upon the primary election bal-
3 lots in the following manner, to-wit: The city clerk shall prepare a
4 list of the election precincts of his city, by arranging the various
5 wards or precincts of such city in numerical order. He shall then
6 arrange the surnames of all candidates for such offices alphabetically
7 for the respective offices for the first precinct in the list; thereafter,
8 for each succeeding precinct, the name or names appearing first for
9 the respective offices in the last precinct should be placed last, so that
10 the names that were second before the change shall be first after the
11 change.

1 SEC. 14. **Number of ballots.** The city clerk shall cause to be deliv-
2 ered at each polling place a number of said ballots equal to twice the
3 number of votes cast in such polling precinct at the last general
4 municipal election for mayor.

1 SEC. 15. **Qualification of electors—challenges.** Persons who are
2 qualified to vote at the general municipal election shall be qualified
3 to vote at such primary election. Challenges can be made by not more
4 than two (2) persons, to be appointed at the time of opening the polls
5 by the judges of election; and the law applicable to challenges at a
6 general municipal election shall be applicable to challenges made at
7 such primary election.

1 **SEC. 16. Canvass of votes—making return.** Judges of election
2 shall, immediately upon the closing of the polls, count the ballots and
3 ascertain the number of votes cast in such precinct for each of the
4 candidates, and make return thereof to the city clerk, upon proper
5 blanks to be furnished by the said city clerk, within six (6) hours of
6 the closing of the polls.

1 **SEC. 17. Canvass of returns—publication of result.** On the day
2 following the primary election, the city clerk shall publicly canvass
3 said returns so received from the polling precincts, and shall make
4 and publish in all the newspapers of said city, at least once, the result
5 thereof.

1 **SEC. 18. General municipal ballot.** The ballot at such general
2 municipal election shall be in the same general form as for such pri-
3 mary election, so far as applicable.

1 **SEC. 19. Form of general ballot with dual candidates.** The city
2 clerk in preparing the ballots for the ensuing general municipal elec-
3 tion shall cause to be printed under the caption for a particular office,
4 or combination of offices if any, the names of the two (2) candidates
5 who received the highest number of votes at the primary for said
6 particular office, or combination of offices.

1 **SEC. 20. Form of general ballot with one candidate.** If there be
2 but one (1) candidate, at the primary election, for a particular office,
3 or combination of offices, his name shall be printed upon the general
4 municipal ballot as a candidate for said particular office, or combina-
5 tion of offices, as the case may be.

1 **SEC. 21. Arrangement and rotation of names of candidates.** The
2 names of the candidates shall be arranged and printed upon the gen-
3 eral municipal election ballot in the same manner in which they are
4 arranged and printed on the municipal primary ballot.

1 **SEC. 22. Qualification of electors.** All electors of cities under this
2 chapter, who by the laws governing cities of the first and second class
3 would be entitled to vote for the election of officers at any general
4 municipal election in such cities, shall be qualified to vote at all elec-
5 tions under this chapter.

1 **SEC. 23. General municipal election statutes.** In all elections in
2 such cities, the election precinct, voting places, method of conducting
3 election, canvassing the vote and announcing the results shall be the
4 same as by law provided for election of officers in cities of the first
5 or second class, so far as the same are applicable and not inconsistent
6 with the provisions of this chapter.

That section forty-two hundred twenty-four (4224) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

1 **SEC. 24. Department superintendents.** The mayor shall be super-
2 intendent of the department of public affairs and each councilman shall
3 be superintendent of the particular department or combination of
4 departments to which he was elected, as the case may be.

1 **SEC. 25. Election of minor officers and assistants.** The council shall,
 2 at the first regular meeting after election, or as soon as practical there-
 3 after, elect by majority vote the following city officers:
 4 1. Clerk.
 5 2. Solicitor.
 6 3. Assessor.
 7 4. Treasurer.
 8 5. Auditor.
 9 6. Civil engineer.
 10 7. Health physician.
 11 8. Marshal.
 12 9. Market master.
 13 10. Street commissioner.
 14 11. Such other officers and assistants as shall be provided by ordi-
 15 nance, and are necessary for the proper and efficient conduct of the
 16 affairs of the city.

1 **SEC. 26. Officers in certain cities.** In cities having a population of
 2 less than twenty-five thousand (25,000) such only of the above named
 3 officers shall be appointed as may, in the judgment of the mayor and
 4 councilmen, be necessary for the proper and efficient transaction of
 5 the affairs of the city.

1 **SEC. 27. Police judge in cities of first class.** In those cities of the
 2 first class not having a superior court, the council shall appoint a
 3 police judge.

1 **SEC. 28. Police court in cities of second class.** In cities of the sec-
 2 ond class not having a superior court the mayor shall hold police court,
 3 as now provided by law.

1 **SEC. 29. Removal of officers elected by council.** Any officer or
 2 assistant elected or appointed by the council may be removed from
 3 office at any time by vote of a majority of the members of the council,
 4 except as otherwise provided for in this chapter.

1 **SEC. 30. Population.** The population in this act referred to shall be
 2 the population as shown by the last preceding state or national census
 3 excepting where such census of any such city shows a less population
 4 than at the time the voters of such city adopted the plan of govern-
 5 ment in this chapter provided for, in which case the population shown
 6 by the census immediately preceding such adoption shall govern.

1 **SEC. 31. Publication clause.** This act being deemed of immediate
 2 importance shall take effect and be in full force and effect from and
 3 after its publication in the Des Moines Capital and in the Des Moines
 4 Register, newspapers published in Des Moines, Iowa.

Approved January 21, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Register January 23,
 1924, and the Des Moines Capital January 22, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 8

HIGHWAYS

S. F. 117

AN ACT to amend, revise, and codify sections twenty-seven hundred ninety-nine (2799), twenty-eight hundred sixteen (2816), twenty-eight hundred twenty-six (2826) to two thousand eight hundred thirty-three (2833), inclusive, and section twenty-nine hundred forty-three (2943) of the compiled code of Iowa and of the supplement to said code, relating to the establishment, vacation, and alteration of highways, to the erection and maintenance of bridges, and to the condemnation, establishment, and improvement of primary roads in cities and towns.

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

That section twenty-seven hundred ninety-nine (2799) of the compiled code of Iowa is amended, revised, and codified to read as follows:

1 **SECTION 1. Substituting other road.** The commissioner shall not
2 be confined to the precise matter of the petition, but may inquire and
3 determine whether that or any road in the vicinity, answering the
4 same purpose and in substance the same, be required.

1 **SEC. 2. Property exempt for road purposes.** No road shall be estab-
2 lished through any cemetery. No road shall, without the owner's
3 consent, be established through any orchard, or ornamental grounds
4 contiguous to any dwelling house, or so as to cause the removal of
5 any dwelling house or other substantial, permanent, and valuable
6 building.

That section twenty-eight hundred sixteen (2816) of the compiled code of Iowa is amended, revised, and codified to read as follows:

1 **SEC. 3. Plat and field notes.** After a road has been finally estab-
2 lished or altered, the plat and field notes must be recorded by the
3 auditor.

1 **SEC. 4. Opening and working.** Township roads shall be opened and
2 worked by the township trustees. County and primary roads shall
3 be opened and worked by the board of supervisors.

That sections twenty-eight hundred twenty-six (2826) to two thousand eight hundred thirty-three (2833), inclusive, of the compiled code of Iowa, and of the supplement to said code, are amended, revised, and codified to read as follows:

1 **SEC. 5. Changes for safety, economy, and utility.** Boards of super-
2 visors on their own motion may change the course of any part of any
3 road or stream, water course, or dry run, within any county in order
4 to avoid the construction and maintenance of bridges, or to avoid
5 grades, or railroad crossing, or to straighten any road, or to cut off
6 dangerous corners, turns, or intersections on the highway, or to widen
7 any road above statutory width, or for the purpose of preventing the
8 encroachment of a stream, water course, or dry run, upon a public
9 highway.

1 **SEC. 6. Costs.** The cost entailed by a change in a highway as pro-
2 vided in the preceding section shall be paid:

3 1. From the primary road fund in case the change is on a primary
4 road.

5 2. From the county road fund or from the county bridge fund, or
6 from both of said funds, in case the change is on a county or town-
7 ship road.

1 **SEC. 6-a1. Reimbursement.** Where any town or city, including spe-
2 cial charter, commission plan and manager plan cities, having a popu-
3 lation of less than twenty-five hundred (2500) has heretofore, and
4 since the enactment of chapter two hundred thirty-seven (237), acts
5 of the thirty-eighth general assembly, procured at its own expense
6 right-of-way for a primary road, the board of supervisors is authorized
7 to reimburse said city or town from the primary road fund for the
8 cost of such right-of-way.

1 **SEC. 7. Report and survey.** Unless the action of the board is based
2 on the recommendations of an engineer, accompanied by a report on
3 the proposed changes, and a plat and survey of the proposed change,
4 the board shall order an engineer to make such report and survey and
5 return the same on or before a day fixed. In making the survey, the
6 engineer shall have the right to enter upon any premises affected by
7 the proposed change.

1 **SEC. 8. Appraisers.** If the board is unable, by agreement with the
2 owner, to acquire the necessary right of way to effect such change,
3 three freeholders shall be selected to appraise the damages conse-
4 quent on the taking of the right of way. The board of supervisors
5 shall select one of said appraisers. The owner or owners of the land
6 sought to be taken shall select one of said appraisers. The two ap-
7 praisers so selected shall choose the third appraiser. In case the
8 owners do not exercise their said right or in case they are unable to
9 agree as to an appraiser, or in case their appointee fails to appear
10 and qualify, the said board of supervisors shall appoint two appraisers
11 and said two appointees shall choose the third appraiser. If the two
12 appraisers selected shall fail within ten days to select a third, or the
13 third appraiser so selected shall fail to serve, then the board of super-
14 visors shall select the third appraiser.

1 **SEC. 9. Notice.** The county auditor shall cause notice to be served
2 on the individual owner of each tract or parcel of land to be taken for
3 such right-of-way, as shown by the transfer books in the office of such
4 county auditor, and upon each person owning or holding a mortgage,
5 or lease upon such land as shown by the county records and upon the
6 actual occupant of such land if other than the owner thereof.

7 To whom it may concern: Notice is given that the board of super-
8 visors of.....county, Iowa, propose to condemn for
9 road purposes the following described real estate in said county:
10 (Here describe the right of way, and the tract or tracts from which
11 such right of way will be taken). The damages caused by said con-
12 demnation will be assessed by three appraisers. Notice is hereby
13 given that the owner or owners of said real estate may, on or before
14 the.....day of.....,, appoint
15 one of said appraisers and that in case such right be not exercised, or
16 if exercised and the said appointee fails to appear and qualify, the said
17 three appraisers will be otherwise appointed as provided by law. All
18 parties interested are further notified that said three appraisers will,

19 when duly appointed, proceed to appraise said damages, will report
 20 said appraisal to the said board of supervisors and that said latter
 21 board will pass thereon as provided by law, and that at all such times
 22 and places you may be present if you be so minded. You are further
 23 notified that at said hearing before the said supervisors you may file
 24 objections to the use of said land for road purposes and that all such
 25 objections not so made will be deemed waived.

26
 27

.....
 County Auditor.

1 **SEC. 10. Service of notice.** Owners, occupants and mortgagees of
 2 record who are residents of the county shall be personally served in
 3 the manner in which and for the time original notices in the district
 4 court are required to be served. Owners and mortgagees of record
 5 who do not reside in the county and owners and mortgagees of record
 6 who do reside in the county when the officer returns that they can not
 7 be found in the county, shall be served by publishing the notice in
 8 one (1) of the official newspapers of the county, once each week for
 9 two (2) weeks, and also by mailing by registered mail a copy of such
 10 notice to such owner and mortgagee of record addressed to his last
 11 known address and the county auditor shall furnish to the board of
 12 supervisors his affidavit that such notice has been sent, which affi-
 13 davit shall be conclusive evidence of the mailing of such notice. Per-
 14 sonal service outside the county but within the state shall take the
 15 place of service by publication. No service need be had on one who
 16 has exercised his right to select an appraiser.

1 **SEC. 11. Qualification and assessment.** Upon the appointment of
 2 three appraisers, the county auditor shall cause them to appear be-
 3 fore him and to take oath that they will faithfully and impartially
 4 assess the damages claimed. Said appraisers shall forthwith proceed
 5 to the assessment of said damages and make written report thereof
 6 to the board of supervisors.

1 **SEC. 12. Hearing—adjournment.** The board shall proceed to a
 2 hearing on the objections or assessment of damages of any owner,
 3 mortgagee of record, and the actual occupant of such land if any of
 4 whom it has acquired jurisdiction, or if there be owners, mortgagee
 5 of record, and the actual occupant of such land if any over whom
 6 jurisdiction has not been acquired, the board may adjourn such hear-
 7 ing until a date when jurisdiction will be complete as to all owners.

1 **SEC. 13. Hearing on objections.** The board shall, at the final hear-
 2 ing, first pass on the objections to the proposed change. If objections
 3 be sustained the proceedings shall be dismissed unless the board finds
 4 that the objections may be avoided by a change of plans, and to this
 5 end an adjournment may be ordered, if necessary, in order to secure
 6 service on additional parties.

1 **SEC. 14. Hearing on claims for damages.** When objections to the
 2 proposed change are overruled, the board shall proceed to determine
 3 the damages to be awarded to each claimant. If the damages finally
 4 awarded are, in the opinion of the board, excessive, the proceedings
 5 shall be dismissed; if not excessive, the board may, by proper order,
 6 establish such proposed change.

1 SEC. 15. **Appeals.** Claimants for damages may appeal to the dis-
2 trict court from the award of damages in the manner and time for
3 taking appeals from the orders establishing highways generally.

1 SEC. 16. **Damages on appeal—rescission of order.** If the damages
2 as finally determined on appeal be, in the opinion of the board, exces-
3 sive, the board may rescind its order establishing such change.

1 SEC. 17. **Record of change.** The board shall cause a full and de-
2 tailed record to be made in the road book of all plats and surveys and
3 all other proceedings pertaining to changes hereinbefore authorized.

1 SEC. 18. **Tender of damages.** No appeal from an award of damages
2 shall delay the prosecution of the work when the amount of the award
3 is tendered in writing to the claimant and such tender is kept good.
4 An order to the auditor to issue warrants to claimants for damages
5 shall constitute a valid tender, if funds are available to promptly meet
6 such warrants. Acceptance of the amount of such tender bars an
7 appeal. Should possession of the condemned premises be taken pend-
8 ing appeal and the final award be not paid, the county shall be liable
9 for all damages caused during such possession.

That section twenty-nine hundred forty-three (2943) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

1 SEC. 19. **Condemnation and improvement within cities and towns.**
2 The board of supervisors is hereby given plenary jurisdiction subject
3 to the approval of the council to purchase or condemn right-of-way
4 therefor and grade, drain, gravel, or hard surface any road or street
5 which is a continuation of the primary road system of the county and
6 which is:

- 7 1. Within any town, or
- 8 2. Within any city, including cities acting under special charter,
9 having a population of less than twenty-five hundred, or
- 10 3. Within that part of any city, including cities acting under spe-
11 cial charter, where the houses or business houses average not less than
12 two hundred (200) feet apart.

13 The primary road fund shall not be charged with the cost of hard
14 surfacing within the cities and towns specified above in excess of the
15 cost of hard surfacing which is eighteen (18) feet in width.

16 After the completion of such improvement the same shall be main-
17 tained by the city or town and such city or town shall rest under the
18 same obligation of care as to such improvements as is now provided
19 by law for roads and streets generally.

20 Any such city or town through its council and each county of the
21 state through its board of supervisors are hereby authorized to enter
22 into written agreements subject to the approval of the state highway
23 commission to determine the location of such improvements within
24 such cities or towns. In case of disagreement the matter shall be
25 referred to the state highway commission, whose decision shall be
26 final. The board of supervisors shall not drain, grade, gravel or hard
27 surface any highway within the limits of cities other than those
28 specified herein.

1 SEC. 20. **Publication.** This act being deemed of immediate im-
2 portance shall take effect from and after its publication in the Des

3 Moines Register, a newspaper published in the city of Des Moines,
 4 Iowa, and the Cherokee Chief, a newspaper published in the city of
 5 Cherokee, Iowa, without expense to the state.

Approved March 17, A. D. 1924.

I hereby certify that the foregoing act was published in the Cherokee Chief April 14, 1924,
 and the Des Moines Register March 20, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 9

INSURANCE

S. F. 207

AN ACT to amend, revise, and codify section five thousand four hundred sixty-three (5463) of the compiled code of Iowa, and sections five thousand four hundred sixty-three-a one (5463-a1), five thousand four hundred sixty-three-a two (5463-a2), and five thousand four hundred sixty-three-a three (5463-a3), of the supplement to the compiled code, relating to the insurance department; section five thousand four hundred ninety-six (5496) of the supplement to the compiled code, relating to life insurance companies; section five thousand five hundred two (5502) of the compiled code, relating to group life insurance; sections five thousand six hundred five (5605) of the supplement to the compiled code, five thousand six hundred nine (5609), five thousand six hundred seventeen (5617), and five thousand six hundred eighteen (5618) of the compiled code, relating to insurance other than life; and sub-section eight (8) of section five thousand six hundred twenty-seven (5627) of the supplement to the compiled code, relating to insurance other than life; and amending chapter 4, title XVIII. of the compiled code, relating to assessment insurance, by inserting after section five thousand five hundred nine (5509) certain provisions in relation to the right of members of such associations to vote.

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

That section five thousand four hundred sixty-three (5463) of the compiled code, and sections five thousand four hundred sixty-three-a1 (5463-a1), five thousand four hundred sixty-three-a2 (5463-a2) and five thousand four hundred sixty-three-a3 (5463-a3), of the supplement to the compiled code, relating to the insurance department, are amended, revised, and codified to read as follows:

1 SECTION 1. Powers and duties of commissioner insurance. The
 2 commissioner of insurance shall be the head of the insurance depart-
 3 ment of Iowa, and shall have general control, supervision and direc-
 4 tion over all insurance business transacted in the state of Iowa, and
 5 shall enforce all the laws of the state relating to such insurance. He
 6 shall supervise all transactions relating to the organization, reorgani-
 7 zation, liquidation and dissolution of domestic insurance corporations,
 8 and all transactions leading up to the organization of such corpora-
 9 tions. He shall also supervise the sale in the state of Iowa of all
 10 stock, certificates, or other evidences of interest, either by domestic
 11 or foreign insurance companies or organizations proposing to engage
 12 in any insurance business.

1 SEC. 2. No stock sold or members solicited without certificate.
 2 Neither the stock in an insurance company nor the membership in
 3 an insurance association in process of organization shall be sold or

4 solicited until such company or association, and the promoters there-
5 of, shall have first complied with all of the statutory provisions regu-
6 lating the organization of such companies and associations, and also
7 have secured from the commissioner of insurance a certificate indi-
8 cating full compliance with the provisions of this section.

1 **SEC. 3. Duties of commissioner—certificate.** Before the commis-
2 sioner of insurance shall issue such certificate of compliance, he shall
3 first be satisfied with the general plan of such organization and the
4 character of the advertising to be used; he shall also fix the time
5 within which such organization shall be completed; he shall also pre-
6 scribe the method of keeping books and accounts of such corporation
7 and those of fiscal agents.

1 **SEC. 4. Promotion expense.** The maximum promotion expense
2 which may be incurred, shall in no case exceed twelve and one-half
3 (12½%) per cent of the par value of said stock, and no portion of such
4 amount shall be used in the payment of salaries for officers and direc-
5 tors before the issuance by the commissioner of insurance of authority
6 to transact an insurance business. Any amount paid to the company
7 for stock above the par value of the stock, shall constitute a con-
8 tributed surplus and shall not be used in the payment of dividends.

1 **SEC. 5. Regulation by commissioner.** The commissioner of insur-
2 ance shall have power to regulate all other matters in connection with
3 the organization of such domestic corporations, and the sale of stock
4 or the issuing of certificates by all insurance corporations within the
5 state of Iowa, to the end that fraud may be prevented in the organi-
6 zation of such companies and the sale of their stocks and securities.

1 **SEC. 6. Contracts.** No company shall enter into any contract with
2 any promoter, officer, director or agent of the company or any other
3 person to pay his expenses or to pay him any commission or any com-
4 pensation for his services in promoting or organizing such company
5 or in selling its stock in excess of the amount authorized in section
6 4 hereof; nor shall it contract with any such person to pay him any
7 part of the premiums arising from the insurance it has written or
8 may write as compensation directly or indirectly for aiding in the
9 promotion or for aiding or effecting any consolidation of such com-
10 pany with any other company, without the approval of the insurance
11 commissioner.

1 **SEC. 7. Applicability to corporations organizing.** The five preced-
2 ing sections shall apply to insurance corporations now organizing or
3 offering their stocks, certificates of membership, or other evidence
4 of interest for sale in the state of Iowa.

1 **SEC. 8. Violations—penalty.** Any person who violates any of the
2 provisions of the six preceding sections, or who violates any order
3 of the commissioner of insurance made by authority thereof, shall
4 be guilty of a misdemeanor, and upon conviction thereof shall be
5 punished by fine not to exceed one thousand dollars (\$1000.00), and
6 by imprisonment in the county jail not to exceed six months.

1 **SEC. 9. Personal liability for sale of stock in violation of law.** Any
2 person, association or corporation who sells or aids in selling or causes
3 to be sold any stock, certificate of membership, or evidence of inter-

4 est in any such corporation or association, in violation of law, shall
5 be personally liable to any person to whom he may have sold any
6 stock or certificate of membership or evidence of interest, in an amount
7 equal to the price paid therefor by such person with legal interest,
8 and suit to recover the same may be brought by such purchasers,
9 jointly or severally, in any court of competent jurisdiction.

1 **SEC. 10. Appeal—procedure.** Any person, corporation or associa-
2 tion aggrieved by any order made by the commissioner of insurance
3 under the provisions of this chapter, may appeal to the district court
4 at the seat of government, by the service of a written notice of such
5 appeal on the commissioner of insurance and attorney general. If
6 such appeal is taken the commissioner of insurance shall transmit
7 the transcript of the proceedings had before him to such court, and
8 the cause shall be docketed and tried as an equitable action.

That sections five thousand six hundred five (5605) and five thousand
four hundred ninety-six (5496) of the supplement to the compiled code,
relating to insurance other than life, are amended, revised, and codified
to read as follows:

1 **SEC. 11. Capital required.** No insurance company other than life
2 shall be incorporated to transact business upon the stock plan with
3 less than two hundred thousand dollars (\$200,000.00) capital, the
4 entire amount of which shall be fully paid up in cash and invested
5 as provided by law. The stock shall be divided into shares of one
6 hundred dollars (\$100.00) each.

7 No part of the capital referred to shall be loaned to any officer or
8 stockholder of the company.

9 No increase of the capital stock of any company shall be made un-
10 less the amount of such increase is fully paid up in cash. Such com-
11 pany shall be possessed of a surplus in cash or invested in securities
12 authorized by law, equal to twenty-five per cent (25%) of such paid-up
13 and outstanding capital at the time certificate of authority is first
14 applied for and issued.

That section five thousand five hundred two (5502) of the compiled code
relating to life insurance is amended, revised and codified to read as
follows:

1 **SEC. 12. Group insurance.** Group insurance is hereby declared to
2 be that form of either life, health or accident insurance covering not
3 less than fifty employees, with or without medical examination, writ-
4 ten under a policy issued to the employer, the premium on which is to
5 be paid by the employer or by the employer and employees jointly,
6 and insuring only all of his employees, or all of any class or classes
7 thereof determined by conditions pertaining to the employment, for
8 amounts of insurance based upon some plan which will preclude indi-
9 vidual selection, for the benefit of persons other than the employer;
10 provided, however, that when the premium is to be paid by the em-
11 ployer and employees jointly and the benefits of the policy are offered
12 to all eligible employees, not less than seventy-five per centum of such
13 employees may be so insured.

14 The word "employer" as used in this section shall include the ad-
15 visory, supervising or governing body or bodies of all regularly organ-
16 ized religious denominations. The word "employee" shall include

17 clergymen, priests and ministers of the gospel in good standing in any
18 of such denominations.

That section five thousand six hundred nine (5609) of the compiled code, relating to insurance other than life, is amended, revised and codified to read as follows:

1 **SEC. 13. Maximum premium.** The maximum premium payable by
2 any member of a mutual company shall be expressed in the policy and
3 in the application for the insurance. Such maximum may be a cash
4 premium and an additional contingent premium not less than the cash
5 premium, or may be solely a cash premium, which premium may
6 be made payable in installments or regular assessments. No policy
7 shall be issued for a cash premium without an additional contingent
8 premium unless the company has a surplus which is not less in amount
9 than the capital stock required, at the time of the organization of
10 such mutual insurance company, of domestic stock insurance com-
11 panies writing the same kind of insurance, but said surplus shall not
12 be less than one hundred thousand dollars (\$100,000.00).

That sections five thousand six hundred seventeen (5617) and five thousand six hundred eighteen (5618) of the compiled code, relating to insurance other than life, are amended, revised and codified to read as follows:

1 **SEC. 14. Subscriptions of stock—applications.** After compliance
2 by the incorporators with sections five thousand five hundred ninety-
3 eight (5598) and five thousand five hundred ninety-nine (5599) of
4 the compiled code, the secretary of state shall certify the articles of
5 incorporation to the commissioner of insurance. When the commis-
6 sioner of insurance is satisfied that all provisions of law in relation
7 to the promotion and organization of said corporation, including sec-
8 tions four to eight hereof have been complied with, the insurance
9 commissioner shall issue a certificate to that effect, and thereupon
10 such corporation may open books for subscriptions to the stock of
11 stock companies or if a mutual company take applications and receive
12 premiums for insurance at such times and places as it may find con-
13 venient, and may keep such books open until the full amount required
14 is subscribed or taken, or the time granted therefor has expired or
15 until an order is issued by the commissioner of insurance to desist
16 for failure to comply with the provisions of law in reference thereto.

1 **SEC. 15. Directors.** The affairs of a company organized as pro-
2 vided by this chapter shall be managed by a number of directors to
3 be stated in the articles of not less than five (5) nor more than twenty-
4 one (21), all of whom, in case of a stock company, shall be stock-
5 holders, or, in case of a mutual company, be policyholders, or before
6 the company shall effect insurance, be subscribers for stock or for
7 insurance as the case may be. When the paid-up capital for a stock
8 company, or the subscriptions for insurance for a mutual company,
9 shall have been obtained, the incorporators or directors in charge of
10 the business shall give at least ten (10) days' written notice by mail
11 to stockholders or subscribers, as the case may be, of a meeting of
12 the stockholders or subscribers, for the election of directors, and such
13 meeting shall be held within thirty (30) days after the paid-up capital
14 or subscriptions have been secured. The directors then elected shall
15 continue in office until their successors have been elected and qualified.

That paragraph eight (8) of section five thousand six hundred twenty-seven (5627) of the supplement to the compiled code, relating to insurance other than life, is amended, revised, and codified to read as follows:

1 **SEC. 16. Kinds of insurance.** Insure or guarantee and indemnify
 2 merchants, traders, and those engaged in business and giving credit
 3 from loss and damage by reason of giving and extending credit to
 4 their customers and those dealing with them, which business shall
 5 be known as credit insurance. Such insurance may cover losses, less
 6 a deduction of an agreed percentage, not to exceed ten per cent (10%),
 7 representing anticipated profits, and a further deduction not to exceed
 8 thirty-three and one-third per cent (33-1/3%), on losses on credits
 9 extended to risks who have inferior ratings, and less an agreed deduc-
 10 tion for normal loss.

That chapter four (4), of title XVIII. of the compiled code, relating to assessment insurance, is hereby amended by inserting after section five thousand five hundred nine (5509) the following:

1 **SEC. 17. Assessment insurance—right of member to vote.** Every
 2 member of any association organized under the provisions of this
 3 chapter shall be entitled to vote, either in person or by proxy, at every
 4 regular and special meeting of such association. No such association
 5 shall limit the right of any member to so vote, unless the proposal
 6 to limit shall have first been submitted to the entire membership for
 7 vote and shall have been approved by a majority of those voting.

1 **SEC. 18. Publication.** This act, being deemed of immediate im-
 2 portance, shall take effect and be in force from and after its publica-
 3 tion in the Des Moines Register and Des Moines Daily Capital, news-
 4 papers published in the city of Des Moines, Iowa.

Approved April 17, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Register April 19, 1924, and the Des Moines Capital April 19, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 10

BANKING

H. F. 208

AN ACT to amend, revise, and codify sections five thousand seven hundred forty-one (5741), five thousand seven hundred forty-two (5742), five thousand seven hundred forty five (5745), five thousand seven hundred forty-nine (5749) and five thousand seven hundred fifty-two (5752) of the compiled code of Iowa, relating to the banking department.

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

That sections five thousand seven hundred forty-one (5741), five thousand seven hundred forty-two (5742), and five thousand seven hundred forty-nine (5749) of the compiled code of Iowa are amended, revised, and codified to read as follows:

1 SECTION 1. **Banking department—superintendent.** The superin-
2 tendent of banking shall have his office at the seat of government. His
3 regular term of office shall be four (4) years from the first day of
4 July of the year of his appointment.

1 SEC. 2. **Appointment—qualifications.** The governor shall, within
2 sixty (60) days following the organization of the regular session
3 of the general assembly in nineteen hundred twenty-five (1925), and
4 each four (4) years thereafter, appoint, with the approval of two-
5 thirds ($\frac{2}{3}$) of the members of the senate in executive session, a
6 superintendent of banking. Such appointee shall be selected solely
7 with regard to his qualification and fitness to discharge the duties
8 of his office, and no person shall be appointed who has not had at
9 least five (5) years' executive experience in a state or savings bank
10 in the state.

1 SEC. 3. **Confirmation.** No nomination shall be considered by the
2 senate until the same has been referred to a committee of five (5),
3 not more than three (3) of whom shall belong to the same political
4 party. Said committee shall be appointed by the president of the
5 senate, without motion, and shall report to the senate in executive
6 session. The consideration of nominations by the senate shall not be
7 had on the same legislative day that appointments are so referred.

1 SEC. 4. **Vacancies.** Vacancies that may occur while the general
2 assembly is not in session shall be filled by appointment by the gov-
3 ernor, which appointment shall expire at the end of thirty (30) days
4 from the time the general assembly next convenes. Prior to the
5 expiration of said thirty (30) days the governor shall transmit to
6 the senate for its confirmation an appointment for the unexpired por-
7 tion of the regular term. Vacancies occurring during a session of
8 the general assembly shall be filled as regular appointments are made
9 and before the end of said session, and for the unexpired portion of
10 the regular term.

That section five thousand seven hundred forty-five (5745) of the com-
piled code of Iowa is amended, revised, and codified to read as follows:

1 SEC. 5. **Deputy superintendent—bank examiners—number of em-**
2 **ployees.** The superintendent of banking may appoint such examiners,
3 to hold office for a term of two years, but not to exceed one examiner
4 for each one hundred banks, or major fraction thereof, under his
5 supervision; and may also appoint a deputy superintendent of bank-
7 ing, who shall perform the duties attached to the office of the super-
8 intendent of banking during the absence or the inability of the super-
9 intendent, and as directed by him, and may also appoint such clerks,
10 stenographers, and special assistants as he may need to discharge in
11 a proper manner the duties imposed upon him by law; but the total
12 number, including the deputy superintendent, shall not exceed one
13 for each two hundred banks and trust companies, or major fraction
14 thereof, under his supervision.

15 Provided, that whenever the proper conduct of the affairs of the
16 office demand, he may with the approval of the executive council,
17 appoint for a term not to exceed one year such additional bank exam-
18 iners and employees as may be necessary, any provision of the law
19 for said department to the contrary notwithstanding. Such additional

20 examiners or employees shall be paid out of current or accumulated
 21 earnings of the banking department, their salaries not to be greater
 22 than those of other similar employees authorized by law. All such
 23 appointees shall be removable at the pleasure of the said superin-
 24 tendent.

That section fifty-seven hundred fifty-two (5752) of the compiled code of Iowa is amended, revised, and codified to read as follows:

1 **SEC. 6. Annual report.** The superintendent of banking shall, at
 2 the time provided by law, make an annual report as to the condition
 3 of every bank from which reports have been received, and may em-
 4 brace in said report such observations and recommendations as he
 5 may deem of value.

1 **SEC. 7. Publication.** This act, being deemed of immediate im-
 2 portance, shall be in full force and effect from and after publication
 3 in the Des Moines Daily News and Plain Talk, newspapers published
 4 in the city of Des Moines, Iowa.

Approved February 15, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines News February 19, 1924, and Plain Talk, Des Moines, February 21, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 11

COOPERATIVE ASSOCIATIONS

S. F. 203

AN ACT to amend, revise, and codify sections five thousand three hundred ninety-eight (5398) and five thousand four hundred one (5401) of the compiled code of Iowa, and section five thousand four hundred eight-a one (5408-a1) of the supplement to the compiled code, relating to cooperative associations.

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

That section five thousand three hundred ninety-eight (5398) of the compiled code of Iowa is amended, revised, and codified to read as follows:

1 **SECTION 1. May issue shares.** Whenever an association created
 2 under this chapter shall purchase the business of another association,
 3 person, or persons, it may pay for the same in whole or in part by
 4 issuing to the selling association or person shares of its capital stock
 5 to an amount, which at fair market value as determined by the execu-
 6 tive council, would equal the fair market value of the business so
 7 purchased as determined by the executive council as in cases of other
 8 corporations.

That section five thousand four hundred one (5401) of the compiled code of Iowa is amended, revised, and codified to read as follows:

1 **SEC. 2. Reserve fund out of profits.** The board of directors, sub-
 2 ject to revision by the association at any general or special meeting,
 3 shall each year set aside not less than ten per cent (10%) of the net
 4 profits for a reserve fund, until an amount has accumulated therein
 5 equal to fifty per cent (50%) of the paid up capital stock.

1 SEC. 3. **Educational fund—dividends on stock.** The board may
2 each year, out of remaining net profits, subject to the approval of the
3 association at any general or special meeting:

4 1. Provide an educational fund to be used in teaching coopera-
5 tion, not exceeding five per cent (5%) of the net profits, and

6 2. Declare and pay a dividend on the stock, not exceeding ten
7 per cent (10%).

1 SEC. 4. **Remainder distributed to shareholders and employees.** The
2 remainder of said net profits shall be distributed by uniform dividends
3 upon the amount of purchases of shareholders, and upon the wages
4 and salaries of employees. In producing associations, such as cream-
5 eries, canneries, elevators, factories, and the like, dividends shall be
6 on raw material delivered instead of on goods purchased. In case the
7 association is both a selling and a producing concern, the dividends
8 may be on both raw material delivered and goods purchased by pa-
9 trons.

That section five thousand four hundred eight-a one (5408-a1) of the supplement to the compiled code is amended, revised and codified to read as follows:

1 SEC. 5. **Organization.** Any number of persons, not less than five,
2 may associate themselves as a cooperative association, without capi-
3 tal stock, for the purpose of conducting any agricultural, live stock,
4 horticultural, dairy, mercantile, mining, manufacturing or mechanical
5 business, or the constructing and operating of telephone and high
6 tension electric transmission lines on the cooperative plan and of
7 acting as a cooperative selling agency for its members.

1 SEC. 6. **Publication clause.** This act being deemed of immediate
2 importance shall be in full force and effect after publication in the
3 Des Moines Capital and the Iowa Forum, newspapers published in
4 the city of Des Moines, Iowa.

Approved March 31, A. D. 1924.

I hereby certify that the foregoing act was published in the Iowa Forum April 2, 1924, and the Des Moines Capital April 3, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 12

POLICEMEN'S AND FIREMEN'S PENSION FUNDS

H. F. 296

AN ACT to amend, revise and codify section one (1) of chapter 261, acts of the fortieth general assembly, relating to municipal corporations.

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

That section one (1) of Chapter 261 Acts of the Fortieth General Assembly of the State of Iowa is amended, revised and codified to read as follows:

1 SECTION 1. **Tax for policemen's and firemen's pension funds.** Any
2 city or town having an organized fire department may, and all cities
3 having an organized police department or a paid fire department shall

4 levy annually a tax not to exceed one half ($\frac{1}{2}$) mill for each such
 5 department, for the purpose of creating firemen's and policemen's
 6 pension funds; cities operating under commission form of govern-
 7 ment and having a population exceeding one hundred twenty-five
 8 thousand (125,000), may levy an additional tax not to exceed one-
 9 half ($\frac{1}{2}$) mill for each such department for such purpose; cities op-
 10 erating under city manager and having a population exceeding thirty-
 11 five thousand (35,000), may levy an additional tax not to exceed one
 12 mill for each such department for such purpose. All moneys derived
 13 from each tax so levied, and all moneys received as membership fees
 14 and dues, and all moneys received from grants, donations, and de-
 15 vises for the benefit of each fund shall constitute separate funds, to
 16 be known and designated as a policemen's pension fund and a fire-
 17 men's pension fund. No levy or collection of taxes for either of said
 18 funds shall be made so as to create or maintain a balance therein in
 19 excess of ten thousand dollars (\$10,000.00) at the end of any fiscal
 20 year.

1 **SEC. 2. Publication.** This act being deemed of immediate im-
 2 portance shall be in full force and effect from and after its passage
 3 and publication in the Des Moines Daily News and the Iowa Unionist,
 4 newspapers published at Des Moines, Iowa.

Approved April 3, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines News April 7,
 1924, and the Iowa Unionist April 11, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 13

ELECTRIC TRANSMISSION LINES

S. F. 191

AN ACT to amend, revise, and codify sections thirty hundred thirty-nine (3039),
 fifty hundred twenty-seven (5027) to fifty hundred thirty-three (5033), inclusive,
 and fifty hundred thirty-seven (5037) to fifty hundred forty-three (5043), in-
 clusive, of the compiled code of Iowa, and section thirty hundred thirty-eight
 (3038) of the supplement to said code, relating to electric and other wires cross-
 ing railroad tracks and to electric transmission lines and franchises.

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

That sections thirty-hundred thirty-nine (3039), fifty hundred twenty-
 seven (5027) to fifty hundred thirty-three (5033), inclusive, and fifty hun-
 dred thirty-seven (5037) to fifty hundred forty-three (5043), inclusive,
 of the compiled code of Iowa, and section thirty hundred thirty-eight
 (3038) of the supplement to said code are amended, revised, and codified
 to read as follows:

1 **SECTION 1. Franchise for electric transmission lines.** No individ-
 2 ual, company, or corporation shall erect, maintain or operate any
 3 transmission line, wire or cable along, over or across any public high-
 4 way or grounds outside of cities and towns for the transmission, dis-
 5 tribution, or sale of electric current, without first procuring from the
 6 board of railroad commissioners, or from the board of supervisors in

7 the county or each of the respective counties in which such trans-
8 mission line is to be constructed or operated, a franchise granting
9 authority so to do as in this chapter provided.

1 **SEC. 2. Petition for franchise.** Any person, corporation, or com-
2 pany authorized to transact business in the state including cities and
3 towns may file a verified petition asking for a franchise to erect, main-
4 tain, and operate a line or lines for the transmission, distribution, use
5 and sale of electric current outside cities and towns and for such
6 purpose to erect, use and maintain poles, wires, guy wires, towers,
7 cables, conduits, and other fixtures and appliances necessary for con-
8 ducting electric current for light, heat or power over, along, and across
9 any public lands, highways, streams, or the lands of any person, com-
10 pany, or corporation, and to acquire necessary interests in real estate
11 for such purposes.

12 Where the application is made to a board of supervisors the applicant
13 shall file a copy of such petition with the board of railroad commis-
14 sioners at least ten days before the time of the hearing thereon. The
15 board of railroad commissioners must furnish the applicant with a
16 certificate showing the fact with reference to the filing of such copy.

1 **SEC. 3. Petition to contain what.** The petition shall set forth:

- 2 1. The name of the individual, company, or corporation asking for
3 the franchise.
- 4 2. The principal office or place of business.
- 5 3. The starting points, routes, and termini of the proposed lines,
6 accompanied with a map or plat showing such details.
- 7 4. A general description of the public or private lands, highways,
8 and streams over, across, or along which any proposed line will pass.
- 9 5. General specifications as to materials and manner of construc-
10 tion.
- 11 6. The maximum voltage to be carried over each line.

1 **SEC. 4. Notice of hearing.** Upon the filing of such petition, the
2 board shall fix a date for hearing thereon and cause a notice, addressed
3 to the citizens of each county through which the proposed line or
4 lines will extend, to be published in one of the official newspapers of
5 each such county for two (2) consecutive weeks. Said notice shall con-
6 tain a general statement of the contents and purpose of the petition, a
7 general description of the lands and highways to be traversed by the
8 proposed line or lines, the date and place fixed for hearing thereon,
9 and that all objections thereto must be filed at least five days before
10 said date. Said hearing shall be not less than ten (10) days from the
11 date of the last publication and at the offices of the board before which
12 said matter is pending, unless a different place in such notice is
13 specified.

1 **SEC. 5. Objections—hearing.** Any person, company, city, town or
2 corporation whose rights or interests may be affected, shall have the
3 right to file written objections to the proposed improvement or to the
4 granting of such franchise, but all such objections shall be on file
5 with the board at least five days before the date fixed for said hearing.
6 The board may allow objections to be filed later in which event the
7 applicant must be given reasonable time to meet such late objections.
8 The board may examine the proposed route or cause any engineer se-
9 lected by it to do so. It shall consider said petition and any objections

10 filed thereto, and may hear such testimony as may aid it in determin-
11 ing the propriety of granting such franchise. It may grant such fran-
12 chise in whole or in part upon such terms, conditions and restrictions,
13 and with such modifications as to location and route, as may seem to
14 it just and proper. The petitioners shall pay all costs and expenses
15 of said proceeding including cost of publishing notice, before such
16 franchise shall become effective.

1 **SEC. 6. Form of franchise.** The commerce counsel shall prepare a
2 blank form of franchise for such purposes, which shall provide space
3 for a general description of the improvement authorized thereby, the
4 name and address of the person or corporation to whom granted, the
5 general terms and conditions upon which it is granted and such other
6 things as may be necessary. This blank form shall be filled out and
7 signed by the chairman of the board which grants the franchise, and
8 the official seal shall be attached. Such franchise shall be subject to
9 such regulations and restrictions as the general assembly from time
10 to time may prescribe, and to such rules, not inconsistent with statutes,
11 as the board of railroad commissioners may establish from time to
12 time.

1 **SEC. 6-a1. Valuation of franchise.** No financial consideration shall
2 be charged for such franchise. In fixing the value for rate making
3 purposes of the property of any person, company or corporation own-
4 ing it or operating under it no account shall be taken of, and no in-
5 creased value shall be allowed for, any such franchise, except that the
6 reasonable cost to the petitioners of obtaining said franchise may be
7 included in the cost of constructing said line.

1 **SEC. 6-a2. No exclusive rights; duration of franchise.** No exclusive
2 right shall ever be given by franchise or otherwise to any person,
3 company, corporation, town or city to conduct electrical energy, or to
4 place electric wires, along or over or across any public highway or
5 public place or ground; and no franchise or privilege shall ever be
6 granted for any such purpose for a longer period than twenty-five
7 years.

1 **SEC. 7. Franchise transferable—notice.** When any such electric
2 transmission line or lines are sold and transferred either by voluntary
3 or judicial sale, such transfer shall carry with it the franchise under
4 which the said improvement is owned, maintained or operated. If a
5 transfer of such franchise is made before the improvement for which
6 it was issued is constructed in whole or in part, such transfer shall
7 not be effective till the person, company or corporation to whom it was
8 issued shall file in the office of the board granting the franchise a
9 notice in writing stating the date of such transfer and the name and
10 address of the transferee.

1 **SEC. 8. Record of franchises.** The board granting the franchise
2 shall keep a record of all such franchises granted and issued by it,
3 when and to whom issued, with a general statement of the location,
4 route, and termini of the transmission line or lines covered thereby.
5 When any transfer of such franchise has been made as provided in
6 this chapter, the board shall also make note upon its record of the
7 date of such transfer and the name and address of the transferee.

8 Every person, company or corporation which secures a franchise
9 for transmission lines from any board of supervisors must file with

10 the board of railroad commissioners a copy of the order or resolution
11 granting the franchise, certified by the county auditor. The franchise
12 shall be effective when such copy is filed. When so filed the board of
13 railroad commissioners shall issue a statement showing that fact.

1 **SEC. 9. Acceptance of franchise implies consent to regulation.** Any
2 person, company, or corporation obtaining a franchise as in this chap-
3 ter provided or owning or operating under one shall be conclusively
4 held to an acceptance of the provisions thereof and of all laws relat-
5 ing to the regulation, supervision, or control thereof which are now
6 in force or which may be hereafter enacted, and to have consented to
7 such reasonable regulation as the commission may, from time to time,
8 prescribe. The provisions of this act shall apply equally to assignees
9 as well as to original owners.

1 **SEC. 10. Obtaining additional rights.** Any person, firm, or corpora-
2 tion owning a franchise granted under this chapter or previously
3 existing law, desiring to acquire extensions of such franchise, may
4 petition the board in the manner provided for the granting of a fran-
5 chise, and the same proceeding shall be had as on an original appli-
6 cation. Such petition shall be accompanied by the written consent of
7 the applicant that the provisions of all laws relating to public utilities,
8 franchises and transmission lines, or to the regulation, supervision or
9 control thereof which are then in force or which may be thereafter
10 enacted shall apply to its existing line or lines, franchises and rights
11 with the same force and effect as if such franchise had been granted
12 or such lines had been constructed or rights had been obtained under
13 the provisions of this chapter.

1 **SEC. 10-a1. Furnishing service.** Any city or town which owns or
2 operates a system for the distribution of electric light or power, and
3 which has obtained electric energy for such distribution from any
4 person or firm or corporation owning or operating an electric light
5 and power plant or transmission line, shall be entitled to have the
6 service reasonably needed by such municipality and its patrons con-
7 tinued at and for a reasonable rate and charge and under reasonable
8 rules of service.

9 It shall be unlawful for the owner or operator of such light and
10 power plant or transmission line to disconnect or discontinue such
11 service (except during non-payment of reasonable charges) so long
12 as such operator holds or enjoys any franchise to go upon or use any
13 public streets, highways or grounds.

14 And until the municipality and the operator shall agree upon a rate
15 or charge for such service the municipality shall pay and the operator
16 shall accept the rate provided in the expired contract if any existed,
17 and if none existed then the rate before paid. This shall be without
18 prejudice, however, to the right of either party to test in court or
19 before any lawfully constituted rate making tribunal the reasonable-
20 ness of such rate.

21 This section shall not apply if the original service to the municipality
22 was given in case of emergency or for any other temporary purpose.

1 **SEC. 11. Eminent domain—extent—procedure.** Any person, com-
2 pany, or corporation having secured a franchise as provided in this
3 chapter, shall thereupon be vested with the right of eminent domain
4 to such extent as may be necessary and as prescribed and approved

5 by the board, not exceeding one hundred (100) feet in width for right
6 of way and not exceeding one (1) acre in any one (1) location in addi-
7 tion to right of way for the location of transformer or other stations
8 to carry out the purposes of said franchise. If agreement can not
9 be made with the private owner of lands as to damages caused by the
10 construction of said transmission line, the same proceedings shall be
11 taken as provided for taking private property for works of internal
12 improvement.

1 **SEC. 12. Injury to person or property—burden of proof.** In case
2 of injury to any person or property by any such transmission line,
3 negligence will be presumed on the part of the person or corporation
4 operating said line in causing said injury, but this presumption may
5 be rebutted by proof. Such presumption shall not exist in favor of
6 employees of the person or corporation operating said transmission
7 line who are charged with or engaged in the construction, reconstruc-
8 tion, repair, or maintenance thereof, unless otherwise provided by the
9 employers' liability and workmen's compensation laws of the state.

1 **SEC. 13. Access to lines—damages to lands and crops.** Individuals
2 or corporations operating such transmission lines shall have reason-
3 able access to the same for the purpose of constructing, reconstruct-
4 ing, enlarging, repairing, or locating the poles, wires, or construction
5 and other devices used in or upon such line, but shall pay to the owner
6 of such lands and of crops thereon all damages to said lands or crops
7 caused by entering, using, and occupying said lands for said purposes.
8 Nothing herein contained shall prevent the execution of an agreement
9 between the person or company owning or operating such line and the
10 owner of said land or crops with reference to the use thereof.

1 **SEC. 14. Supervision of construction—location.** The board of rail-
2 road commissioners shall have power of supervision over the con-
3 struction of said transmission line and over its future operation and
4 maintenance. Said transmission line shall be constructed near and
5 parallel to the right of way of the railways of the state or along the
6 division lines of the lands, according to the government survey thereof,
7 wherever the same is practicable and reasonable, and so as not to
8 interfere with the use by the public of the highways or streams of the
9 state, nor unnecessarily interfere with the use of any lands by the
10 occupant thereof.

1 **SEC. 15. Manner of construction.** Such lines shall be built of strong
2 and proper wires attached to strong and sufficient supports properly
3 insulated at all points of attachment; all wires, poles, and other devices
4 which by ordinary wear or other causes are no longer safe shall be
5 removed and replaced by new wires, poles, or other devices, as the
6 case may be, and all abandoned wires, poles, or other devices shall be
7 at once removed. Where wires carrying current are carried across,
8 either above or below wires used for other service, the said transmis-
9 sion line shall be constructed in such manner as to eliminate, so far
10 as practicable, damages to persons or property by reason of said
11 crossing. There shall also be installed sufficient devices to automatic-
12 ally shut off electric current through said transmission line whenever
13 connection is made whereby current is transmitted from the wires
14 of said transmission line to the ground, and there shall also be pro-

15 vided a safe and modern improved device for the protection of said
16 line against lightning.

1 **SEC. 16. Distance from buildings.** No transmission line shall be
2 constructed, except by agreement, within one hundred (100) feet of
3 any dwelling house or other building, except where said line crosses
4 or passes along a public highway or is located alongside or parallel
5 with the right of way of any railway company. In addition to the
6 foregoing, each person, company, or corporation shall conform to any
7 other rules, regulations, or specifications established by the board of
8 railroad commissioners in the construction, operation, or maintenance
9 of such lines.

1 **SEC. 17. Lines along or crossing highway—danger label.** At any
2 crossing of any highway by such transmission line, the poles or towers
3 next to the highway shall be labeled with the following words: "Dan-
4 ger.volts electricity," filling in the voltage. The stroke
5 of said letters and numbers shall be at least four (4) inches in length
6 and not less than five-eighths ($\frac{5}{8}$) of an inch in width, and the color
7 of the letters and numbers shall be in contrast with the color of the
8 background. The said labels shall show the maximum number of
9 volts of electricity transmitted over said line, and shall face toward
10 the highway. Where said poles or towers are extended along said
11 highway and within the limits thereof or immediately adjacent there-
12 to, the sign herein prescribed shall be placed at least every quarter
13 of a mile. The board of railroad commissioners shall have power to
14 make and enforce such further and additional rules relating to location,
15 construction, operation, and maintenance of said transmission line as
16 may be reasonable.

1 **SEC. 18. Forfeiture of franchise for nonuser.** Unless the improve-
2 ment for which a franchise is granted is constructed in whole or in
3 part within two years from the granting thereof, it shall be forfeited
4 and the board which granted the franchise shall cancel and revoke
5 the same and make record thereof.

1 **SEC. 19. Forfeiture for violations.** If any person, company, or cor-
2 poration shall violate the provisions of this chapter or any rule estab-
3 lished for the construction, maintenance or operation of such electric
4 transmission line, and shall fail for ninety (90) days after notice from
5 the board to comply therewith, such board shall have power to cancel
6 and annul such franchise and order the removal of such line.

7 Provided, however, that if proceedings are commenced within said
8 ninety days in any court of competent jurisdiction to determine
9 whether the provisions of this chapter, or whether any rule estab-
10 lished for the construction or maintenance or operation of an electrical
11 transmission line, have been violated, or are legal and enforceable rules
12 or provisions, no forfeiture shall be declared or become effective if
13 within sixty days from the date of the final decree or judgment in
14 such proceedings the said rule or provisions have been fully complied
15 with and the cause of forfeiture removed.

1 **SEC. 21. Prior franchises not abrogated—legislative control.** Any
2 such franchise heretofore granted under previously existing law shall
3 not be abrogated by the provisions of this chapter, but all such fran-
4 chises and all franchises granted under the provisions of this chapter
5 shall be subject to further legislative control.

1 **SEC. 22. Violations—penalties.** Any person, company, or corpora-
2 tion constructing or undertaking to construct or maintain any electric
3 transmission line, without first procuring a franchise for such purpose
4 in accordance with the provisions of this chapter, shall be fined in
5 the sum of not less than one hundred dollars nor more than one thou-
6 sand dollars (\$1,000.00), and for violating any of the other provisions
7 of this chapter relating to electric transmission lines or disobeying
8 any order or rule made by the board of railroad commissioners in
9 relation thereto, shall be fined not exceeding one hundred dollars
10 (\$100.00).

1 **SEC. 23. Wire crossing railroad tracks—supervision.** The board
2 of railroad commissioners shall have general supervision over any and
3 all wires whatsoever crossing under or over any railroad track and
4 shall make rules prescribing the manner in which such wires shall
5 cross such track, but in no case shall the board of railroad commis-
6 sioners prescribe a less height for any wire than twenty-two (22) feet
7 above the top of the rails of any railroad track.

1 **SEC. 24. Wires across railroad right of way at highways.** The
2 board of railroad commissioners shall prescribe the manner for the
3 crossing of wires over and across railroad right of ways at highways
4 and other places within the state.

1 **SEC. 25. Wires must be strung in manner prescribed.** No corpora-
2 tion or person shall place or string any such wire for transmitting
3 electric current or any wire whatsoever across any track of a railroad
4 except in the manner prescribed by the board of railroad commis-
5 sioners.

1 **SEC. 26. Examination of wires already strung.** The board of rail-
2 road commissioners shall, either by personal examination or otherwise,
3 obtain information where railroad tracks are crossed by wires con-
4 trary to, or not in compliance with, the rules prescribed by it. It
5 shall order such change or changes to be made by the persons or cor-
6 porations owning or operating such wires as may be necessary to make
7 the same comply with said rules and within such reasonable time as
8 it may prescribe.

1 **SEC. 27. Penalty—enforcement.** Any person or corporation who
2 shall string or maintain any wire across any railroad track in this
3 state at a different height or in a different manner from that pre-
4 scribed by the board of railroad commissioners shall forfeit and pay
5 to the state the sum of one hundred dollars (\$100.00) for each separate
6 period of ten (10) days during which such wire is so maintained.
7 Such forfeiture shall be recovered in a civil action in the name of the
8 state by the commerce counsel, or by the county attorney of the county
9 in which such wire is situated, at the request of the board of railroad
10 commissioners.

1 **SEC. 28. Private right of way.** Nothing in this act shall prevent
2 any such individual or corporation having its high tension line on its
3 own private right-of-way on both sides of any highway, from crossing
4 such public highway under such rules and regulations as the board
5 of railroad commissioners may prescribe, and subject from time to
6 time to legislative control as to duration and use.

1 **SEC. 32. Publication clause.** This act being deemed of immediate
 2 importance shall be in full force and effect from and after its publica-
 3 tion in the Des Moines Capital and the Nonpareil, newspapers pub-
 4 lished in Des Moines and Council Bluffs, Iowa, respectively.

Approved April 25, A. D. 1924.

I hereby certify that the foregoing act was published in the Nonpareil, Council Bluffs, May 1, 1924, and the Des Moines Capital, April 30, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 14

COMMISSION ON LAND TITLES

H. F. 299

AN ACT to amend section three (3) of chapter three hundred twenty-six (326) of the acts of the fortieth general assembly, relating to the commission on land titles.

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

1 **SECTION 1. Commission on land titles.** That section three (3),
 2 chapter three hundred twenty-six (326) of the acts of the fortieth
 3 general assembly be and the same is hereby amended by striking out
 4 the words "to the special session of the fortieth general assembly, if
 5 any, and if not, ".

1 **SEC. 2. Publication.** This act being deemed of immediate impor-
 2 tance shall take effect from and after its publication in the Des Moines
 3 Register and the Des Moines Capital, newspapers published in Des
 4 Moines, Iowa.

Approved March 27, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Register March 29, 1924, and the Des Moines Capital March 28, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 15

BANKS AND BANKING

S. F. 326

AN ACT to amend, revise and codify sections fifty-seven hundred fifty (5750) and fifty-seven hundred fifty-six (5756) of the compiled code of Iowa and section fifty-seven hundred fifty-four (5754) of the supplement to the compiled code of Iowa, relating to the banking department.

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

That sections fifty-seven hundred fifty (5750) and fifty-seven hundred fifty-six (5756) of the compiled code of Iowa, and fifty-seven hundred fifty-four (5754) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

1 **SECTION 1. Approval of superintendent.** The superintendent of
2 banking shall be the head of the banking department of Iowa, and
3 shall have general control, supervision and direction of all banks and
4 trust companies incorporated under the laws of Iowa, and shall be
5 charged with the execution of the laws of this state relating to banks
6 and banking. The organization and re-organization of state and sav-
7 ings banks and trust companies shall be subject to the approval of
8 the superintendent of banking. Any person aggrieved by the action
9 of the superintendent of banking in granting or refusing to grant a
10 certificate of authority to engage in banking may appeal to the execu-
11 tive council of the state by filing with the secretary of the council a
12 notice of appeal, in writing, and serving the same upon the superin-
13 tendent of banking or some employee of the office. Such appeal shall
14 be taken within ten days after the action of the superintendent of
15 banking. When notified of such appeal the executive council shall
16 fix a time and place for the hearing and its findings in the matter
17 shall be final.

1 **SEC. 2. Examination fee.** Every bank and trust company shall
2 pay to the superintendent of banking within ten (10) days after the
3 date of each examination a fee as based on the assets of said bank
4 or trust company, as of the date for the close of business for which
5 such examination is made, as follows: At the rate of one dollar per
6 one thousand dollars of assets on the first twenty-five thousand dollars
7 of assets, and at the rate of three cents per one thousand dollars of
8 assets on all assets over and above twenty-five thousand dollars of
9 assets, provided that no examination shall be made for less than
10 twenty dollars.

1 **SEC. 3. Salaries.** The deputy superintendent of banking and all
2 bank examiners shall receive a salary to be fixed by the superintendent
3 of banking, which salaries shall be commensurate with the work done.
4 In no case shall the salary of anyone exceed the sum of thirty-eight
5 hundred dollars (\$3800) per annum, except that the salaries of the
6 deputy superintendent and of not more than three (3) examiners may
7 be increased by the executive council in an amount in each instance
8 not in excess of six hundred dollars (\$600) in any one year upon the
9 request of the superintendent of banking and a showing by him of
10 the need of such action, but under this provision no salary shall exceed
11 a maximum of forty-eight hundred dollars (\$4800.00).

1 **SEC. 4. Payments.** No payments of any kind shall be made by the
2 state treasurer to cover expenses and salaries of the banking depart-
3 ment or any part thereof, unless there shall be on hand in the office
4 of the treasurer of state sufficient funds, received as income from said
5 department to pay the same, and such salaries and expenses shall be
6 paid from such funds. The superintendent shall furnish to the auditor
7 of state from time to time a list of the salaries as fixed by him or as
8 authorized by the executive council and all salaries shall be paid
9 monthly by the treasurer of state on warrants drawn by the auditor
10 of state in conformity with such salary list so furnished.

1 **SEC. 5. Publication.** This act, being deemed of immediate impor-
2 tance, shall take effect and be in force from and after its publication
3 in the Des Moines Capital, a newspaper published at Des Moines, Iowa,

4 and the Ottumwa Daily Courier, a newspaper published in Ottumwa,
5 Iowa.

Approved April 26, A. D. 1924.

I hereby certify that the foregoing act was published in the Ottumwa Daily Courier, April 29, 1924, and the Des Moines Capital April 29, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 16

SCHOOLS AND SCHOOL DISTRICTS

H. F. 100

AN ACT to amend, revise, and codify sections twenty-five hundred eight (2508), twenty-five hundred nine (2509), twenty-five hundred fifteen (2515) to twenty-five hundred seventeen (2517), inclusive, and twenty-five hundred twenty-six (2526) to twenty-five hundred thirty-four (2534), inclusive, of the compiled code of Iowa, and sections twenty-five hundred twenty-four-a one (2524-a1) to twenty-five hundred twenty-four-a forty (2524-a40), inclusive, and twenty-five hundred twenty-five (2525) of the supplement to said code, relating to education.

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

That sections twenty-five hundred eight (2508) and twenty-five hundred nine (2509) of the compiled code of Iowa are amended, revised, and codified to read as follows:

1 SECTION 1. **Names.** School corporations composed of subdistricts
2 shall be called school townships, and shall be designated as the school
3 township of (naming civil township), in the county of (naming coun-
4 ty), state of Iowa. If there are two or more school corporations com-
5 posed of subdistricts in any civil township in addition to the fore-
6 going, they should be designated by number. Other school corpora-
7 tions shall be designated as follows: The independent school district
8 of (naming city, town, township, or village, and if there are two (2)
9 or more districts therein, including some appropriate name or num-
10 ber), in the county of (naming county), state of Iowa; or, the rural
11 independent school district of (some appropriate name or number),
12 township of (naming township), in the county of (naming county),
13 state of Iowa; or, the consolidated school district of (some appro-
14 priate name or number), in the county of (naming county), state of
15 Iowa.

1 SEC. 2. **Directors.** The affairs of each school corporation shall be
2 conducted by a board of directors, the members of which in all inde-
3 pendent school districts shall be chosen for a term of three (3) years,
4 and in all subdistricts of school townships for a term of one (1) year.

That sections twenty-five hundred fifteen (2515) to twenty-five hundred seventeen (2517), inclusive, and twenty-five hundred thirty-one (2531) to twenty-five hundred thirty-four (2534), inclusive, of the compiled code of Iowa are amended, revised, and codified to read as follows:

1 SEC. 3. **Corporation limits changed.** When the boundary line be-
2 tween a school township and an independent district is not also the

3 line between civil townships, such boundary may be changed at any
4 time by the concurrence of the boards of directors; but in no case
5 shall a forty-acre tract of land, by the government survey, be divided;
6 and such subdivisions shall be excluded or included as entire forties.
7 The boundaries of the school township or the independent district
8 may in the same manner be extended to the line between civil
9 townships, even though by such change one of the districts shall be
10 included within and consolidated with the other as a single district.

1 **SEC. 4. Organization of board.** Whenever any new school corpora-
2 tion has been established, such corporation shall elect a board of
3 directors in accordance with the new boundaries and such new board
4 shall organize as provided in chapter twenty (20) of title ten (10)
5 of the compiled code except that such organization shall be effected
6 at any time prior to the second day of July following the election of
7 the directors. Upon the election and organization of the new boards,
8 the old boards shall cease to exist except for the purpose specified in
9 the two (2) following sections.

1 **SEC. 5. Division of assets and distribution of liabilities.** Within
2 twenty (20) days after the organization of the new boards, they shall
3 meet jointly with the several boards of directors whose districts have
4 been affected by the organization of the new corporation or corpora-
5 tions and all of said boards acting jointly shall recommend to the
6 several boards an equitable division of the assets of the several school
7 corporations or parts thereof and an equitable distribution of the
8 liabilities of such school corporations or parts thereof among the new
9 school corporations.

1 **SEC. 6. Arbitration.** If the boards cannot agree on such division
2 and distribution, the matters on which they differ shall be decided
3 by disinterested arbitrators, one (1) selected by each board having
4 an interest therein, and if the number thus selected is even, then one
5 (1) shall be added by the county superintendent. The decision of
6 the arbitrators shall be made in writing and filed with the secretary
7 of the new corporation and any party to the proceedings may appeal
8 therefrom to the district court, by serving notice thereof on such
9 secretary within twenty days after the decision is filed, such appeal
10 shall be tried in equity and a decree entered determining the entire
11 matter, including the levy, collection, and distribution of any neces-
12 sary taxes.

1 **SEC. 6-a1. Additional taxes.** If necessary to equalize such division
2 and distribution, the new board or boards may provide for the levy
3 of additional taxes upon the property of any corporation or part of
4 corporation and for the distribution of the same so as to effect such
5 equalization.

1 **SEC. 7. Plats of school districts.** The board of directors of each
2 school corporation shall file in the office of the county superintendent
3 a plat showing the boundaries of the district, and, in school townships,
4 indicating the boundaries of the subdistricts. Any change thereafter
5 made in the boundaries of any school district or subdistrict shall be
6 reported to the county superintendent by the secretary of the board
7 of the district affected thereby, and all changes shall be indicated by
8 the county superintendent on the plats. Said superintendent shall

9 furnish each the county auditor and the treasurer with a copy of said
10 plat and of any changes therein when made.

1 **SEC. 8. Formation of independent district.** Upon the written peti-
2 tion of any ten (10) voters of a city, town, or village of over one
3 hundred (100) residents, to the board of the school corporation in
4 which the portion of the city or town having the largest number of
5 voters is situated, such board shall establish the boundaries of a pro-
6 posed independent district, including therein all of the city, town, or
7 village, and also such contiguous territory as is authorized by a writ-
8 ten petition of a majority of the resident electors of the contiguous
9 territory proposed to be included in said district, in subdivisions not
10 smaller than the smallest tract as made by the government survey
11 in the same or any adjoining school corporations, as may best sub-
12 serve the convenience of the people for school purposes, and shall
13 give the same notices of a meeting as required in other cases.

1 **SEC. 9. Vote by ballot—separate ballot boxes.** At the meeting all
2 voters upon the territory included within the contemplated independ-
3 ent district shall be allowed to vote by ballot for or against such
4 independent organization. When it is proposed to include territory
5 outside the city, town, or village, the voters residing upon such out-
6 side territory shall vote separately upon the proposition for the forma-
7 tion of such new district. If a majority of the votes so cast is against
8 including such outside territory, then the proposed independent dis-
9 trict shall not be formed. When such territory is included in an
10 independent district, adequate school facilities shall be provided for
11 the increased attendance.

1 **SEC. 10. Subdistrict organized into independent district.** A sub-
2 district containing a village with a population of seventy-five (75)
3 or more may, under the provisions of the two (2) preceding sections,
4 organize into an independent school district.

1 **SEC. 11. New district organized.** If a majority of the votes cast at
2 such election is favorable to the proposition, the organization and
3 formation of said independent district shall thereby be effected, and
4 the board of directors, treasurer, and other officers of the school cor-
5 poration then holding office in the district affected having the largest
6 number of voters, shall become the board of directors, treasurer, and
7 other officers of said new district, and shall continue to hold their
8 respective offices until the terms for which they were originally elected
9 shall expire.

1 **SEC. 11-a1. Separate ballot.** Whenever it is proposed to extend the
2 limits of, or add territory to, an existing independent city, town or
3 consolidated district, the voters residing within the proposed exten-
4 sion or addition and outside the existing independent district, shall
5 vote separately upon the proposition. The proposition must be ap-
6 proved by a majority of the voters voting thereon in each of such
7 territories.

1 **SEC. 12. Offices abolished—officers of districts outside.** The terms
2 of office of all other directors, treasurers, and officers of boards in
3 territory lying wholly within said new district shall terminate; but
4 in districts lying partly without the new district, the directors, officers,

5 and treasurers shall continue to have authority over the territory
6 lying within their districts and without the new district.

1 **SEC. 13. Contracts of employment not affected.** The terms of em-
2 ployment of superintendents, principals, and teachers for any current
3 school year shall not be affected by the formation of the new district.

1 **SEC. 14. Election expenses.** The expense of such election shall be
2 borne by the independent district, in case such district shall be formed,
3 otherwise by the separate districts in proportion to the assessed
4 valuation thereof within the proposed independent district.

That sections twenty-five hundred twenty-six (2526) to twenty-five
hundred thirty (2530), inclusive, of the compiled code of Iowa, and sec-
tions twenty-five hundred twenty-four-a one (2524-a1) to twenty-five
hundred twenty-four-a forty (2524-a40), inclusive, and twenty-five hun-
dred twenty-five (2525) of the supplement to said code, are amended,
revised, and codified to read as follows:

1 **SEC. 15. Consolidated corporations.** Consolidated school corpora-
2 tions containing an area of not less than sixteen (16) government
3 sections of contiguous territory in one or more counties may be or-
4 ganized as independent districts for the purpose of maintaining a
5 consolidated school, in the manner hereinafter provided.

1 **SEC. 16. Petition for consolidated corporation.** A petition describ-
2 ing the boundaries of the territory and asking for the establishment
3 of boundaries for a proposed school corporation, signed by one-third
4 (1/3) of the voters residing within the limits of the territory de-
5 scribed, shall be filed with the county superintendent of the county
6 in which the greater number of the qualified electors reside.

1 **SEC. 17. Affidavit to accompany petition.** Such petition shall be
2 accompanied by an affidavit showing the number of qualified electors
3 living in the territory described in the petition and signed by a qualified
4 elector residing in the territory, and if parts of the territory described
5 in the petition are situated in different counties, the affidavit shall
6 show separately as to each county, the number of qualified electors
7 in the part of the county included in the territory described. The
8 affidavit shall be taken as true unless objections to it are filed on or
9 before the time fixed for filing objections as provided in the following
10 section.

1 **SEC. 18. Objections—time of filing—notice.** Within ten (10) days
2 after the petition is filed, the county superintendent shall fix a final
3 date for filing objections to the petition in the office of the county
4 superintendent, and give notice for at least ten (10) days, by one (1)
5 publication in a newspaper published within the territory described
6 in the petition, or if none be published therein, in the next nearest
7 town or city in any county in which any part of the territory de-
8 scribed in the petition is situated. Objections shall be in writing in
9 the form of an affidavit and may be made by any person residing or
10 owning land within the territory described in the petition, or who
11 would be injuriously affected by the formation of such new corpora-
12 tion, and shall be on file not later than twelve (12) o'clock noon of
13 the final day fixed for filing objections.

1 **SEC. 19. Hearing—decision—publication of order.** On the final
2 date fixed for filing objections, interested parties may present evidence
3 and arguments, and the county superintendent shall review the matter
4 on its merits and within five (5) days after the conclusion of any
5 hearing, shall rule on the objections and shall enter an order fixing
6 such boundaries for a proposed school corporation as will in his judg-
7 ment be for the best interests of all parties concerned, having due
8 regard for the welfare of adjoining districts; or dismiss the petition.
9 The county superintendent shall at once publish this order in the same
10 newspaper in which the original notice was published.

1 **SEC. 20. Appeal—time and place—record—notice.** Within ten (10)
2 days after the publication of such order, any petitioner, or any person
3 who filed objections, or any person residing upon or owning land in-
4 cluded in or excluded from the district by any change in the boundary
5 lines from those proposed in the petition, may appeal from the deci-
6 sion of the county superintendent to the county board of education
7 by serving written notice on the county superintendent. Within five
8 (5) days after the time for appeal has expired, the county superin-
9 tendent shall file with the county board of education all the original
10 papers together with his decision and fix a time and place for hearing
11 such appeal, and give notice to each appellant by registered letter.
12 If more than one (1) person has signed the same notice of appeal,
13 notice to the first three (3) persons whose names appear thereon shall
14 be deemed notice to all. The time fixed for such hearing shall not
15 be less than five (5) nor more than ten (10) days after the time for
16 appeal expires.

1 **SEC. 21. Appeal tribunal when territory all in one county.** If the
2 territory described in the petition for the proposed corporation lies
3 wholly in one county, the county board of education in the said county
4 shall hear the said objections at the time and place fixed by the county
5 superintendent, and within five (5) days after submission thereof shall
6 determine and fix such boundaries for the proposed school corporation
7 as in its judgment will be for the best interests of all concerned, with-
8 out regard to existing district lines. If such boundaries are neither
9 those petitioned for nor those fixed by the county superintendent, the
10 hearing shall be adjourned, and notice of such adjourned hearing shall
11 be given as for the hearing before the county superintendent, and
12 upon the final hearing the board of education shall fix the boundaries,
13 or dismiss the petition, which shall be final.

1 **SEC. 22. Appeal tribunal when territory in different counties.** If
2 the territory described in the petition for the proposed corporation
3 lies in more than one county, the county superintendent with whom
4 the petition is filed shall fix the time and place and call a joint meet-
5 ing of the members of all the county boards of education of the coun-
6 ties in which any territory of the proposed school corporation lies,
7 to act as a single board for the hearing of the said objections, and a
8 majority of all the members of the county boards of education of the
9 different counties in which any part of the proposed corporation lies,
10 shall constitute a quorum and it shall determine and fix boundaries
11 for the proposed corporation, as provided in the preceding section,
12 or dismiss the petition, which shall be final.

1 **SEC. 23. Interested parties not to act as judges.** No member of
2 a county board of education who lives or owns land within the pro-
3 posed district or within any existing district affected by the proposed
4 change in boundaries, or who has filed objection to the establishment
5 of the new school corporation, shall take any part in determining any
6 matter concerning the establishment or dissolution of such school
7 corporation, which may come before the county board or a joint meet-
8 ing for a hearing.

1 **SEC. 24. Special election called—time.** When the boundaries of
2 the territory to be included in a proposed school corporation have been
3 determined as herein provided, the county superintendent with whom
4 such petition is filed shall call a special election in such proposed school
5 corporation within thirty (30) days from the date of the final determi-
6 nation of such boundaries, by giving notice by one (1) publication
7 in the same newspaper as previous notices concerning it have been
8 published, which publication shall be not less than ten (10) nor more
9 than fifteen (15) days prior to the election. No notice for an election
10 shall be published until the time for appeal has expired; and in the
11 event of an appeal, not until the same has been disposed of.

1 **SEC. 25. Judges of election—qualifications.** The county super-
2 intendent shall appoint the judges of such election and such judges
3 shall be qualified electors of the territory of the proposed school cor-
4 poration as determined by the county superintendent or board of
5 education, and they shall serve without pay. If any judge fails to
6 appear at the proper time, his place shall be filled by the judge or
7 judges present, or if no judge appears, any three (3) qualified elec-
8 tors may organize the election board.

1 **SEC. 26. Separate vote in case of urban territory.** When it is pro-
2 posed to include in such district a school corporation containing a city,
3 town, or village with a population of two hundred (200) or more
4 inhabitants, the voters residing upon the territory outside the limits
5 of such school corporation shall vote separately upon the proposition
6 to create such new corporation.

1 **SEC. 27. Separate vote in case of large territory.** When it is pro-
2 posed to include in such district a school corporation which contains
3 an area of more than sixteen (16) sections and which maintains a
4 central school, the voters residing in the territory within the limits
5 of said school corporation shall vote separately upon the proposition
6 to create such new corporation.

1 **SEC. 28. Separate ballot boxes.** The judges of election shall pro-
2 vide separate ballot boxes in which shall be deposited the votes cast
3 by the qualified electors from their respective territories.

1 **SEC. 29. Canvass and return of vote.** The judges of election shall
2 count the ballots, make return to and deposit the ballots with the
3 county superintendent, who shall enter the return of record in his
4 office. If the majority of the votes cast by the qualified electors are
5 in favor of the proposition, a new school corporation shall be organ-
6 ized, except that in cases where separate ballot boxes are required by
7 law, a majority of the votes cast by the qualified electors from their
8 respective territories shall be required.

1 **SEC. 30. Contest of election.** An election to establish or dissolve
2 a school corporation may be contested in the manner provided by law
3 for contesting other elections, so far as practicable.

1 **SEC. 31. Election of directors.** If the proposition to establish a
2 new corporation carries, a special meeting of the electors shall be
3 called by the county superintendent, by giving notice by one (1)
4 publication in the same newspaper in which the former notices were
5 published, and he shall appoint judges, who shall serve without pay.
6 At such election, two (2) directors shall be elected to serve until the
7 next annual meeting, two (2) until the second, and one (1) until the
8 third annual meeting thereafter, and until such time as their suc-
9 cessors are elected and qualified. The judges of election shall make
10 return to the county superintendent, who shall enter the return of
11 record in his office and notify the persons who are elected directors
12 and shall set the date for the organization of the school board.

1 **SEC. 32. Payment of expenses.** If the district is established, it
2 shall pay all expenses incurred by the superintendent and the board
3 of education in connection with the proceedings, including the election
4 of the first board of directors. If it is not established all expenses
5 shall be apportioned among the several districts in proportion to the
6 assessed valuation of the property therein.

7 If the proposed district embraces territory in more than one county
8 such expenses shall be certified to and, if necessary, apportioned among
9 the several districts by the joint board of education. If in only one
10 county the certification shall be made by the county superintendent.

11 The respective boards to which such expenses are certified shall
12 audit and order the same to be paid from the general fund.

1 **SEC. 33. Minimum size of territory and remaining area.** A con-
2 solidated school corporation, maintaining an approved central school,
3 shall not be reduced to less than sixteen (16) government sections,
4 unless dissolved as provided by law. No remaining portion of any
5 school corporation from which territory is taken to form a new dis-
6 trict shall contain an area of less than four (4) government sections
7 which shall be so situated as to form a suitable corporation.

1 **SEC. 34. Organization of remaining territory.** Where, after the
2 formation of a consolidated corporation, one (1) or more parts of the
3 territory of a school township is left outstanding, each piece shall
4 constitute a rural independent school corporation and be organized
5 as such unless two (2) or more contiguous subdistricts are left, in
6 which event each of such remaining portions of territory shall con-
7 stitute a school township. It shall be the duty of the county super-
8 intendent of the county in which the territory is situated to call an
9 election, by giving proper notice, in each of such remaining pieces of
10 territory, for the purpose of electing school officers in the manner
11 provided by law for electing officers in rural independent districts or
12 school townships, as the case may be, and fix the date for the first
13 meeting and organization of the new school board in each district.

1 **SEC. 35. Taxes.** After the organization of the board in newly or-
2 ganized school districts, all taxes previously certified to but not levied
3 by the board of supervisors, shall be void so far as the property within
4 the limits of the new school corporation is concerned.

1 **SEC. 36. Control of schools pending appeal.** During the pendency
2 of an appeal or litigation concerning the organization or dissolution
3 of any consolidated district, the respective boards of the old districts
4 shall maintain the schools in their respective districts, if such appeal
5 or litigation is commenced before the new board is elected and
6 qualified.

1 **SEC. 37. School buildings—tax levy—special fund.** The board of
2 each school corporation organized for the purpose of establishing a
3 consolidated school, shall provide a suitable building for such school
4 in that district, and may at the regular or a special meeting, call a
5 special election to submit to the qualified electors of the district the
6 question of voting a tax or authorizing the board to issue bonds, or
7 both, for any or all of the following purposes:
8 1. To secure a site, build or equip a schoolhouse,
9 2. To build a superintendent's or teacher's house, or
10 3. To repair or improve any school building or grounds, when the
11 cost will exceed two thousand dollars (\$2,000.00). All moneys re-
12 ceived for such purposes shall be placed in the schoolhouse fund of
13 said corporation and shall be used only for the purposes for which
14 voted.

1 **SEC. 38. Location of school building.** In locating a school site, the
2 board shall take into consideration the geographical position, number
3 and conveniences of the pupils, and may submit the question of loca-
4 tion to the voters of the district at any regular meeting, or at a special
5 meeting called for that purpose.

1 **SEC. 39. Consolidated school—transportation.** The board of every
2 consolidated school corporation shall provide suitable transportation
3 to and from school for every child of school age living within said
4 corporation and more than a mile from such school, but the board
5 shall not be required to cause the vehicle of transportation to leave
6 any public highway to receive or discharge pupils, or to provide trans-
7 portation for any pupil residing within the limits of any city, town,
8 or village within which said school is situated.

1 **SEC. 40. Transportation routes—suspension of service.** The board
2 shall designate the routes to be traveled by each conveyance in trans-
3 porting children to and from school. The board shall have the right
4 on account of inclemency of the weather to suspend the transportation
5 on any route upon any day or days when in its judgment it would be
6 a hardship on the children, or when the roads to be traveled are unfit
7 or impassable.

1 **SEC. 41. Transportation by parent—instruction in another school.**
2 The school board may require that children living an unreasonable
3 distance from school shall be transported by the parent or guardian
4 a distance of not more than two (2) miles to connect with any vehicle
5 of transportation to and from school or may contract with an adjoining
6 school corporation for the instruction of any child living an un-
7 reasonable distance from school. It shall allow a reasonable com-
8 pensation for the transportation of children to and from their homes
9 to connect with such vehicle of transportation, or for transporting
10 them to an adjoining district. In determining what an unreasonable
11 distance would be, consideration shall be given to the number and age

12 of the children, the condition of the roads, and the number of miles
13 to be traveled in going to and from school.

1 SEC. 42. **Contracts in re transportation—rules.** The school board
2 of any school corporation maintaining a consolidated school shall con-
3 tract with as many suitable persons as it deems necessary for the
4 transportation of children of school age to and from school. Such
5 contract shall be in writing and shall state the route, the length of
6 time contracted for, the compensation to be allowed per week of five
7 (5) school days, or per month of four (4) school weeks, and may
8 provide that two (2) weeks' salary be retained by the board pending
9 full compliance therewith by the party contracted with, and shall
10 always provide that any party or parties to said contract, and every
11 person in charge of a vehicle conveying children to and from school,
12 shall be at all times subject to any rules said board shall adopt for
13 the protection of the children, or to govern the conduct of the person
14 in charge of said conveyance.

1 SEC. 43. **Violation of rules in re transportation.** Any person driv-
2 ing, managing, or in charge of any vehicle used in transporting chil-
3 dren to and from school, who shall be found guilty of violating any
4 of the rules adopted by the board of said school for the guidance of
5 such person shall be guilty of a misdemeanor, and for the first offense
6 shall be fined not less than five dollars (\$5.00) nor more than ten
7 (\$10.00), and for a subsequent offense shall be fined not less than
8 twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00) and
9 shall be dismissed from the service.

1 SEC. 44. **State aid to consolidated schools.** All consolidated schools
2 in districts with an area of sixteen (16) or more government sections
3 maintained with suitable grounds and the necessary departments and
4 equipment for teaching agriculture, home economics, and manual
5 training or other industrial and vocational subjects, and employing
6 teachers holding certificates showing their qualifications to teach said
7 subjects, and which said subjects are taught as a part of the regular
8 course in such schools, subject to the approval of the superintendent
9 of public instruction, shall be paid from the state treasury, from
10 moneys not otherwise appropriated, as follows:

11 1. Two (2) room schools, two hundred fifty dollars (\$250.00) for
12 equipment and two hundred dollars (\$200.00) additional annually.

13 2. Three (3) room schools, three hundred fifty dollars (\$350.00)
14 for equipment and five hundred dollars (\$500.00) additional annually.

15 3. Schools having four or more rooms, five hundred dollars
16 (\$500.00) for equipment and seven hundred fifty dollars (\$750.00)
17 additional annually.

1 SEC. 44-a. **State aid.** No consolidated school shall receive state aid
2 under the last preceding section and also additional aid for maintain-
3 ing a normal training course in high schools as provided in chapter
4 five of this title. But every consolidated school may maintain a normal
5 training course, in which case it shall receive state aid therefor in the
6 same amount and upon the same terms, conditions and regulations as
7 other schools which maintain such a course.

1 SEC. 45. **Report by secretary—requisition—warrant.** The secre-
2 tary of each consolidated school corporation or the superintendent of

3 such school, shall, at the close of each school year, report to the
4 superintendent of public instruction as said officer may require, who,
5 upon receipt of a satisfactory report, shall issue a requisition upon
6 the auditor of state for the amount due such school corporation for
7 said year. Thereupon the auditor of state shall draw a warrant on
8 the state treasury, payable to such school corporation, for the amount
9 of said requisition and forward the same to the secretary of such
10 school corporation.

1 **SEC. 46. Annual appropriation.** There is hereby appropriated an-
2 nually for the biennium out of any money in the state treasury not
3 otherwise appropriated the sum of one hundred fifty thousand dollars
4 (\$150,000.00), or so much thereof as may be necessary, to furnish
5 the state aid provided for consolidated schools. Should this appro-
6 priation be insufficient in any year to pay in full such state aid, the
7 same shall be distributed among the several schools pro rata in pro-
8 portion to the amount they would have received had said appropriation
9 been sufficient to pay said aid in full.

1 **SEC. 47. Dissolution of corporation.** A school corporation organ-
2 ized for the purpose of maintaining a consolidated school may be
3 dissolved in the following manner:

4 1. **Petition.** A petition describing the boundaries of the districts,
5 of which none shall be less than four (4) government sections of land,
6 except where a district was composed of less than four (4) government
7 sections prior to its merger in the consolidated district the former
8 boundaries of such district may be used, into which it is proposed to
9 divide the school corporation, and signed by a majority of the qualified
10 voters residing within the corporation, shall be filed with the county
11 superintendent of the county in which the greater number of qualified
12 electors reside.

13 2. **Petition and affidavit.** The petition and affidavit shall conform
14 to the requirements of section seventeen (17) of this act.

15 3. **Objections.** The proceedings required by section eighteen (18)
16 of this act shall be followed, except that an objector shall be any per-
17 son residing or owning land within the corporation proposed to be
18 dissolved, who would be injured by such dissolution and the formation
19 of new school corporations.

20 4. **Hearing—order—publication.** On the final day fixed for filing
21 objections, the interested parties may present evidence and argu-
22 ments to the county superintendent, and the county superintendent
23 shall review the matter on its merits and within five (5) days after
24 the conclusion of any hearing, shall rule on any objections and enter
25 an order of approval or dismiss said petition, and shall at once pub-
26 lish this order in some newspaper in which the original notice was
27 published. Provided, however, that where such district for which
28 petition for dissolution has been filed has not issued bonds, or built
29 a school building, the county superintendent shall at once approve
30 such petition.

31 5. **Appeal.** Any person living or owning land within the school
32 corporation may appeal, and such appeal shall be dealt with, as pro-
33 vided by section twenty (20) of this act.

34 6. **Appeal—order.** The board or joint board of education shall
35 proceed, so far as applicable, as provided in sections twenty-one (21)
36 and twenty-two (22) of this act, and shall approve or enter an order

37 dismissing the petition as in its judgment will be for the best interests
38 of all concerned, which decision shall be final.

39 7. Election. If the petition for dissolution is approved, an elec-
40 tion shall be called and held as provided in sections twenty-four (24)
41 and twenty-five (25) of this act.

42 8. Separate ballot boxes. If such district includes a city, town,
43 or village having a population of two hundred (200) or more inhab-
44 itants, separate ballot boxes shall be provided for the voters therein
45 and outside thereof, and a majority of the votes cast both within and
46 without said city, town or village shall be required to effect a dis-
47 solution of the district.

48 9. Canvass and return of vote—expense. The judges of election
49 shall count the ballots, make return to and deposit the ballots with
50 the county superintendent, who shall enter the return of record in his
51 office. If the majority of the votes cast are in favor of the proposi-
52 tion, the school district shall be dissolved, and a new school corpora-
53 tion or corporations shall be organized in the same manner in which
54 other new corporations are organized under section four (4) of this
55 act, and expenses incurred by the county superintendent shall be paid
56 as provided by section thirty-two (32) of this act.

1 SEC. 48. **Completion of organization of consolidated districts.** All
2 consolidated school corporations in process of establishment or or-
3 ganization at the time this act takes effect, may complete their
4 organization under the law in force immediately prior to the taking
5 effect of this act.

Approved April 1, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines News, April 28, 1924,
and the Iowa Forum, April 30, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 17

SCHOOLS AND SCHOOL DISTRICTS

H. F. 110

AN ACT to amend, revise, and codify sections two thousand six hundred fifty-three (2653), and two thousand six hundred fifty-eight (2658) of the compiled code of Iowa, and sections two thousand six hundred fifty (2650) and two thousand six hundred sixty (2660) of the supplement to said code, relating to education.

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

That section two thousand six hundred fifty (2650) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

1 SECTION 1. **School taxes.** The board of each school corporation shall
2 at its regular meeting in July, or at a special meeting called between
3 the time for the regular meeting and the third Monday in August,
4 estimate the amount required for the general fund. The amount
5 so estimated shall not exceed the following sum for each person of
6 school age:

7 1. In consolidated districts maintaining an approved high school
8 course, one hundred dollars (\$100.00).

9 2. In school corporations having a school enumeration of ten thou-
10 sand (10,000) or more, seventy dollars (\$70.00).

11 3. In all other school corporations, eighty dollars (\$80.00); pro-
12 vided that corporations not maintaining an approved high school and
13 which have tuition pupils attending high school in other districts may
14 levy such an additional amount above the said eighty dollars (\$80.00)
15 as will be necessary to pay the cost of tuition for such pupils.

1 **SEC. 2. Additional taxes.** If the amount so estimated in any school
2 corporation does not equal one thousand dollars (\$1,000.00) for each
3 school thereof, the corporation may estimate not to exceed one thous-
4 and dollars (\$1,000.00) for each school in the corporation.

1 **SEC. 3. Transportation fund—tax for free textbooks.** In addition
2 to the amounts authorized by the two (2) preceding sections, school
3 boards may include in their estimates not to exceed five dollars (\$5.00)
4 for each person of school age for transporting children to and from
5 school, when authorized by law; also the additional sum authorized
6 by section twenty-six hundred ninety-five (2695) of the compiled code.

1 **SEC. 4. Taxes estimated in mills.** School corporations containing
2 territory in adjoining counties may vote and estimate all taxes for
3 school purposes in mills.

1 **SEC. 5. Apportionment of taxes.** The boards of school townships
2 shall apportion any tax voted by the annual meeting for schoolhouse
3 fund among the several subdistricts in such a manner as justice and
4 equity may require, taking as the basis of such apportionment the
5 respective amounts previously levied upon said subdistricts for the
6 use of said fund.

1 **SEC. 6. Contract for use of library.** The board of directors of any
2 school corporation in which there is no free public library may contract
3 with any free public library for the free use of such library by the
4 residents of such school district, and pay such library the amount
5 agreed therefor as provided by law. During the existence of such
6 contract, the board shall certify annually a tax sufficient to pay such
7 library the consideration agreed upon, not exceeding one (1) mill on
8 the dollar of the taxable property of such district. During the ex-
9 istence of such contract, the school corporation shall be relieved from
10 the requirement that the school treasurer withhold funds for library
11 purposes. This section shall not apply in townships where a con-
12 tract for other library facilities is in existence.

1 **SEC. 7. Taxes certified.** The amount estimated as provided by the
2 six (6) preceding sections shall be certified to the board of supervisors
3 on or before the first Monday of September in each year.

That sections two thousand six hundred fifty-three (2653) and two
thousand six hundred fifty-eight (2658) of the compiled code of Iowa
are amended, revised, and codified to read as follows:

1 **SEC. 8. County auditor to report.** On the first day of January of
2 each year the county auditor shall report to the auditor of state in
3 such form as he may prescribe, giving the amount of permanent school
4 funds held by the county, and the amount of interest due prior to
5 January first, still remaining unpaid.

That section two thousand six hundred sixty (2660) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

- 1 **SEC. 9. School bonds.** The board of directors of any school cor-
 2 poration when authorized by the voters at the annual meeting, or
 3 at a special meeting called for that purpose, may issue the negotiable,
 4 interest-bearing school bonds of said corporation for borrowing money
 5 for any or all of the following purposes:
 6 1. To acquire sites for school purposes.
 7 2. To erect, complete, or improve buildings authorized for school
 8 purposes.
 9 3. To acquire equipment for schools, sites, and buildings.

Approved April 10, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines News, April 28, 1924, and the Iowa Forum, April 30, 1924.

W. C. RAMSAY, *Secretary of State*

CHAPTER 18

SCHOOLS AND SCHOOL DISTRICTS

H. J. R. 7

JOINT RESOLUTION providing for the publication of house file No. 100, an act relating to education—school districts, and house file No. 110, an act relating to education—school funds and bonds.

WHEREAS, conditions exist which make it desirable that house file No. 100, an act relating to education—school districts, and house file No. 110, an act relating to education—school funds and bonds, passed by the special session of the fortieth general assembly become effective at once in order to give the people of the state of Iowa the benefit thereof, therefore,

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

- 1 **SECTION 1. Publication authorized.** That house file No. 100 and
 2 house file No. 110, bills passed by the special session of the fortieth
 3 general assembly and approved by the governor, being deemed of im-
 4 mediate importance shall take effect and be in full force from and
 5 after their publication in the Des Moines News and The Iowa Forum,
 6 newspapers published in the city of Des Moines, Iowa, and the sec-
 7 retary of state is hereby authorized and directed to cause house file
 8 No. 100 and house file No. 110 to be published as provided herein.

- 1 **SEC. 2. Publication.** This act being deemed of immediate im-
 2 portance shall be in full force and effect from and after its publication
 3 in the Des Moines News and the Iowa Forum, newspapers published
 4 in the city of Des Moines, Iowa.

Approved April 22, A. D. 1924.

I hereby certify that the foregoing act was published in the Iowa Forum, April 23, 1924, and the Des Moines News, April 23, 1924.

W. C. RAMSAY, *Secretary of State*.

CHAPTER 19

COMPENSATION OF COUNTY ATTORNEY

H. F. 264

AN ACT to amend, revise, and codify section thirty-two hundred thirty-one-a nine (3231-a9) of the supplement to the compiled code of Iowa, relating to compensation of county attorney.

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

That section thirty-two hundred thirty-one-a nine (3231-a9) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

1 **SECTION 1. Compensation of county attorney.** Each county at-
 2 torney shall receive as his annual salary in counties having a popula-
 3 tion of:
 4 1. Less than fifteen thousand (15,000), eleven hundred dollars
 5 (\$1,100.00).
 6 2. Fifteen thousand (15,000) and under twenty thousand (20,000),
 7 fourteen hundred dollars (\$1,400.00).
 8 3. Twenty thousand (20,000) and under twenty-five thousand
 9 (25,000), sixteen hundred dollars (\$1,600.00).
 10 4. Twenty-five thousand (25,000) and under thirty-five thousand
 11 (35,000), seventeen hundred dollars (\$1,700.00).
 12 5. Thirty-five thousand (35,000) and under forty-five thousand
 13 (45,000), two thousand dollars (\$2,000.00).
 14 6. Forty-five thousand (45,000) and under fifty-five thousand
 15 (55,000), twenty-two hundred dollars (\$2,200.00).
 16 7. Fifty-five thousand (55,000) and under sixty-five thousand
 17 (65,000), twenty-five hundred dollars (\$2,500.00).
 18 8. Sixty-five thousand (65,000) and over, three thousand dollars
 19 (\$3,000.00).
 20 In addition to the salary above provided, he shall receive the fees
 21 as now allowed to attorneys for suits upon written instruments where
 22 judgment is obtained, for all fines collected where he appears for the
 23 state, but not otherwise, and school fund mortgages foreclosed, and
 24 attorney fees allowed in criminal cases.
 25 In any county where district court is held in two (2) places, he
 26 shall receive an additional sum of five hundred dollars (\$500.00).
 27 The county attorney shall also receive his necessary and actual ex-
 28 penses incurred in attending upon his official duties at a place other
 29 than his residence and the county seat, which shall be audited and
 30 allowed by the board of supervisors of the county.

1 **SEC. 2. Publication.** This act being deemed of immediate impor-
 2 tance shall take effect and be in force from and after its publication
 3 in the Des Moines Register and the Des Moines Capital, newspapers
 4 published in Des Moines, Iowa.

Approved February 8, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Register, February 11, 1924, and the Des Moines Capital, February 9, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 20

JURISDICTION JUVENILE COURT CASES

H. F. 320

AN ACT relating to jurisdiction in juvenile court cases in cities wherein a municipal court is established.

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

1 SECTION 1. **Municipal courts.** That section two thousand ninety
2 (2090) of the compiled code is hereby amended by adding after the
3 words "superior courts" in line one (1) a comma (,) and the words
4 "and municipal courts, within the jurisdiction of such courts, in coun-
5 ties having a population of less than one hundred thousand (100,000),".

1 SEC. 2. **Publication.** This act being deemed of immediate impor-
2 tance shall take effect and be in force from and after its publication in
3 the Council Bluffs Nonpariel, newspaper published in Council Bluffs,
4 Iowa, and the Des Moines Register, newspaper published in Des
5 Moines, Iowa.

Approved April 18, A. D. 1924.

I hereby certify that the foregoing act was published in the Council Bluffs Nonpariel, April 21, 1924, and the Des Moines Register, April 21, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 21

PERSONS SUBJECT TO POLL TAX

H. F. 319

AN ACT to amend section six (6) of chapter two hundred forty-six (246) of the acts of the fortieth (40th) general assembly (S. C. C. 3000-a1) relating to persons subject to poll tax in townships.

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

1 SECTION 1. **Residents.** That the law as it appears in section six
2 (6) of chapter two hundred forty-six (246) of the laws of the fortieth
3 (40th) general assembly (S. C. C. 3000-a1) be amended by striking
4 from line two (2) of said section the word "citizens" and by substitut-
5 ing in lieu thereof the word "residents".

1 SEC. 2. **Publication.** This act being deemed of immediate impor-
2 tance shall take effect and be in force from and after its publication in
3 the Des Moines Register and the Des Moines Capital, newspapers pub-
4 lished in Des Moines, Iowa.

Approved April 16, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Register, April 18, 1924, and the Des Moines Capital, April 18, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 22

CHIROPRACTIC

H. F. 301

AN ACT to amend chapter seven (7), section twelve (12), acts of the thirty-ninth general assembly, relating to the practice of chiropractic.

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

1 SECTION 1. **Change of date.** Chapter seven (7), section twelve
2 (12), acts of the thirty-ninth general assembly be and the same is
3 hereby amended by striking from line 27 the following: "30th day
4 of June in each year thereafter" and inserting in lieu "first day of
5 January in each year".

1 SEC. 2. **Publication.** This act being deemed of immediate im-
2 portance shall take effect and be in force from and after its publication
3 in the Des Moines Register and Des Moines Capital, newspapers
4 published in Des Moines, Iowa.

Approved March 28, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Register, April 3, 1924, and the Des Moines Capital, April 2, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 23

BOVINE TUBERCULOSIS

H. F. 68-a

AN ACT to repeal section ten (10) of chapter two hundred eighty-seven (287), acts of the thirty-eighth (38) general assembly, as amended by chapter forty-four (44), acts of the thirty-ninth (39) general assembly, and by section one (1) of chapter forty-nine (49), acts of the fortieth (40) general assembly; section eleven (11) of chapter two hundred eighty-seven (287), acts of the thirty-eighth (38) general assembly, as amended by chapter one hundred ninety-four (194), acts of the thirty-ninth (39) general assembly; sections twelve (12) and thirteen (13) of chapter two hundred eighty-seven (287), acts of the thirty-eighth (38) general assembly; section three (3) of chapter one hundred sixty-nine (169), acts of the thirty-ninth (39) general assembly; chapter forty-eight (48), acts of the fortieth (40) general assembly; and section two (2), chapter forty-nine (49), acts of the fortieth (40) general assembly, relating to the eradication of bovine tuberculosis, and to enact a substitute therefor.

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

1 SECTION 1. **Repeal.** That section ten (10) of chapter two hundred
2 eighty-seven (287), acts of the thirty-eighth (38) general assembly,
3 as amended by chapter forty-four (44), acts of the thirty-ninth (39)
4 general assembly, and by section one (1) of chapter forty-nine (49),
5 acts of the fortieth (40) general assembly; section eleven (11) of
6 chapter two hundred eighty-seven (287), acts of the thirty-eighth
7 (38) general assembly, as amended by chapter one hundred ninety-

8 four (194), acts of the thirty-ninth (39) general assembly; sections
9 twelve (12) and thirteen (13) of chapter two hundred eighty-seven
10 (287), acts of the thirty-eighth (38) general assembly; section three
11 (3) of chapter one hundred sixty-nine (169), acts of the thirty-ninth
12 (39) general assembly; chapter forty-eight (48), acts of the fortieth
13 (40) general assembly; and section two (2), chapter forty-nine (49),
14 acts of the fortieth (40) general assembly, are hereby repealed and
15 the following enacted in lieu thereof:

1 **SEC. 2. Cooperation of state and federal authorities.** The state
2 department of agriculture is hereby authorized to cooperate with the
3 federal department of agriculture for the purpose of eradicating tu-
4 berculosis from the dairy and beef breeds of cattle in the state.

1 **SEC. 3. Testing and examining herds.** The owner of any herd
2 kept for breeding or dairy purposes may petition the department of
3 agriculture for an examination of such herd for tuberculosis. The
4 department shall grant the petition when satisfied that the petitioner
5 intends to permanently maintain his herd and has applied for such
6 examination for the sole purpose of detecting the presence of such
7 disease and freeing his herd therefrom. Such examination shall be
8 conducted as soon as practicable after the granting of the petition.

1 **SEC. 4. Petition blank.** A blank for such petition shall be furnished
2 by the department, which shall include an agreement on the part of
3 the person making the petition that he will conform to and abide by
4 the rules laid down by the state and federal departments of agri-
5 culture and follow their instructions designed to suppress the disease,
6 prevent its spread, and avoid reinfection of the herd.

1 **SEC. 5. Appraisal.** Before being tested, such animals shall be
2 appraised at their cash value for breeding, dairy, or beef purposes
3 by the owner and a representative of the state department of agri-
4 culture, or a representative of the federal department of agriculture, or
5 by the owner and both of such representatives. If these parties cannot
6 agree as to the amount of the appraisal, there shall be appointed three
7 (3) competent and disinterested persons, one (1) by the state de-
8 partment of agriculture, one (1) by the owner, and the third by the
9 first two (2) appointed, to appraise such animals, which appraisal
10 shall be final. Every appraisal shall be under oath or affirmation
11 and the expense of the same shall be paid by the state, except as
12 provided in this act.

1 **SEC. 6. Presence of tuberculosis—use of infected animals.** If, after
2 such examination, tubercular animals are found, the department shall
3 have authority to order such disposition of them as it considers
4 most desirable and economical. If the department deems that a due
5 regard for the public health warrants it, it may enter into a written
6 agreement with the owner, subject to such conditions as it may pre-
7 scribe, for the separation and quarantine of such diseased animals.
8 Subject to such conditions, the diseased animals may continue to
9 be used for breeding purposes.

1 **SEC. 7. Forfeiture of right to receive compensation.** Any animal
2 retained, under the preceding section, by the owner for ninety (90)
3 days after it has been adjudged infected with tuberculosis shall not
4 be made the basis of any claim for compensation against the state.

1 **SEC. 8. Amount of indemnity to be paid owner.** When breeding
2 animals are slaughtered following any test there shall be deducted
3 from their appraisal value:

4 1. Five per cent of the appraised value of the breeding animals
5 tested.

6 2. The proceeds from the sale of the salvage.

7 The owner shall be paid by the state one-third of the sum remaining
8 after the above deductions are made.

9 The state shall in no case pay to such owner a sum in excess of
10 fifty dollars (\$50.00) for any registered pure-bred animal, or twenty-
11 five dollars (\$25.00) for any grade animal.

1 **SEC. 9. Pedigree.** The pedigree of pure-bred cattle shall be proved
2 by a certificate of registry from the herd books where registered.

1 **SEC. 10. Limitation on right to receive pay.** No compensation
2 shall be paid to any person for an animal condemned for tuberculosis:

3 1. Unless said animal, if produced in the state, has been owned
4 by such person for at least six (6) months prior to condemnation, or
5 was raised by such person.

6 2. Unless said animal, if imported into the state, was examined
7 at the time of importation and found free from tuberculosis.

1 **SEC. 11. Preference in examinations.** The department, in passing
2 upon petitions for examinations of herds, shall give priority to pe-
3 titions for the testing of dairy herds from which are sold, or offered
4 for sale, in cities or towns, milk or milk products in liquid or condensed
5 form.

1 **SEC. 12. Examination by department on its own motion.** The de-
2 partment may at any time, on its own motion, make an examination
3 of any herd, and in case animals are destroyed, the appraisalment and
4 payment shall be made as provided in this act.

1 **SEC. 13. Records public.** All records pertaining to animals infected
2 with tuberculosis shall be open for public inspection and the depart-
3 ment shall furnish such information relative thereto as may be re-
4 quested.

1 **SEC. 14. Accredited tuberculosis-free herds.** The department
2 shall establish rules for determining when a herd of cattle tested and
3 maintained under the provisions of this act, the laws of the United
4 States, and the rules of the state and federal departments of agri-
5 culture shall be considered as tuberculosis-free. When any herd
6 meets such requirements the owner shall be entitled to a certificate
7 from the department showing that the herd is a tuberculosis-free
8 accredited herd. Such certificate shall be revoked whenever the herd
9 no longer meets the necessary requirements for an accredited herd,
10 but the herd may be reinstated as an accredited herd upon subsequent
11 compliance with such requirements.

1 **SEC. 15. Tuberculin.** The department shall have control of the
2 sale, distribution, and use of all tuberculin in the state, and shall
3 formulate rules for its distribution and use. Only a licensed veter-
4 inarian shall apply a tuberculin test to cattle within this state.

1 **SEC. 16. Appointment of inspectors and assistants.** The depart-
2 ment may appoint one or more accredited veterinarians as inspectors

3 for each county and one or more persons as assistants to such in-
4 spectors. Such inspectors, with the assistance of such person or
5 persons, shall test the breeding cattle subject to test, as provided in
6 this act, and shall be subject to the direction of the department in
7 making such tests.

1 **SEC. 17. Accredited veterinarian defined.** An accredited veter-
2 inarian is one who has successfully passed an examination set by
3 the state and federal departments of agriculture and is authorized
4 to make tuberculin tests of accredited herds of cattle under the uni-
5 form methods and rules governing accredited herd work which are
6 approved by the United States department of agriculture.

1 **SEC. 18. Equipment for inspector.** The department may furnish
2 each inspector with the necessary tuberculin and other equipment nec-
3 essary to make the tests provided for in this act.

1 **SEC. 19. Compensation.** An inspector shall receive a compensation
2 not to exceed ten dollars (\$10.00) per diem and ten cents (10c) for
3 every mile traveled while engaged in such work. Unless such com-
4 pensation is fixed in the biennial salary act it shall be approved by
5 the committee on retrenchment and reform.

COUNTY AREA ERADICATION PLAN AND ACCREDITED AREA PLAN

1 **SEC. 20. Establishment by petition of breeders.** When any number
2 of resident owners of breeding cattle constituting a number equal to
3 fifty-one per cent (51%) of the number of owners of breeding cattle
4 in said county, as shown by the last assessors' rolls, petition the board
5 of supervisors for the establishment of a county area eradication
6 plan, such petition including an agreement on the part of the respective
7 signers thereof for the testing of their respective herds, as provided
8 in this act, the board shall cause a notice to be published for two
9 consecutive weeks in two official county papers of the date of the
10 hearing on said petition, which shall not be less than five nor more
11 than ten days after the last publication, said date to be set by the
12 county auditor. If, after such hearing, or if no objections are filed
13 to such petition on or before such date, the petition shall be found
14 sufficient, the board shall make application to the secretary of agri-
15 culture for the enrollment of the county under such plan. The appli-
16 cation shall be accompanied by a copy of the petition and agreements,
17 together with the action of the board thereon, duly certified by the
18 county auditor. The secretary of agriculture, upon receiving the appli-
19 cation, shall enroll the county under such plan. Certified copy of
20 the agreements as filed with the secretary of agriculture shall have
21 the same force and effect as originals on file with him. Subsequent
22 agreements may be filed with the department.

1 **SEC. 21. Levy for eradication fund.** In each county enrolled under
2 either of the plans provided in this act, the board of supervisors
3 shall each year when it makes the levy for taxes, levy a tax sufficient
4 to provide a fund to pay the indemnity and other expenses provided
5 in this act, except as hereinafter provided, but such levy shall not
6 exceed three (3) mills in any year upon the taxable value of all the
7 property in the county. Such levy shall be placed upon the tax list
8 by the county auditor and collected by the county treasurer in the

9 same manner and at the same time as other taxes of the county. The
10 money derived from such levy shall be placed in a fund to be known
11 as the county tuberculosis eradication fund, and the same shall only
12 be used for the payment of claims as provided in this act.

13 The county auditor of each county shall, not later than August 15th
14 of each year, certify to the secretary of agriculture a report showing
15 the amount in the tuberculosis eradication fund on August 1st of each
16 year.

17 Should it appear to the secretary of agriculture that the balance
18 in such fund is sufficient, with the county's allotment of state and
19 federal funds available, to carry on the work in such county for the
20 ensuing year, he shall so certify to the county auditor and when such
21 certification has been made the board shall make no levy for such
22 tuberculosis eradication fund for such year.

1 **SEC. 22. Availability of county fund.** After the amount allotted
2 in any year by the department to any county enrolled under the
3 county area plan has been expended in said county, or at any time
4 that there ceases to be available for such county any federal funds
5 for the eradication of bovine tuberculosis, the county eradication fund
6 provided in this act shall become available as a substitute for either
7 or both such funds for the payment of materials, indemnities, in-
8 spectors, and assistants as herein provided. Immediately upon the
9 exhaustion of such allotment the department shall certify such fact
10 to the county auditor, which certificate shall be full authority for
11 the board of supervisors to pay claims out of the county tuberculosis
12 eradication fund.

1 **SEC. 23. Notice of exhaustion of fund.** Whenever the balance in
2 such fund becomes less than twenty-five hundred dollars (\$2500.00)
3 the county auditor shall notify the department in writing of such
4 fact and no expense shall be incurred on such account in excess of
5 the cash available in such fund.

1 **SEC. 24. Certification of claims.** All claims presented under the
2 second preceding section shall be certified by the department and
3 filed with the county auditor who shall present them to the board of
4 supervisors, and such board shall allow and pay the same as other
5 claims against the county.

1 **SEC. 25. Accredited counties.** Whenever seventy-five per cent
2 (75%) of the owners of breeding cattle in any county operating under
3 the county area plan, shall have signed agreements with the depart-
4 ment of agriculture, the department shall enroll the county under the
5 accredited area plan and notify the board of supervisors of such county
6 accordingly. The board shall cause to be published a notice of such
7 enrollment once in two official newspapers of the county and there-
8 after every owner of breeding cattle within the county shall cause
9 his cattle to be tested for tuberculosis as provided in this act and
10 shall comply with all the requirements for the establishment and
11 maintenance of a tuberculosis-free accredited herd.

1 **SEC. 26. Certification of number of owners in county.** For the
2 purpose of determining the number of owners of breeding cattle in
3 the county constituting the per cent required by the preceding sec-
4 tion, the county auditor of each county which has been enrolled

5 under the county area eradication plan, shall certify to the department
6 after each assessment in the county, the number of owners of breed-
7 ing cattle in such county as shown by the last assessors' rolls.

1 **SEC. 27. Establishment by vote of people.** Whenever any number
2 of electors of the county equal to fifteen per cent (15%) of the voters
3 of the county as shown by the vote for the head of the ticket at the
4 last general election, petition the board of supervisors for the estab-
5 lishment of the accredited area plan and file the same in the office of
6 the county auditor, the board shall, if it finds such petition complies
7 with the requirements of this act, submit at the next general election
8 the following proposition: Shall _____ county levy a tax
9 of not more than three (3) mills on the taxable value of the property
10 of the county for the purpose of establishing a county tuberculosis
11 eradication fund and entering upon the accredited area plan? If
12 the proposition receives sixty-five per cent (65%) of the votes cast
13 at such election the board shall notify the department, which shall
14 enroll the county under the accredited area plan. When the county
15 is so enrolled the board of supervisors shall cause a notice of such
16 enrollment to be published once in two official newspapers of the
17 county and thereafter every owner of breeding cattle within the
18 county shall cause his cattle to be tested for tuberculosis as provided
19 in this chapter and shall comply with all the requirements for the
20 establishment and maintenance of the tuberculosis-free accredited
21 herd.

1 **SEC. 28. Penalty.** Any owner of breeding cattle in any county
2 which has been enrolled under the accredited area plan, as provided
3 in this act, who does not apply for and sign an agreement for such
4 test or fails to have his cattle tested as provided therein within a
5 period of ninety (90) days from the publication of the notice of en-
6 rollment shall be guilty of a misdemeanor and shall be punished by a
7 fine of not more than one hundred dollars. It shall be prima facie
8 evidence that the breeding cattle of any such owner who does not
9 permit said cattle to be tested as herein provided are affected with
10 tuberculosis and may be quarantined by the department until such
11 test is made.

1 **SEC. 29. Notice.** Before any action is commenced under the pre-
2 ceding section, the board of supervisors of the county shall cause
3 such owner to be served with a written notice of the provisions of the
4 four (4) preceding sections, at least fifteen (15) days before the
5 commencement of the action.

1 **SEC. 30. Allotment of funds to counties.** The department shall
2 allot on or before November 1st of each year among the counties of
3 the state in proportion to the number of breeding cattle owned in
4 each county, as shown by the last assessors' books, the amount of
5 the state funds estimated to be available for the testing of cattle for
6 tuberculosis. The department shall also attempt to secure a similar
7 allotment each year of the available federal funds by the federal
8 department of agriculture.

1 **SEC. 31. Transfer of funds.** The amount of state funds allotted
2 to each county shall be expended therein, but the department, when-
3 ever it deems it necessary for the welfare of the state, or whenever

4 such moneys are not needed in any county, may transfer the same to
5 any other county.

1 **SEC. 32. Publication clause.** This act being deemed of immediate
2 importance shall be in full force and effect from and after its passage
3 and publication in the Des Moines Register and the Des Moines
4 Capital, newspapers published in Des Moines, Iowa.

Approved March 5, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Register March 10, 1924, and the Des Moines Capital March 10, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 24

COUNTY AREA TUBERCULOSIS ERADICATION PLAN

S. F. 318

AN ACT to legalize the establishment of the county area tuberculosis eradication plan in the several counties of the state and the proceedings of boards of supervisors, county auditors, county treasurers, and the secretary of agriculture in the establishment of such areas, the levy, spreading, and collection of taxes therefor as is provided in chapter forty-eight (48) of the laws of the fortieth (40) general assembly of Iowa.

WHEREAS, under the provisions of chapter forty-eight (48) of the laws of the fortieth (40) general assembly of Iowa the board of supervisors of certain counties have proceeded to approve petitions and agreements for the establishment of the county area plan for the eradication of bovine tuberculosis, and have made applications with and have filed agreements with the secretary of agriculture of Iowa, and such counties have been enrolled under the county area plan as is provided in said act, and

WHEREAS, certain doubts have arisen as to the sufficiency of the proceedings before the board of supervisors relative to the establishment of the county area plan and of the secretary of agriculture relative thereto, and

WHEREAS, certain doubts have arisen as to the validity of the levy, spreading and collection of taxes therefor, and

WHEREAS, it is the desire of this general assembly to legalize, ratify, confirm and levy the taxes as the same now appear on the books in the office of the county treasurer of any such counties, providing always that said levy shall not exceed three (3) mills, now therefore

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

1 **SECTION 1. Proceedings validated.** That all of the proceedings in
2 connection with the establishment of and the enrollment of each of
3 the several counties of this state enrolled in the office of the secre-
4 tary of agriculture prior to January 1, 1924 under the county area
5 plan as provided in chapter forty-eight (48) of the acts of the fortieth
6 general assembly of Iowa be, and the same are hereby legalized and
7 validated. All of such proceedings shall have the same force and
8 effect as though in strict conformity to the provisions of said act.

1 **SEC. 2. County treasurer to collect.** That all taxes not exceeding
 2 three (3) mills upon the taxable value as now spread upon the tax
 3 books in the office of the county treasurer of each of said counties,
 4 which taxes were levied under the provisions of said chapter forty-
 5 eight (48) of the acts of the fortieth general assembly, be, and the
 6 same are hereby legalized, validated, confirmed and levied, and the
 7 county treasurer of each of said counties shall proceed, as provided
 8 by law, to collect the unpaid portion of said taxes and to distribute
 9 all taxes already collected or hereafter to be collected as provided by
 10 law, and all of the acts of said treasurer in connection with the col-
 11 lection of said taxes are hereby legalized, validated and confirmed.

1 **SEC. 3. Publication.** This act being deemed of immediate import-
 2 ance shall be in full force and effect from and after its publication in
 3 the Des Moines Capital and Des Moines Register, newspapers pub-
 4 lished at Des Moines, Iowa.

Approved April 19, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Register, April 23, 1924, and the Des Moines Capital, April 23, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 25

HIGHWAYS

S. F. 121

AN ACT to amend, revise, and codify chapters five (5) and eighteen (18) of title eleven (11) and section twenty-nine hundred fifty-nine (2959) of the compiled code of Iowa and of the supplement to said code, relating to the county road, bridge, and culvert system, and taxation therefor, and to toll bridges and ferries, and relating to the improvement of primary and county road systems and the issuance of bonds therefor, and anticipating primary road funds for primary road bonds, and county road funds for county road bonds, and relating to taxation for the payment of both kinds of said bonds and the interest thereon, and providing a method additional to that now provided by law for improvement and maintenance of primary and county roads; and to amend section twenty-nine hundred fourteen (2914) of the supplement to the compiled code of Iowa, relating to the improvement of primary roads.

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

That chapters five (5) and eighteen (18) of title eleven (11) of the compiled code of Iowa and of the supplement to said code are amended, revised, and codified to read as follows:

1 **SECTION 1. Highway levies.** The board of supervisors shall, an-
 2 nually, at the September session of the board, levy the following taxes:
 3 1. A county road tax of not more than one mill on all of the taxable
 4 property in the county.
 5 One-half of the county road fund arising from the property within
 6 a municipality shall be paid over by the county treasurer to the
 7 treasurer of the municipality in the same manner as other municipal
 8 taxes and shall be expended only on the roads and streets within such
 9 municipality, which are continuations of such roads as are main

10 arteries of travel leading to such municipalities, by and under the
11 direction of the council or commission.

12 1-a1. A county road building tax of not less than one mill nor more
13 than two mills on all of the taxable property in the county.

14 The proceeds of such levies, except such amount thereof as is paid
15 to the municipalities, shall be kept as a county road fund and shall
16 be used, except as otherwise provided, solely for the purchase of road
17 tools, machinery and equipment for the drainage of roads, for filling
18 over culverts and bridge approaches, for the elimination of dangerous
19 railroad crossings in both county and township roads, and for work
20 on the county system.

21 2. A county drainage tax, if the board deems the same necessary,
22 of not to exceed one (1) mill on all property in the county except on
23 property within cities of the first class and special charter cities. The
24 proceeds of said levy shall be kept as a county drainage fund and
25 shall be used, first, for the drainage of highways and for paying
26 drainage assessments levied on account of benefits to roads of the
27 county road system, and, second, any balance shall be placed to the
28 credit of the county road fund.

29 3. A county bridge and culvert tax of not to exceed five (5) mills
30 on all the property of the county, except on property within cities
31 controlling their own bridge levy. In counties having a bonded in-
32 debtedness of ten thousand dollars (\$10,000.00), the board may levy
33 not to exceed seven (7) mills. Said bridge fund shall be used to pay
34 for all bridges and culverts constructed and maintained by the county
35 and for culvert material furnished to the township trustees by the
36 county.

1 SEC. 2. **County road system.** The county road system:

2 1. Shall not embrace any part of a primary road.

3 2. Shall not embrace any highway within cities and towns except
4 as herein provided.

5 3. May embrace highways which are located along the corporate
6 limits of cities and towns and which are partly within and partly
7 without such limits.

8 4. May embrace a street or highway which is within the limits
9 of a town when such highway is a direct continuation of the county
10 road system outside said town, provided the board of supervisors
11 and the council can agree in writing as to the manner in which said
12 street or highway is being improved, and provided such contract is
13 approved by the state highway commission.

14 Nothing in this paragraph shall take from such town the general
15 municipal control and police regulation which it now has over such
16 street or the right to further improve such street by paving the same.

17 Such writing shall contain a provision that the town shall use the
18 funds returned to them under paragraph one of section 1 hereof in
19 constructing and maintaining said county road.

20 5. Shall, subject to the foregoing, embrace the highways which
21 are now designated as county roads by the plans and records now on
22 file in the county auditor's office of each county and in the office of
23 the state highway commission and as the same may hereafter exist
24 by legal modifications or additions.

1 SEC. 3. **Modifications of county system.** The board of supervisors
2 may make application to the state highway commission for a change

3 or modification of the established county road system when such
4 change is for the purpose of eliminating dangerous crossings or
5 curves, or when such change would materially decrease the cost of
6 improving or maintaining the road, and in such case the commission
7 may authorize such change as may seem advisable.

1 **SEC. 4. Additions to county system.** Whenever all the roads in
2 the county road system have been improved according to the plans
3 herein provided, the board of supervisors may add such roads from
4 the township road system as have been improved by the township
5 in accordance with the general plans and specifications furnished by
6 the engineer and in accordance with the requirements of this chapter,
7 and if the township roads so improved be not sufficient to use all
8 county funds available for that purpose, the board of supervisors may
9 select such additional county roads, but no increase shall be made in
10 the mileage of the county road system until that system is completed,
11 except that the board of supervisors may at any time add such roads
12 from the township road system as will materially shorten the direct
13 lines of travel between market towns. In all cases of additions the
14 same proceedings shall be followed, in all regards, as provided for the
15 original selection and improvement of county roads.

1 **SEC. 5. Roads to state parks.** The board of supervisors may add
2 to the county road system from the township road system such roads
3 as will render more accessible any body of water which may be im-
4 proved, under state authority, as a public park.

1 **SEC. 6. Exclusive procedure.** The procedure herein provided for
2 the modification of, and additions to, the county road system, shall
3 exclude all other procedure, and the decision of the board of supervis-
4 ors and the state highway commission shall be final.

1 **SEC. 7. Engineer—term—compensation—duties.** The board of
2 supervisors may, at its discretion, employ one (1) or more county
3 engineers, and shall fix their term of employment, which shall not
4 exceed one (1) year, and their compensation, which shall be paid from
5 the county fund. Said engineers shall, in the performance of their
6 duties, work under the directions of said board and shall give bonds
7 for the faithful performance of their duties in a sum not less than one
8 thousand dollars (\$1,000.00) nor more than five thousand dollars
9 (\$5,000.00). The tenure of office of any engineer may be terminated
10 at any time by the board. Such tenure may be terminated by the
11 highway commission for incompetency.

1 **SEC. 8. Engineers—itemized account.** All county engineers and
2 their assistants shall, for all work done or expenses made, file an
3 itemized and verified account, before the board of supervisors, stating
4 the time actually employed each day, the place where such work was
5 done, the character of the work done, and also file with such account
6 vouchers for any expense.

1 **SEC. 9. Division of roads—survey.** The engineer shall, in writing,
2 divide all county roads into sections, designating each section by some
3 appropriate number, name, or letter and clearly designating the start-
4 ing point and terminus of each such section. Such designation shall
5 be recorded at length in a county road book. The board may cause

6 all sections to be fully surveyed and a report made thereon before
7 proceeding with the improvement contemplated herein, or, in order
8 to enable the board to proceed with the most necessary and urgent
9 work, said board may designate the order in which the different sec-
10 tions shall be surveyed and planned, and may order the engineer to
11 survey and report on certain named sections before completing the
12 survey and report on all sections.

1 **SEC. 10. Details of survey.** The engineer's survey and report shall
2 be on the basis of the permanent improvement of said roads, both
3 as to bridge, culvert, tile, and road work. Said survey and report shall
4 consist of an accurate plan and profile of said roads, showing cuts and
5 fills and outline of grades, with careful attention to surface, lateral, and
6 subdrainage, and shall show the location of all lines of tile and size
7 thereof and of all bridges and culverts, their length, height and width,
8 and foundation soundings, and an estimate of the watershed relating
9 to each bridge and culvert. Proper bench marks shall be established
10 on each permanent bridge and culvert which shall be recorded on both
11 profile and plan of road. The engineer shall designate on said plans
12 and profiles all existing permanent bridges, culverts and grades.

1 **SEC. 11. Surveys and reports.** The survey and report of each sec-
2 tion, as soon as completed and approved by the board of supervisors,
3 shall be submitted to the state highway commission, and the board of
4 supervisors may designate to the said commission what sections, in
5 their estimation, should be first passed upon by said state highway
6 commission. The said commission shall pass on such reports and
7 plans, and in so doing, shall take into consideration the thoroughness,
8 feasibility, and practicability of such plans, and may approve or
9 modify the same.

1 **SEC. 12. Return and record of plans.** After such survey and plan
2 for each section is passed upon by the state highway commission, they
3 shall be returned to the county auditor with full and explicit directions
4 as to modifications, if any. The auditor shall record the same at
5 length in a county road book, and the work shall be done in accordance
6 therewith.

1 **SEC. 13. Contracts exceeding one thousand dollars.** All culvert and
2 bridge construction, grading, drainage and repair work, or materials
3 therefor, of which the engineer's estimated cost shall exceed one
4 thousand dollars (\$1,000.00) shall be advertised and let at a public
5 letting. The board may reject all bids, in which event it may re-
6 advertise, or may let the work privately at a cost not exceeding the
7 lowest bid received, or build by day labor, subject to the approval of
8 the state highway commission.

1 **SEC. 14. Contracts not exceeding one thousand dollars.** All culverts
2 and bridge construction, tile and tiling, and repair work or materials
3 therefor, of which the engineer's estimated cost shall be one thousand
4 dollars (\$1,000.00) or less, may be advertised and let at a public
5 letting, or may be let privately at a cost not to exceed the engineer's
6 estimate, or may be built by day labor.

1 **SEC. 15. Record of bids.** All bids received shall be publicly opened,
2 at the time and place specified in the advertisement, and shall be re-

3 corded in detail, in a book kept for that purpose, by the county auditor;
4 said book shall at all times be open to the inspection of the public.

1 **SEC. 16. Repair work defined.** Repair work shall be known as
2 work not designated by the highway engineer, all road construction
3 work costing not in excess of sixty dollars (\$60.00) per mile, work
4 of a temporary character, or of immediate necessity, and work nec-
5 essary to maintain finished roads completed under this chapter.

1 **SEC. 17. Contractors' bonds—conditions.** The board of supervisors
2 shall require all contractors to give a bond for the faithful performance
3 of the contract, in a sum not less than seventy-five per cent (75%)
4 of the contract price. The surety on any bond given to guarantee the
5 faithful performance and execution of any work shall be deemed and
6 held, any contract to the contrary notwithstanding, to consent without
7 notice:

8 1. To any extension of time to the contractor in which to perform
9 the contract when each particular extension does not exceed sixty
10 (60) days.

11 2. To any change in the plans, specifications, or contract when such
12 change does not involve an increase of more than twenty per cent
13 (20%) of the total contract price. If a change involves an increase
14 in the total contract price in excess of twenty per cent (20%) the
15 surety shall be released only as to such excess.

1 **SEC. 18. Action on bond—limitation.** No provision in a contract
2 shall be valid which seeks to limit the time to less than five (5) years
3 in which an action may be brought upon the bond covering concrete
4 work nor to less than one (1) year upon the bond covering other work.

1 **SEC. 19. Itemized and certified bills.** All bills for road work, tile
2 and tiling, culvert, and bridge construction, or for repairs designated
3 by the engineer, shall be filed in itemized form and certified to by the
4 engineer before being allowed or warrants drawn therefor. Before
5 any claim shall be allowed by the board of supervisors on the county
6 road or bridge funds, in payment for any work or construction, except
7 for dragging, maintenance, or repairs not designated by the engineer,
8 it must secure on the bill the certificate of the engineer employed by
9 it, that such improvement has been made in accordance with the
10 plans and specifications as herein provided. If said engineer makes
11 said certificate when said work has not been done in accordance with
12 the plans and specifications, and said work be not promptly made
13 good without additional cost, the full cost of making said work good
14 may be recovered upon said engineer's bond. A violation of this
15 section by any member of the board shall render him liable on his
16 bond for the amount of said claim.

1 **SEC. 20. Partial payments.** Partial payments may be allowed by
2 the board on contract work on the basis of the engineer's certified
3 estimates and the percentages specified in the standard specifications
4 of the state highway commission.

1 **SEC. 21. Advance payment of pay rolls.** The board of supervisors
2 may authorize the county auditor to draw warrants for the amount
3 of pay rolls for labor furnished under the day labor system, when
4 said pay rolls are certified to by the engineer in charge of the work.

5 Said bills shall be passed on by the board at the first meeting following
6 said payment.

1 **SEC. 22. Witness corners.** Whenever it may become necessary in
2 grading the highways to make a cut which will disturb or destroy,
3 or a fill which will cover up, a government or other established corner,
4 it shall be the duty of the engineer to establish permanent witness
5 corners, and make a record of the same, which shall show the distance
6 and direction the witness corner is from the corner disturbed or cov-
7 ered up. When said construction work is completed the engineer shall
8 permanently reestablish said corner. A failure to perform said duties
9 shall subject the engineer to a fine of not less than ten dollars (\$10.00)
10 nor more than fifty dollars (\$50.00) to be collected on his bond.

1 **SEC. 23. Gravel beds.** The board of supervisors of any county may,
2 within the limits of such county and without the limits of any city
3 or town, purchase or condemn any lands for the purpose of obtaining
4 gravel or other suitable material with which to improve the highways
5 of such county, including a sufficient road way to such land by the
6 most reasonable route, and to pay for the same out of the primary
7 or county road funds, or the board may purchase such material out-
8 side the limits of their county.

1 **SEC. 23-a1. Procedure.** The procedure for the condemnation of
2 land in the establishment of highways shall be followed in the con-
3 demnation of land in order to obtain gravel beds and a road thereto.

1 **SEC. 24. Use of gravel beds.** The township trustees of any township
2 in the county, in order to improve their township roads, shall have the
3 right to take material from any lands so acquired by the board of
4 supervisors and the supervisors may permit private parties or mu-
5 nicipal corporations to take materials from such acquired lands in
6 order to improve any street or highway in the county, but it shall
7 be a misdemeanor for any person to use or for the board of super-
8 visors to dispose of any such material for any purpose other than for
9 the improvement of such streets or highways.

1 **SEC. 25. Repair and dragging of county road system.** The county
2 board of supervisors and the engineer are charged with the duty of
3 causing the county road system to be so repaired and dragged as to
4 keep same in proper condition, and shall adopt such methods as are
5 necessary to maintain continuously, in the best condition practicable,
6 the entire mileage of said system.

1 **SEC. 26. Intercounty highways.** Boards of supervisors of adjoining
2 counties in this state shall, subject to the approval of the state
3 highway commission:

4 1. Make proper connections between roads which cross county
5 lines and which afford continuous lines of travel.

6 2. Adopt plans and specifications for road, bridge, and culvert
7 construction, reconstruction, and repairs upon highways along and
8 across county boundary lines, and make an equitable division between
9 said counties of the cost and work attending the execution of such
10 plans and specifications.

1 **SEC. 27. Enforcement of duty.** In case such boards fail to perform
2 such duty, the state highway commission may, on its own motion, and

3 in case said boards are unable to agree and one (1) of said boards
 4 appeals to said commission, said commission shall notify the auditors
 5 of the interested counties that it will, on a day not less than ten (10)
 6 days hence, at a named time and place within any of said counties,
 7 hold a hearing to determine all matters relating to such duty. At
 8 said hearing the commission shall fully investigate all questions per-
 9 taining to said matters, and shall, as soon as practicable, certify its
 10 decision to the different boards, which decision shall be final, and
 11 said boards shall forthwith comply with said order in the same
 12 manner as though such work was located wholly within the county.

1 **SEC. 28. Interstate highways.** The state highway commission and
 2 the board of supervisors of any county bordering on a state line are
 3 authorized jointly to confer and agree with the highway authorities
 4 of such border state, on proper connections for interstate roads, and
 5 on proper plans for the construction, improvement, maintenance, and
 6 apportionment of work and cost of roads, bridges, and culverts on or
 7 across the state line.

1 **SEC. 29. County bridge and culvert system.** The county bridge
 2 and culvert system shall embrace all highways throughout the county,
 3 except highways entirely within cities which control their own bridge
 4 funds.

1 **SEC. 30. Duty to construct.** The county bridge and culvert system
 2 shall be constructed and maintained as follows:
 3 1. Culverts which are thirty-six (36) inches, or less, in diameter,
 4 and located within a city or town, by the council thereof.
 5 2. Temporary culverts thirty-six (36) inches, or less, in diameter,
 6 located on the township road system, by the township, except that the
 7 county shall furnish the material therefor, and deliver the same at
 8 a railroad station to be designated by the supervisors.
 9 3. All bridges and all other culverts within said system, by the
 10 county.

1 **SEC. 31. Bridges and culverts on city boundary line.** Bridges and
 2 culverts on highways, or on parts thereof, which are located along the
 3 corporate limits of cities which control their own bridge funds and
 4 which are partly within and partly without such limits and which
 5 highways have been made a part of the county road system, shall be
 6 constructed under plans and specifications, jointly agreed on by the
 7 city council and board of supervisors, and approved by the highway
 8 commission. The city and county shall share equally in the cost. All
 9 matters in dispute between such city and county relative to such
 10 bridges and culverts shall be referred to the highway commission and
 11 its decision shall be final and binding on both the city and county.

1 **SEC. 32. Width of bridges and culverts.** All culverts shall have a
 2 clear width of roadway of at least twenty (20) feet. Bridges shall
 3 have a clear width of roadway of at least sixteen (16) feet.

1 **SEC. 33. Definitions.** The term "culvert" shall include all water-
 2 way structures having a total clear span of twelve (12) feet or less,
 3 except that such term shall not include tile crossing the road, or
 4 intakes thereto, where such tile are a part of a tile line or system
 5 designed to aid subsurface drainage.

6 The term "bridge" shall include all waterway structures having a
7 clear span in excess of twelve (12) feet.

1 **SEC. 34. Appropriation for intracounty bridge.** The board of super-
2 visors may, without authorization from the voters, appropriate, for
3 the substructure, superstructure, and approaches of any one (1)
4 bridge within the county, a sum not exceeding fifty thousand dollars
5 (\$50,000). The provision requiring authorization from the voters
6 shall not apply to bridges on the primary road system built entirely
7 out of the primary road fund where there are sufficient funds on hand
8 to complete the construction of said bridge and costing not to exceed
9 seventy thousand dollars (\$70,000.00).

1 **SEC. 35. Appropriation for intercounty and state bridge.** The board
2 of supervisors of any county may, without authorization from the
3 voters, appropriate, for the substructure, superstructure, and ap-
4 proaches of any one (1) bridge on a road between such county and
5 another county of this state or on a road between such county and
6 another state, a sum not exceeding twenty-five thousand dollars
7 (\$25,000). Provided, however, that when such road is a primary road
8 and such bridge is being constructed entirely with primary road funds
9 such appropriation from each county may be a sum not exceeding
10 thirty-five thousand dollars (\$35,000.00).

1 **SEC. 36. Bridge specifications.** Standard specifications for all
2 bridges and culverts, railroad overhead crossings or subways, shall be
3 furnished without cost to the counties and railroad companies by the
4 state highway commission, and work shall be done in accordance
5 therewith.

1 **SEC. 37. Approval of contract.** Any proposed contract which shall
2 exceed the sum of two thousand dollars (\$2,000.00) for any one (1)
3 bridge or culvert, or repairs thereon, shall be first approved by the
4 state highway commission before the same shall be effective as a
5 contract.

1 **SEC. 38. Record of plans.** Before beginning the construction of
2 any permanent bridge or culvert by day labor or by contract, the
3 plans, specifications, estimate of drainage area, estimates of cost,
4 and specific designation of the location of the bridge or culvert shall
5 be filed in the county auditor's office by the engineer.

1 **SEC. 39. Record of final cost.** On completion of any bridge or cul-
2 vert, a detailed statement of cost, and of any additions or alterations
3 to the plans shall be filed by the engineer and recorded by the auditor
4 in connection with the records of bids, all of which shall be retained
5 in the county auditor's office as permanent records, and when said
6 work is completed and approved, a duplicate statement of the costs
7 thereof shall be filed with the state highway commission by the county
8 auditor.

1 **SEC. 40. Trustees to fill and grade.** Upon the completion by the
2 board of supervisors of any bridge or culvert situated upon the town-
3 ship road system, it shall be the duty of the township trustees to
4 properly fill over all such culverts and uniformly grade the approaches
5 to all such bridges, and make payment therefor from the township
6 road fund. Should the trustees fail for a period of two (2) weeks

7 after notification to perform such work, the board of supervisors shall
8 proceed to perform the same and the engineer shall report the actual
9 cost of so doing and such amount, not exceeding one hundred fifty
10 dollars (\$150.00), for any such bridge or culvert, shall be certified
11 by the board of supervisors to the county treasurer who shall transfer
12 said amount to the county road fund from the first collection of road
13 funds belonging to said township. The township trustees shall, at
14 township expense, do all necessary filling of temporary culverts in-
15 stalled by them on the township road system.

1 **SEC. 41. Bridges over ditches.** Bridges erected over drainage
2 ditches shall when necessary be so constructed as to allow the super-
3 structure to be removed for cleaning said ditches with as little dam-
4 age to the removable and permanent parts of said bridge as possible.

1 **SEC. 42. Bridges on county line roads.** Bridges on county line
2 roads may, under joint agreement between the boards of the adjoin-
3 ing counties, be located, constructed, and maintained wholly within
4 one (1) county in order to secure a proper site or in order to avoid
5 unnecessary expense. The resulting work and expense shall be car-
6 ried on and shared in such proportion as said boards may determine.

1 **SEC. 43. Bridges over state boundary line streams.** Ten per cent
2 (10%) of the legal voters, as shown by the returns of the last general
3 election, of any county bordering upon a stream of water which forms
4 the boundary line of this state, may petition the board of supervisors
5 to submit to the voters the question whether such county shall be
6 authorized to construct and maintain a foot and wagon bridge extend-
7 ing from such county across such boundary line river. Said petition
8 shall state the amount to be expended for said purpose.

1 **SEC. 44. Submission of question.** The board shall submit such ques-
2 tion at the first general election occurring not less than sixty (60)
3 days after the filing of said petition.

1 **SEC. 45. Notice.** Notice of the submission of such question shall
2 be published for four (4) consecutive weeks in at least three (3)
3 newspapers published and of general circulation in the county, except
4 in counties having less than three newspapers, said notices shall be
5 published in all of the newspapers, the last of which publications shall
6 be at least three (3) days and not more than ten (10) days before
7 the holding of such election.

1 **SEC. 46. Construction and maintenance.** If a majority of the
2 voters vote in favor of such authorization, the board shall have author-
3 ity to construct and maintain said bridge, and may agree with the
4 adjoining state, or with any other municipal division thereof, as to
5 what part of said bridge said county will construct and maintain, or
6 as to what percentage of the cost of construction and maintenance
7 said county shall pay, and such county shall be under no greater lia-
8 bility than as evidenced by such agreement.

1 **SEC. 47. Levy—bond.** In order to build and maintain such bridge,
2 the board may, from year to year and on all the property in the
3 county, levy an annual tax of not to exceed one (1) mill. The board
4 may, in the manner provided for funding outstanding county indebted-
5 ness, issue the bonds of the county in the amount of the authorized

6 expenditure. The maturity of such bonds may be distributed through
7 a period of twenty (20) years. In case bonds are so issued, the board
8 shall maintain sufficient levies to meet the principal and interest as
9 in other cases of bonds issued for outstanding county indebtedness.

1 **SEC. 48. Use by public utilities.** Street and interurban railways,
2 telephone, telegraph, and electric transmission lines, may be permitted
3 to use such bridge on such terms and conditions as the governing
4 bodies jointly erecting and maintaining such bridge may jointly deter-
5 mine. No discrimination shall be made in the use of said bridge as
6 between such railways, or between other utilities, provided that any
7 such railway desiring to use existing tracks thereon shall have the
8 right to do so and shall bear its reasonable share of the cost of the
9 construction and maintenance of such tracks. Joint use of tele-
10 phone, telegraph, and electric transmission lines may not be re-
11 quired. No grant to any public utility to use such bridge shall in
12 any way interfere with the use thereof by the public.

1 **SEC. 49. Negligence.** Where there is a contract for joint main-
2 tenance of the entire structure, the county's liability for such main-
3 tenance shall only extend to that part or portion which is within the
4 boundary line of this state.

1 **SEC. 50. Interest in contracts.** No member of the highway com-
2 mission, their deputies, or assistants, or any other person in the
3 employ of the commission, no county supervisor, township trustee,
4 county engineer, road superintendent, or any person in their employ
5 or one holding an appointment under them, shall be, directly or in-
6 directly, interested in any contract for the construction or building
7 of any bridge or bridges, culvert or culverts, or any improvement of
8 any road or part thereof.

1 **SEC. 50-a1. Authorization cancelled.** Any authorization, voted by
2 the electors, and not acted upon by the letting of contracts for hard
3 surfacing within four years after said authorization, or if contracts
4 have been let thereunder and four years have elapsed since the letting
5 of the last contract, may be cancelled in the following manner:

6 A proposition for such cancellation must be submitted by the board
7 of supervisors upon petition of ten (10) per cent of the voters as
8 provided upon the submission of the original proposition for authoriza-
9 tion, and all the proceedings as to notice and holding such election
10 shall be the same as upon such original submission so far as prac-
11 ticable.

That section twenty-nine hundred fifty-nine (2959) of the compiled
code is amended, revised and codified to read as follows:

1 **SEC. 50-a2. Payment for county road improvements.** The total
2 cost of improving a county road in said secondary system within said
3 district, by oiling, graveling or other suitable surfacing, shall be
4 apportioned and paid in the proportion of seventy-five per cent from
5 the county road cash fund and twenty-five per cent from assessments
6 on benefited lands, or may, by agreement between the board of super-
7 visors and all of the trustees of the township in which the road is
8 located when the petition requests such method of payment, be paid
9 as provided in the next succeeding section.

1 **SEC. 50-a3. Payment for township secondary roads—maintenance.**

2 The total cost of so improving a township road within said district
3 shall be apportioned and paid in the proportion of twenty-five per cent
4 from the county road cash fund, fifty per cent from the township road
5 funds of the township or townships embracing said township road
6 (according to their relative mileage) and twenty-five per cent from
7 the special assessments on benefited lands.

8 A county road, after it is so improved, shall be maintained by the
9 board of supervisors from the county road cash fund. A township
10 road, after it is so improved, shall be maintained by the township
11 trustees from township funds, unless the improvement is of so sub-
12 stantial and permanent a nature, as that the board of supervisors
13 shall by resolution add such road to the county road system, to be
14 maintained as such.

1 **SEC. 51. Procedure in counties over seventy thousand population.**

2 In addition to other methods provided by law for the improvement
3 of roads, any county having a population of more than seventy thou-
4 sand (70,000) may issue bonds for the purpose of raising funds to
5 pay the cost of draining, grading, bridging, paving and/or graveling,
6 and completing the construction of the primary and county roads and
7 may levy taxes for the payment of such portions of said bonds and
8 the interest thereon as are not paid by the primary road fund or the
9 county road, drainage and bridge and culvert funds, when authorized
10 by a vote of the people, by proceeding as hereinafter provided.

1 **SEC. 52. Supervisors propose program.** The board of supervisors
2 may by resolution or upon petition of at least ten per cent of the legal
3 voters, resident of the county, as shown by the poll books of the last
4 preceding election, shall propose a program of highway improvement,
5 specifying the portions of primary and/or county roads proposed to
6 be improved, the general nature of the improvements, the time within
7 which it is proposed to complete said improvements, and the estimated
8 cost of each of the roads included in said program.

1 **SEC. 53. Approval by highway commission.** The proposed program
2 of improvement on primary roads shall be subject to the same ap-
3 proval by the highway commission as is required in other improve-
4 ments on the primary roads.

1 **SEC. 55. Hearing.** The board of supervisors shall fix a time for
2 hearing upon said proposed program of improvement and the county
3 auditor shall cause to be published in two newspapers of general cir-
4 culation in the county once each week for two (2) weeks, a notice
5 of such hearing and a description of the roads proposed to be improved,
6 the general nature of the proposed improvements, and an estimate
7 of the cost of each road proposed to be improved. At such hearing
8 any citizen may appear and object and be heard. After the hearing
9 the board may dismiss the proceedings or shall adopt a program for
10 road improvements substantially as proposed.

1 **SEC. 56. Election.** The board may, or upon petition of a number
2 of qualified electors of the county equal to ten per cent (10%) of the
3 total number of votes cast for governor in said county at the last
4 preceding general election, must submit a program to the voters of
5 the county at a general election or at a special election called for that

6 purpose, the questions of issuing bonds from year to year to be desig-
7 nated as primary road bonds or county road bonds, as the case may
8 be, and of raising funds with which to pay said bonds and the interest
9 thereon as the same may become due.

1 SEC. 57. Form of ballot. The form of the ballot shall be substan-
2 tially as follows:

3 "1. Shall the board of supervisors be authorized to issue from
4 year to year, serial bonds to be known as primary road bonds, in the
5 aggregate amount not exceeding.....dollars, to provide
6 funds in the following amounts and for the following purposes:

7 (a).....dollars (\$.....) for draining, grading,
8 bridging, hard surfacing and completing the construction of primary
9 roads described as follows: (Here set forth the location of the pri-
10 mary roads to be graded, drained, bridged, and hard surfaced, the
11 length and estimated cost of each portion thereof.)

12 (b).....dollars (\$.....) for draining, grading,
13 bridging and completing construction without surfacing primary roads
14 described as follows: (Here set forth the location of the primary
15 roads to be drained, graded and construction work completed without
16 surfacing, the length and estimated cost of each portion thereof.)

17 (c).....dollars (\$.....) for surfacing with
18 gravel primary roads described as follows: (Here set forth the loca-
19 tion of the primary roads to be surfaced with gravel, and the length
20 and estimated cost of each portion thereof.)

21 2. And shall the county's allotment of the primary road fund,
22 except such portion as is required for the maintenance of the primary
23 road system, miscellaneous expenditures, and the payment of out-
24 standing indebtedness (if any) against the primary road fund, be
25 appropriated and used for the payment of said primary road bonds
26 and interest thereon.

27 3. Shall the board of supervisors be authorized to issue from year
28 to year, serial bonds to be known as county road bonds, in the aggre-
29 gate amount not exceeding.....dollars, to provide funds
30 for the following purposes:

31 (a).....dollars (\$.....) for draining, grading,
32 bridging, and completing construction without surfacing, the county
33 roads described as follows: (Here set forth the location of the county
34 roads to be drained, graded and construction completed without sur-
35 facing the length and estimated cost of each portion thereof.)

36 (b).....dollars (\$.....) for surfacing with
37 gravel county roads described as follows: (Here set forth the loca-
38 tion of the county roads to be surfaced with gravel, the length and
39 estimated cost of each portion thereof.)

40 4. And shall all the county road, drainage, and bridge funds com-
41 ing into the county treasury from taxes and all other sources, except
42 such as are required for the maintenance of such roads, the construc-
43 tion of bridges and miscellaneous expenditures, be appropriated and
44 used for the payment of said county road bonds and interest thereon.

45 5. And shall the board of supervisors of the county be authorized
46 to levy and collect taxes on all the taxable property of the county from
47 year to year, in amounts sufficient to pay any part of the principal and
48 the interest on said bonds of both classes, as the same mature, which
49 funds so appropriated are insufficient to pay.

50 YES NO

1 SEC. 58. **How submitted.** The propositions for the improvement
2 of primary roads and of county roads may be submitted by the board
3 as a single proposition or separately.

1 SEC. 59. **Maturity of bonds.** All bonds issued hereunder for grad-
2 ing, draining, bridging, or paving, shall mature in not more than fif-
3 teen years from date of issue. All bonds issued hereunder for gravel-
4 ing shall mature in not more than seven years from date of issue.
5 Each bond shall show on its face the date of its maturity and shall
6 be payable on said date. The interest rate shall not exceed five per
7 cent (5%) per annum payable semi-annually. No bond shall be sold
8 for less than par plus accrued interest.

1 SEC. 60. **Funds set aside.** If at said election, the said proposition
2 as to primary roads or as to the primary and county roads carries,
3 the state highway commission shall on or before September first each
4 year during the life of said primary road bonds, set aside from said
5 county's allotment of the primary road fund:

6 1. A sufficient amount to maintain the primary road system of
7 said county during the ensuing year.

8 2. A sufficient amount to pay the maturing principal and interest
9 of primary road bonds and/or certificates (if any) heretofore issued
10 under other provisions of law.

11 3. A sufficient amount to meet any unavoidable miscellaneous nec-
12 essary expenditures on the primary road system not properly charge-
13 able to maintenance.

14 The amount remaining in said county's allotment of the primary
15 road fund after said funds have been set aside for each year during
16 the life of said bonds, is, insofar as necessary, hereby appropriated,
17 dedicated, and pledged to the payment of the principal and interest
18 of primary road bonds issued hereunder, and shall be used for no
19 other purpose.

1 SEC. 60-a1. **Amount of issue.** The maximum aggregate amount of
2 bonds to be issued serially which any county shall be authorized to
3 issue for improving the roads in the county road system shall not be,
4 including interest, more than one-half of the sum which might be
5 realized by the levies allowed by law in that county for the county
6 road, county road building, county drainage, county bridge and cul-
7 vert funds during the period of years over which said bonds extend.
8 Such maximum amount shall be determined from the millage allowed
9 by law computed upon the assessed valuation of the real and personal
10 property (exclusive of moneys and credits) in the county for the year
11 last preceding the issuance of such bonds. The total sum of bonds
12 issued for the purpose of improving primary roads by grading, drain-
13 ing, completing construction and graveling, shall not exceed sixty-
14 five per cent of the estimated receipts from the primary road fund
15 for the period for which such bonds are issued. Such estimate shall
16 be based upon the receipts in such fund in the county for the year
17 last preceding the issuance of such bonds.

1 SEC. 60-a2. **Refunding bonds.** If the funds so set apart for the
2 payment of said bonds and interest are at the time of the maturity
3 thereof insufficient to pay the same, refunding bonds may be issued
4 for the payment of such deficiency. Such refunding bonds shall be

5 issued on the same terms and conditions and be payable in the same
6 manner as the original bonds.

1 **SEC. 61. Funds budgeted.** If at said election the said proposition
2 as to county roads or as to both county and primary roads, carries,
3 the board of supervisors shall make a budget of the county road, the
4 county road drainage and the county bridge and culvert funds sep-
5 arately and shall set aside funds for each of said purposes sufficient
6 for the maintenance and drainage of the county roads and the building
7 of necessary county bridges and culverts.

1 **SEC. 62. Must make levy.** The board of supervisors shall levy and
2 collect from year to year a sufficient amount of taxes which, together
3 with said appropriated funds, shall be sufficient to pay the bonds
4 herein authorized to be issued, and the interest thereon as the same
5 mature, for primary or county roads or both, as the case may be,
6 and none of said funds so to be appropriated or taxes to be levied
7 and collected shall be used for any other purpose than the payment
8 of said bonds and interest until the same are fully paid.

1 **SEC. 63. Limitation.** No amount of additional taxes herein author-
2 ized for the payment of primary or county road bonds and/or interest
3 thereon, shall be levied unless and until all the funds and maximum
4 tax levies herein pledged respectively for such purposes have been
5 exhausted.

1 **SEC. 64. Aggregate cost.** The aggregate cost of improving each
2 kind of road described in the questions submitted, shall not be more
3 than ten per cent (10%) in excess of the estimated cost thereof.

1 **SEC. 65. Provisions which apply.** All the provisions of law with
2 reference to voting primary road bonds and the issuance and sale
3 thereof shall apply to bonds issued hereunder, and all provisions of the
4 primary and county road laws, respectively, shall apply to highway
5 improvements made hereunder, all except as herein otherwise provided.

1 **SEC. 66. Maintenance.** The funds herein authorized to be set aside
2 for maintaining the primary and county roads, respectively, shall be
3 sufficient, insofar as existing sources of revenue will permit, to main-
4 tain said roads continuously in a good state of repair. Consideration
5 shall be given to the maintenance of completed roads, to the end that
6 investment therein shall be protected and preserved. The funds so
7 set aside for maintenance shall be used only for such purpose, and
8 any taxpayer of the county may enforce the provisions of this section
9 by appropriate action at law or in equity in any court of competent
10 jurisdiction.

1 **SEC. 66-a1. In counties of seventy thousand or less.** Any county
2 having a population of seventy thousand (70,000) or less may adopt
3 the additional method herein provided for the improvement of the
4 roads of such county, but in any such county separate ballot boxes
5 must be provided for the voters residing in cities and towns, and for
6 the voters residing outside of cities and towns. The proposition sub-
7 mitted shall not be deemed to be carried in any such county unless
8 a majority vote cast is in favor thereof both in the incorporated and
9 unincorporated territory.

1 **SEC. 67. Publication.** This act being deemed of immediate impor-
 2 tance, shall be in full force and effect after its publication in the Des
 3 Moines News and the Cedar Rapids Republican, newspapers published
 4 in the cities of Des Moines, Iowa and Cedar Rapids, Iowa respectively.

Approved April 29, A. D. 1924.

I hereby certify that the foregoing act was published in the Cedar Rapids Republican, May 5, 1924, and the Des Moines Daily News, May 5, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 26

COMPENSATION MEMBERS GENERAL ASSEMBLY

S. F. 285

AN ACT to amend the law as it appears in section nineteen (19) of the compiled code relating to the payment of compensation and mileage of members of the general assembly.

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

1 **SECTION 1. Paid semi-monthly.** That the law as it appears in sec-
 2 tion nineteen (19) of the compiled code be and the same is hereby
 3 amended by striking all of said section after the period following the
 4 word "session" in the ninth line of said section and substituting in
 5 lieu thereof the following:

6 "At any extra or adjourned session, the compensation of the mem-
 7 bers shall be paid semi-monthly during such session upon certificate
 8 of the presiding officer of each house showing the number of days
 9 of allowance and compensation as provided by law".

1 **SEC. 2. Publication.** This act being deemed of immediate import-
 2 ance, shall take effect from and after its publication in the Des Moines
 3 Register, a newspaper published in Des Moines, Iowa, and the Ottumwa
 4 Daily Courier, a newspaper published in Ottumwa, Iowa.

Approved December 14, A. D. 1923.

I hereby certify that the foregoing act was published in the Des Moines Register, December 17, 1923, and the Ottumwa Courier, December 17, 1923.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 27

SCHOOL FOR DEAF

H. F. 322

AN ACT to make emergency appropriations for the Iowa school for the deaf.

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

1 **SECTION 1. Available May 1, 1924.** There is hereby appropriated,
 2 out of any money in the state treasury not otherwise appropriated,
 3 to the Iowa school for the deaf, the sum of ten thousand dollars

4 (\$10,000.00) as an emergency appropriation for the following pur-
5 pose:

6 Support and maintenance \$10,000.00

7 The emergency appropriation provided for in this section shall be
8 available May 1, 1924, and be paid on the order of the Iowa state
9 board of education.

1 SEC. 2. Available August 1, 1924. There is hereby appropriated,
2 out of any money in the state treasury not otherwise appropriated,
3 to the Iowa school for the deaf, the sum of fifteen thousand dollars
4 (\$15,000.00) as an emergency appropriation for the following pur-
5 pose:

6 Support and maintenance \$15,000.00

7 The emergency appropriation provided for in this section shall be
8 available August 1, 1924, and be paid on the order of the Iowa state
9 board of education.

1 SEC. 3. Available March 1, 1925. There is hereby appropriated,
2 out of any money in the state treasury not otherwise appropriated,
3 to the Iowa school for the deaf, the sum of five thousand dollars
4 (\$5,000.00), or as much thereof as may be deemed necessary by the
5 Iowa state board of education, as an additional emergency appropria-
6 tion for the following purpose:

7 Support and maintenance \$5,000.00

8 The emergency appropriation provided for in this section shall be
9 available on June 1, 1924, or at any time thereafter, prior to March 1,
10 1925, and be paid on the order of the Iowa state board of education.

1 SEC. 4. Publication. This act, being deemed of immediate import-
2 ance, shall take effect and be in force from and after its publication
3 in the Des Moines Register and the Des Moines Capital, newspapers
4 published in Des Moines, Iowa.

Approved April 19, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Register, April 23,
1924, and the Des Moines Capital, April 24, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 28

IOWA STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS

H. F. 325

AN ACT making an appropriation for the Iowa state college of agriculture and mechanic arts.

WHEREAS, an error occurred in inserting the house amendment to senate file No. 458 of the fortieth general assembly as shown in chapter three hundred eight (308), section four (4), line ten (10) of the acts of the fortieth general assembly; and

WHEREAS, the appropriation for the item of extension of heating system, equipment for heating plant, water plant and sewerage system for the state college of agriculture and mechanic arts was engrossed as seventy-five thousand dollars (\$75,000) for the biennium, while the rec-

ords of the general assembly clearly show that this appropriation passed the general assembly for the sum of eighty-five thousand dollars (\$85,000) for the biennium; now, therefore,

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

1 SECTION 1. **Appropriation.** There is hereby appropriated out of
2 any money in the state treasury not otherwise appropriated, to the
3 Iowa state college of agriculture and mechanic arts, the sum of ten
4 thousand dollars (\$10,000) for the extension of the heating system,
5 equipment for the heating plant, water plant, and sewerage system
6 at said college. The appropriation provided herein shall be paid on
7 the order of the Iowa state board of education, but not more than
8 one-half of the entire amount herein appropriated shall be available
9 before July first (1), nineteen hundred twenty-four (1924).

1 SEC. 2. **Publication.** This act being deemed of immediate im-
2 portance shall take effect and be in force from and after its publica-
3 tion in the Des Moines Register and Des Moines Capital, newspapers
4 published in Des Moines, Iowa.

Approved April 19, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Register, April 23, 1924, and the Des Moines Capital, April 22, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 29

DRAINAGE ASSESSMENTS TOW HEAD LAKE

H. F. 287

AN ACT to appropriate sufficient funds to pay the drainage assessments and accrued interest against the state in connection with the drainage of Tow Head lake in Calhoun county, and to make the amount of such assessments and interest a lien against said lands in case the state is found not to be the owner thereof.

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

1 SECTION 1. **Appropriation.** There is hereby appropriated out of
2 any funds in the state treasury not otherwise appropriated, sufficient
3 funds to pay the drainage assessments levied against state owned
4 lands in connection with the drainage of Tow Head lake in Calhoun
5 county, Iowa, and the accrued interest thereon. This appropriation
6 shall not exceed twenty-two thousand dollars (\$22,000.00).

1 SEC. 2. **Title.** Should it be determined that the state of Iowa does
2 not have title to the lands described in section one (1) hereof and
3 after the state has paid the assessments and accrued interest as
4 provided in section one (1), the same shall be and remain a lien
5 against said lands until the state is reimbursed by the owners thereof.

1 SEC. 3. **Publication.** This act being deemed of immediate im-
2 portance shall be in full force and effect from and after its publica-
3 tion in "The Des Moines Register", a newspaper published at Des

4 Moines, Iowa, and "The Calhoun County Republican", a newspaper
5 published at Rockwell City, Iowa.

Approved April 12, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Register, April 17, 1924, and the Calhoun County Republican, April 17, 1924

W C RAMSAY, *Secretary of State.*

CHAPTER 30

STATE AND OTHER EXPENSES

S. F. 319

AN ACT to make appropriations for the payment of state and other expenses.

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

1 SECTION 1. **Appropriation.** There is hereby appropriated out of
2 any funds in the state treasury not otherwise appropriated such sum
3 or sums as may be necessary to pay the salaries and expenses indi-
4 cated, provided that on January 1st, 1925, next succeeding the regu-
5 lar meeting of the general assembly, any balance remaining unex-
6 pended shall be covered into the state treasury.

1 SEC. 2. **Advertisements.** For the purpose of paying the cost of
2 advertising laws of the extra session of the fortieth general assembly,
3 under the provisions of section thirty-six (36) of the code, the sum
4 of two thousand dollars (\$2000.00).

1 SEC. 3. **Executive council.** To pay the cost of laundering towels
2 for the extra session of the fortieth general assembly, the sum of
3 three hundred dollars (\$300.00).

1 SEC. 4. **Employes.** To certain employes of the house and senate of
2 the extra session of the fortieth general assembly for services required
3 during recess as may be ordered in concurrent resolution, such sum
4 as may be necessary to pay them for the required number of days
5 at the same rate per diem received during the session.

1 SEC. 5. **Lieutenant governor.** To John Hammill, lieutenant gov-
2 ernor, as president of the senate, twenty dollars (\$20.00) per day
3 for each day of the extra session of the fortieth general assembly.

1 SEC. 6. **Speaker.** To J. H. Anderson as speaker of the house of
2 representatives (additional to his regular salary as a member) ten
3 dollars (\$10.00) per day for each day of the extra session of the
4 fortieth general assembly.

1 SEC. 7. **Postage, telephone, telegrams.** To L. W. Ainsworth, post-
2 age, telephone and telegrams, sixteen dollars (\$16.00).

1 SEC. 8. **Expenses.** To A. C. Gustafson for postage, telegrams,
2 telephone, and expenses preliminary to convening, the sum of forty
3 dollars and thirty-five cents (\$40.35).

1 SEC. 9. **Rubber stamps.** To the Des Moines Rubber Stamp Works
2 for badges and rubber stamps, fourteen dollars (\$14.00).

1 SEC. 10. **Appropriation.** There is hereby appropriated out of any
2 funds in the state treasury not otherwise appropriated the sum of
3 two thousand dollars (\$2000.00) or so much thereof as may be nec-
4 essary to pay the usual fees of chaplains of the senate and the house
5 of representatives of the extra session of the fortieth general assembly,
6 warrants therefor to be drawn in favor of the persons entitled thereto,
7 who shall be determined by the auditor of state upon the certified
8 statements of the president of the senate and the speaker of the house.

1 SEC. 11. **Services.** To D. C. Mott, for services rendered at the
2 historical building during the month of February, 1924, the sum of
3 one hundred forty-three dollars and sixty-eight cents (\$143.68).

1 SEC. 12. **Expenses.** To T. C. Cessna, C. F. Letts and John Hansen,
2 ten dollars (\$10.00) each for expenses and transportation in the in-
3 vestigation and inspection of the Willett's farm as provided by senate
4 concurrent resolution No. 17.

1 SEC. 13. **Publication.** This act being deemed of immediate im-
2 portance shall be in full force and effect from and after its publication
3 in the Des Moines Register and the Des Moines Capital, newspapers
4 published in Des Moines, Iowa.

Approved April 25, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Register April 30,
1924, and the Des Moines Capital, April 29, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 31

STATE AND OTHER EXPENSES

S. F. 327

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

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

1 SECTION 1. **Appropriation.** There is hereby appropriated out of
2 any funds in the state treasury not otherwise appropriated such sum
3 or sums as may be necessary to pay the following items:

1 SEC. 2. **Incidental.** To Lieutenant Governor Hammill, telephone,
2 telegrams and express, twenty-three dollars and seven cents (\$23.07).

1 SEC. 3. **Services.** To the following clerks for services rendered on
2 the first day of the extraordinary session of the 40th general assembly,
3 April 18, 1923, the amount of four dollars (\$4.00) each.

4 Chas. P. Denison
5 Emma Malm
6 Edith McElroy
7 Maude Brown
8 Betty Smith
9 Frances Schmitt
10 Nell Swanson

- 11 Daisy Williams
- 12 Mary Allen
- 13 Marie Drew
- 14 Hannah Millard
- 15 Louise Koenigsberger
- 16 Sadie Lowry
- 17 Elmer Beck
- 18 G. L. Steinhilber
- 19 Paul Sims
- 20 Kathryn Andrews for one day December 3, 1923.
- 21 Edyth Howard for two days January 30th and 31st, 1924.

1 **SEC. 4. Investigations department of state superintendent.** Such
 2 sum as may be necessary to defray the expense incurred by the com-
 3 mittee in the investigation of the state superintendent of public in-
 4 struction, as provided in house resolution adopted April 17, 1924,
 5 said amounts to be paid by the auditor of state on certification by the
 6 speaker of the house and the chairman of the judiciary committee of
 7 the house.

1 **SEC. 5. Insurance investigation.** To the persons named herein
 2 and in the amounts listed on account of investigation of the Insurance
 3 Department as provided in senate resolution of February 5, 1924.

4	Frank Hollaway, report and transcript, 46 days at	
5	\$10.00 per day.....	460.00
6	Frank Hollaway, expense for copyist.....	15.00
7		475.00

8 Witnesses:

9	E. D. Perry, Des Moines, Iowa.....	4.20
10	Casper Schenk, Des Moines, Iowa.....	2.20
11	Clyde E. Brenton, Des Moines, Iowa.....	2.20
12	A. D. Pugh, Des Moines, Iowa.....	2.20
13	John D. Denison, Des Moines, Iowa.....	2.10
14	J. A. Thompson, Des Moines, Iowa.....	4.20
15	H. H. Peterson, Mason City, Iowa.....	16.50
16	Emory H. English, Des Moines, Iowa.....	2.20
17	P. J. Clancy, Des Moines, Iowa.....	2.20
18	Jessie A. Miller, Des Moines, Iowa.....	2.20
19	Guy A. Miller, Des Moines, Iowa.....	2.20
20	J. A. Greenlow, Des Moines, Iowa.....	2.20
21	Taylor Grimes, Des Moines, Iowa.....	4.20
22	B. L. McClelland, Des Moines, Iowa.....	2.20
23	Wm. Burke, Des Moines, Iowa.....	2.20
24		\$528.20
25		
26		

1 **SEC. 6. Board of Parole.** The sum of five hundred dollars (\$500.00)
 2 or so much thereof as may be necessary, until January 1, 1925, to
 3 pay the necessary traveling expenses of members of the board of
 4 parole incurred in the investigation of parole cases.

1 **SEC. 7. Postage.** To L. W. Ainsworth, postage, five dollars (\$5.00).

1 **SEC. 8. Unexpended funds.** It is further provided that any of the
 2 funds herein appropriated remaining unexpended on January 1, 1925,
 3 shall be covered into the state treasury.

1 **SEC. 9. Publication.** This act being deemed of immediate im-
 2 portance shall be in full force and effect from and after its publication
 3 in the Des Moines Register and the Des Moines Capital, newspapers
 4 published in Des Moines, Iowa.

Approved April 26, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Register, May 2, 1924, and the Des Moines Capital, May 1, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 32

PURCHASE OF LANDS

S. F. 309

AN ACT authorizing the purchase by the state of Iowa of certain lands and making an appropriation for the purchase price of said lands.

WHEREAS, the Mount Pleasant state hospital for the insane is in great need of additional lands in connection with said hospital, and

WHEREAS, the land hereinafter described is now being leased and used by the said institution for the benefit of the state of Iowa, and

WHEREAS, the state of Iowa now has the opportunity to purchase said land on advantageous terms, now therefore:

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

1 **SECTION 1. Council to purchase.** That the executive council of
 2 the state of Iowa is hereby authorized to purchase, at once, in the
 3 name of the state of Iowa, and on an abstract showing good and
 4 merchantable title free and clear of all liens and incumbrances, in-
 5 cluding special assessments, the following described real estate, to-wit:
 6 "The west one-half ($W\frac{1}{2}$) of section one (1), township seventy-one
 7 (71) north, and range six (6) west; and the southwest quarter
 8 ($SW\frac{1}{4}$) of the southeast quarter ($SE\frac{1}{4}$) of section thirty-six (36),
 9 township seventy-two (72) north and range six (6) west; in Henry
 10 county, Iowa".

1 **SEC. 2. Appropriation.** Said council is authorized to pay not to
 2 exceed the sum of \$72,000. for said land and such a sum as necessary
 3 is hereby appropriated from any unappropriated funds in the state
 4 treasury to pay for said land.

1 **SEC. 3. Authority.** A certificate by the attorney general that the
 2 title to said lands complies with the requirements of this chapter,
 3 approved by the executive council, shall be sufficient authority for the
 4 issuance by the auditor of state and for the payment by the treasurer
 5 of state, of the warrants necessary to carry out the provisions of this
 6 chapter.

1 **SEC. 4. Publication clause.** This act being deemed of immediate
 2 importance, shall take effect from and after its publication in the Des
 3 Moines Register and the Des Moines Capital, newspapers published
 4 in Des Moines, Iowa.

Approved April 17, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Register, April 19, 1924, and the Des Moines Capital, April 18, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 33

RETURN OF UNEXPENDED BALANCES

S. F. 305

AN ACT to repeal chapter three hundred ten (310) acts of the thirty-ninth (39) general assembly and chapter three hundred thirty-five (335) acts of the fortieth (40) general assembly, relating to an appropriation for the purpose of making insurance tax refunds and to provide for the return of the unexpended balance of said appropriation to the general revenues of the state.

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

1 SECTION 1. **Acts repealed.** That chapter three hundred ten (310),
2 acts of the thirty-ninth (39) general assembly and chapter three
3 hundred thirty-five (335) acts of the fortieth (40) general assembly
4 are hereby repealed and the treasurer of state is hereby directed
5 to credit the general funds of the state with the unexpended balance
6 of the appropriation provided for in said chapters.

1 SEC. 2. **Publication.** This act, being deemed of immediate im-
2 portance, shall take effect and be in force from and after its publica-
3 tion in the Des Moines Register and the Des Moines Daily Capital,
4 newspapers published in the city of Des Moines, Iowa.

Approved March 31, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Register, April 4, 1924, and the Des Moines Daily Capital, April 3, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 34

NOTARIES PUBLIC

H. F. 300

AN ACT to legalize certain acknowledgments and acts of notaries public.

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

1 SECTION 1. **Commission good after marriage.** When a female has,
2 prior to or subsequent to the adoption of this code, been commissioned
3 a notary public, and has, after the issuance of said commission and
4 prior to the expiration thereof, contracted a marriage, the official
5 acts of such notary public after said marriage and prior to the ex-
6 piration of said commission shall not be deemed illegal or insufficient
7 because, after said marriage, she performed said official acts under
8 the name in which said commission was issued.

1 SEC. 2. **Publication.** This act being deemed of immediate im-
2 portance shall take effect and be in force from and after its publication
3 in the Des Moines Capital and Des Moines Register, newspapers pub-
4 lished at Des Moines, Iowa.

Approved March 28, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Register, April 3, 1924, and the Des Moines Capital, April 2, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 35

MONROE COUNTY

S. F. 313

AN ACT to legalize a certain warrant issued by the board of supervisors of Monroe county, Iowa.

WHEREAS, the county of Monroe, Iowa, by its board of supervisors, has heretofore authorized and incurred indebtedness for corporate purposes, in the sum of ten thousand dollars (\$10,000) and has issued a warrant on the poor fund in said amount of ten thousand dollars (\$10,000) in evidence of such indebtedness; and

WHEREAS, said indebtedness was incurred for an amount not exceeding ten thousand dollars (\$10,000) for proper corporate purposes, and was for necessary improvement of the buildings on the county farm, and the county of Monroe and its citizens are now enjoying the use and benefit thereof, and the things for which said expenditures were made were and now are well worth the sum which the county so paid, and the indebtedness of said county at the time said warrants were issued did not, and it does not now, and it never has exceeded the constitutional limitations, but that the same at the time issued and now, exceeds the statutory limitations; and

WHEREAS, doubts have arisen concerning the legality or validity of the aforesaid warrant on the ground that the indebtedness which said warrant evidences was contracted in excess of the statutory limitations; and

WHEREAS, it is deemed advisable to put said doubts as well as any and all other doubts which have arisen or may hereafter arise, concerning the legality or validity of the aforesaid warrant forever at rest; now, therefore,
Be it enacted by the General Assembly of the State of Iowa:

1 **SECTION 1. Improving county farm.** That the acts of the board
2 of supervisors of the county of Monroe, in making expenditures for
3 said county for the purpose of improving the buildings on the county
4 farm, in issuing a warrant therefor in the sum of ten thousand dollars
5 (\$10,000) as aforesaid, be and the same are hereby legalized and
6 validated.

1 **SEC. 2. Obligation valid.** That the aforesaid warrant of said county
2 of Monroe in the state of Iowa, in the sum of ten thousand dollars
3 (\$10,000), be and the same hereby is legalized and declared to be a
4 valid, legal and subsisting obligation of said county.

1 **SEC. 3. Funding of debt.** That the board of supervisors of said
2 county of Monroe, in the state of Iowa, are authorized to fund the
3 debt evidenced by said warrant, or so much thereof as remains unpaid,
4 and to issue and sell the negotiable bonds of said county for the pur-
5 pose of funding the aforesaid warrant in the manner and form pro-
6 vided by law, and when the same are so issued and sold they shall
7 be the valid, legal and subsisting obligation of said county of Monroe,
8 and thereafter said county, and the board of supervisors thereof
9 shall be, and are hereby authorized to levy taxes for the payment of
10 the principal of and interest upon said funding bonds in accordance
11 with the provisions of the laws of Iowa.

1 SEC. 4. **Litigation.** Nothing in this act shall affect pending liti-
2 gation.

3 SEC. 5. **Publication.** This act, being deemed of immediate im-
4 portance, shall take effect and be in force from and after its publica-
5 tion in the Des Moines Daily News, a newspaper published in the
6 city of Des Moines, Iowa, and in the Albia Union-Republican, a news-
paper published in the city of Albia, Iowa, all without expense to
the state.

Approved April 21, A. D. 1924

I hereby certify that the foregoing act was published in the Des Moines News, April 23, 1924,
and the Albia Union Republican, April 24, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 36

ACKNOWLEDGMENTS OF INSTRUMENTS

S. F. 287

AN ACT to legalize acknowledgments of instruments in writing heretofore taken by
notaries public, additional to section twenty-nine hundred and forty-two (2942) of
the code and chapter one hundred seventy-three of the acts of the thirty-seventh
general assembly.

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

1 SECTION 1. **Notaries Public.** That the acknowledgments of all
2 deeds, mortgages, or other instruments in writing heretofore taken
3 or certified, and which instruments have been recorded in the re-
4 corder's office of any county of this state, including acknowledgments
5 of instruments made by any private or other corporation, or to which
6 such corporation was a party, or under which such corporation was
7 a beneficiary, and which have been acknowledged before or certified
8 by any notary public who was at the time of such acknowledgment or
9 certifying a stockholder or officer in such corporation, be and the
10 same are hereby declared to be legal and valid official acts of such
11 notaries public, and to entitle such instruments to be recorded, any-
12 thing in the laws of the state of Iowa in regard to acknowledgments
13 to the contrary notwithstanding.

1 SEC. 2. **Litigation.** This act shall not affect pending litigation.

1 SEC. 3. **Publication.** This act being deemed of immediate im-
2 portance shall be in full force and effect from and after its passage
3 and publication in the Des Moines Register and Des Moines Capital,
4 newspapers published in Des Moines, Iowa, without expense to the
5 state.

Approved January 11, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Register, January 14,
1924, and the Des Moines Capital, January 12, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 37

WATERVILLE INDEPENDENT CONSOLIDATED SCHOOL DISTRICT

H. F. 306

AN ACT to legalize certain acts of the Waterville independent consolidated school district of Allamakee county, Iowa, and of its officers and board of directors in relation to the reimbursement of Ray C. Robey, a tax payer of said district of funds expended by him for the benefit of the district whereby he saved the school district the sum of about six thousand eight hundred eighty dollars (\$6880).

WHEREAS, the Waterville independent consolidated school district of Allamakee county, Iowa, in about the year nineteen twenty (1920) established a consolidated school district and voted bonds for the purpose of constructing a school building, and

WHEREAS, it was claimed at the time that it was very difficult to sell the said bonds bearing five percent (5%) interest, and

WHEREAS, under the exigencies of the case the school board improvidently entered into a contract with a company engaged in the purchase and sale of bonds, agreeing to pay said company the sum of eight thousand five hundred eighty dollars and seventy-five cents (\$8580.75) commission for its services in making such sale of bonds aggregating eighty-five thousand dollars (\$85,000.00), and

WHEREAS, the said Ray C. Robey for himself and other tax payers of said school district instituted a suit in the district court of Allamakee county, Iowa, for the purpose of cancelling said contract, and

WHEREAS, on the trial of the issues raised in said case the court found that the said eight thousand five hundred eighty dollars and seventy-five cents (\$8580.75) was an unreasonable and exorbitant sum to pay for the services rendered by said company selling said bonds and was practically equivalent to making the bonds bear seven per cent (7%) interest per annum, and the court found that one thousand seven hundred dollars (\$1700) was fair compensation for such services, and that said school board had no authority to enter into said contract, and

WHEREAS, the said Ray C. Robey incurred expense and attorney fees for the benefit of said school district in the sum of one thousand seven hundred nineteen dollars and sixteen cents (\$1719.16) and

WHEREAS, the board of directors of said consolidated school district has, by unanimous vote of all the directors thereof entitled to vote thereon, issued a warrant on the schoolhouse fund of said district in said sum of one thousand seven hundred nineteen dollars and sixteen cents (\$1719.16) payable to the said Ray C. Robey; now, therefore,

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

1 SECTION 1. That the said act of the said board of directors of the
2 said Waterville independent consolidated school district of Allamakee
3 county, Iowa, in passing a resolution ordering the payment of the
4 said sum of one thousand seven hundred nineteen dollars and sixteen
5 cents (\$1719.16) to the said Ray C. Robey, and the act of the officers
6 in signing said warrant in paying the same be and the same is hereby

7 legalized and made as valid and effective as though the said board of
8 directors had been previously thereunto authorized by law.

1 SEC. 2. This act shall take effect and be in force from and after
2 its publication in the Waukon Democrat and the Des Moines Daily
3 News, newspapers published in the cities of Waukon and Des Moines,
4 respectively, said publication to be without expense to the state.

Approved April 26, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines News, May 1, 1924,
and the Waukon Democrat, May 7, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 38

WAPELLO COUNTY

H. F. 324

AN ACT to legalize the transfer of funds by the board of supervisors of Wapello county,
Iowa.

WHEREAS, taxes have in years past been levied in Wapello county, Iowa,
for the purpose of creating what is known as a county insane fund out of
which charges authorized by law may be paid by the county; and

WHEREAS, there is now in said fund five thousand dollars (\$5,000.00)
which is not needed for the purpose for which said fund was raised and
there are now no prospects of this amount being needed in said fund for
the ensuing year; and

WHEREAS, the county poor fund had been so decreased by proper charges
paid therefrom that it is now inadequate and insufficient to pay all of the
charges against it and which will be chargeable against it within the next
few months; and

WHEREAS, the board of supervisors of Wapello county by resolution
authorized the transfer of five thousand dollars (\$5,000.00) from the
county insane fund to the county poor fund under the belief that they had
authority so to do, it being deemed necessary and advisable that said
transfer be made, and there being no other manner in which they deemed
said fund could be legally used; and

WHEREAS, doubts have arisen concerning the legality of said resolution
transferring said moneys from the county insane fund to the county poor
fund, although such transfer will operate to the best interests of the
county and its citizens; now, therefore,

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

1 SECTION 1. **Transfer of funds.** That the acts of the board of super-
2 visors of Wapello county, Iowa, in transferring in the year nineteen
3 hundred and twenty-four (1924) the sum of five thousand dollars
4 (\$5,000.00) from the county insane fund to the county poor fund and
5 the transfer of said fund be and the same are hereby legalized and
6 such transfer and the expenditure of any moneys on account thereof
7 for valid purposes by said county is hereby declared to be legal in the
8 same manner as if all of the acts done in relation thereto were author-
9 ized by law.

1 **SEC. 2. Publication.** This act being deemed of immediate impor-
 2 tance shall take effect and be in force from and after its publication
 3 in the Des Moines Register, a newspaper published in the city of Des
 4 Moines, Iowa, and the Ottumwa Daily Courier, a newspaper published
 5 in the city of Ottumwa in Wapello county, Iowa, without expense to
 6 the state.

Approved April 24, A. D. 1924.

I hereby certify that the foregoing act was published in the Ottumwa Daily Courier, April 28, 1924, and the Des Moines Register, April 28, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 39

CEDAR CREEK DRAINAGE DISTRICT NUMBER FOUR

H. F. 308

AN ACT to legalize the acts and proceedings in relation to Cedar Creek drainage district number four (4), Wapello county, Iowa.

WHEREAS, pursuant to proper petition of land owners, the recommendation of a competent engineer, and due and timely notice of the hearing on the establishment of Cedar Creek drainage district number four (4) of Wapello county, Iowa, and upon a full and complete hearing duly granted to the owner of each tract of land within said drainage district and to all lien holders or incumbrancers of any land located therein, the board of supervisors of said county, did, by resolution duly passed and entered upon the records of said board, grant the prayer of said petition for the establishment of said drainage district and declare the same to be duly established and located according to the recommendations of said engineer, but prior, nevertheless, to the final determination of said board as to the amount of damages to be awarded for or on account of the construction of the drainage improvements, and

WHEREAS, after the establishment of said district and before the completion of the drainage improvements therein, said board of supervisors did, upon recommendation of said engineer, authorize sundry changes in said improvements involving the taking of additional lands and the increase of the assessments to be levied in said district, and did thereafter cause due and timely notice of such changes to be given in the manner prescribed by law, and did grant a full and complete hearing thereon and afford due opportunity to file claims for damages or to file objections to such assessments and did likewise grant due opportunity to appeal from the action of said board, and

WHEREAS, doubts have arisen as to the legal sufficiency of the proceedings of said board by reason of its failure to determine the amount of damages to be awarded for or on account of the construction of said drainage improvements prior to the passage of the resolution establishing said district and by reason of the failure of said board to cause notice of the changes in said improvements to have been first published as prescribed by law; and

WHEREAS, it is deemed advisable to put said doubts and all other doubts regarding the legality of said proceedings and acts forever at rest; now therefore—

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

1 **SECTION 1. Proceedings legalized.** That all proceedings and acts
2 of the board of supervisors and other officers of the county of Wapello,
3 in the state of Iowa, in relation to Cedar Creek drainage district num-
4 ber four (4) within said county be and the same are hereby legalized
5 in all respects as if all of the provisions of the laws of the state of
6 Iowa with regard to such proceedings had been fully and strictly
7 complied with.

1 **SEC. 2. Litigation.** Nothing in this act shall in any manner affect
2 pending litigation.

1 **SEC. 3. Publication.** This act being deemed of immediate impor-
2 tance shall take effect and be in force from and after its publication
3 in the Des Moines Capital, a newspaper published at Des Moines,
4 Iowa, and the Ottumwa Daily Courier, published at Ottumwa, Iowa,
5 all without expense to the state.

Approved April 24, A. D. 1924.

I hereby certify that the foregoing act was published in the Ottumwa Daily Courier, April 28, 1924, and the Des Moines Capital, April 28, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 40

VALLEY JUNCTION, IOWA

S. F. 322

AN ACT to legalize a special election held on the 31st day of March, 1924, in the city of Valley Junction, Iowa, whereat there was submitted to the voters the proposition of the issuance of bonds of said city of Valley Junction in the sum of twenty thousand dollars (\$20,000.00), for the purpose of extending the waterworks system owned and operated by said city; and to legalize all acts and proceedings in respect to said election and said bonds and to authorize the issuance of twenty thousand dollars (\$20,000.00) waterworks bonds of said city.

WHEREAS, at a regular meeting of the city council of Valley Junction, Polk county, Iowa, held on the third day of March, 1924, a resolution was duly introduced and adopted pursuant to a sufficient petition duly filed with said council, which resolution ordered submitted to the legal voters of said city, at a special election to be held in said city on the thirty-first day of March, 1924, the proposition of issuing bonds of said city in the sum of twenty thousand dollars (\$20,000.00) for the purpose of extending the waterworks system owned and operated by said city; and provided for the giving of notice of the time and place of holding said election on the afore-said proposition, but doubts have arisen due to the failure of said resolution to designate the polling places where said election would be held; and

WHEREAS, said resolution omitted to provide for the submission of the separate proposition to the voters at said election of whether or not the

waterworks system owned and operated by said city should be extended; and

WHEREAS, notice of said election was duly given by publication made for four consecutive weeks in the Valley Express, a weekly newspaper published and printed in the English language at Valley Junction, Iowa, the first publication of said notice being made on the sixth day of March, 1924, and doubts have arisen as to the sufficiency of said notice by reason of said first publication not having been made twenty-eight days or more prior to the date of said election; and

WHEREAS, on the question of issuing bonds of said city in the sum of twenty thousand dollars (\$20,000.00) for the purpose of extending the waterworks system of said city, there were cast a majority of forty-three (43) votes of all the voters voting thereon in favor of said proposition, said majority being also a majority of all the votes cast at the last preceding municipal election held in said city, but because of the aforesaid defects and irregularities, question has been raised as to the sufficiency of said election to authorize the issuance of said bonds, and it is desired to dispose of all said doubts and objections or any other doubts and objections which may be made to said acts and proceedings in respect to said election and bonds so that said bonds when issued may be valid obligations of said city; now, therefore,

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

1 SECTION 1. **Special election.** That the special election held in the
2 city of Valley Junction, in the county of Polk and state of Iowa, on
3 the thirty-first day of March, 1924, whereat was submitted the ques-
4 tion of the issuance of bonds of said city in the sum of twenty thou-
5 sand dollars (\$20,000.00) for the purpose of extending the water-
6 works system now owned and operated by the said city of Valley
7 Junction, and all acts, matters and things done in petitioning for,
8 calling, giving notice of, and holding of said election be and the same
9 are hereby declared to be legal and valid, notwithstanding any defect,
10 omission or irregularities in connection therewith, and that it be and
11 it is hereby declared that the vote at said election lawfully authorized
12 the issuance of twenty thousand dollars (\$20,000.00) waterworks
13 bonds for the purpose of extending the waterworks system now owned
14 and operated by the city of Valley Junction, and that said city is
15 hereby authorized to issue said bonds, and the same, when issued,
16 sold and delivered, as provided by law, shall constitute a binding
17 obligation of said city the same as though the law had in all respects
18 been fully complied with.

1 SEC. 2. **Litigation.** This act shall not affect pending litigation.

1 SEC. 3. **Publication.** This act being deemed of immediate impor-
2 tance shall take effect and be in force from and after its publication
3 in the Des Moines Register, a newspaper published at Des Moines,
4 Iowa, and in the Valley Express, a newspaper published at Valley
5 Junction, Iowa, without expense to the state.

Approved April 25, A. D. 1924.

I hereby certify that the foregoing act was published in the Valley Express, May 1, 1924, and the Des Moines Register, April 30, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 41

KEOKUK AND HAMILTON MISSISSIPPI RIVER BRIDGE COMPANY AND
HANCOCK COUNTY BRIDGE COMPANY

H. F. 307

AN ACT to legalize the consolidation of the Keokuk & Hamilton Mississippi River Bridge Company with the Hancock County Bridge Company and the amendment and renewal of the articles of consolidation of the consolidated company for a term of fifty (50) years, beginning August first, nineteen hundred eighteen (1918).

WHEREAS, doubts may arise from time to time as to the legality of the consolidation of the Keokuk & Hamilton Mississippi River Bridge Company with the Hancock County Bridge Company, corporations formed under the laws of the states of Iowa and Illinois, respectively, to build and maintain a railway, wagon and foot bridge across the Mississippi river between the cities of Keokuk in Iowa and Hamilton in Illinois; and

WHEREAS, doubts may also arise as to whether or not, under the laws of Iowa, the corporate existence of the consolidated company, known as the Keokuk and Hamilton Bridge Company, continued after August first, nineteen hundred eighteen (1918); and

WHEREAS, said consolidated company in the years 1869 and 1870 erected said bridge under the laws of congress and of said states and has ever since and now is duly maintaining and operating said bridge in all respects; and

WHEREAS, on the twenty-fourth (24) day of March, nineteen hundred twenty-four (1924), a duly called special election was held for the purpose of renewing the corporate existence of said consolidated company for another period of fifty (50) years, beginning with August first, nineteen hundred eighteen (1918), with an offer by those in favor of such renewal to purchase stock of those opposed thereto, at its real value; and

WHEREAS, at such election a majority of the votes cast was in favor of such renewal; and

WHEREAS, the special act of the state of Illinois incorporating said Hancock County Bridge Company was without limit as to duration; therefore,

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

1 SECTION 1. **Consolidation legalized.** That the consolidation of the
2 Keokuk & Hamilton Mississippi River Bridge Company with the Han-
3 cock County Bridge Company is hereby legalized and validated in all
4 respects.

1 SEC. 2. **Franchises and privileges legalized.** That the corporate
2 existence and the franchises and privileges of the consolidated com-
3 pany, known as the Keokuk and Hamilton Bridge Company, are hereby
4 legalized and extended for a period of fifty (50) years from August
5 first, nineteen hundred eighteen (1918), and all its acts and doings
6 since the date aforesaid are valid and legalized, with the same force
7 and effect as during its previous corporate existence.

1 SEC. 3. **Filing.** This act shall not take effect until the consolidated
2 company known as the Keokuk & Hamilton Mississippi River Bridge

3 Company shall have filed with the secretary of state its renewal
4 articles of incorporation together with a certificate of the adoption
5 thereof and shall have paid to the secretary of state a renewal fee
6 equal to the renewal, filing and recording fees as is provided by law
7 for the renewal of incorporations of like kind and character.

1 **SEC. 4. To issue certificate.** Upon the payment of the renewal, fil-
2 ing and recording fees as provided herein, the secretary of state shall
3 issue a certificate of renewal as is provided by law.

1 **SEC. 5. Litigation.** Nothing in this act shall affect pending litiga-
2 tion.

1 **SEC. 6. Publication.** This act being deemed of immediate impor-
2 tance shall take effect and be in force from and after its publication
3 in the Des Moines Register, a newspaper published in the city of Des
4 Moines, and the Daily Gate City, a newspaper published in the city
5 of Keokuk, said publication to be without expense to the state.

Approved April 12, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Register, April 17,
1924, and the Daily Gate City, Keokuk, April 17, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 42

KEOKUK AND HAMILTON BRIDGE COMPANY

H. F. 328

AN ACT to amend house file No. 307, acts of the fortieth general assembly, extra
session, relating to the legalization of acts of Keokuk and Hamilton Bridge Company.

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

1 **SECTION 1. Correct name.** That house file No. 307, acts of the
2 fortieth general assembly, extra session, be amended by striking from
3 line two (2) of section three (3) thereof, the words, "Mississippi
4 river".

1 **SEC. 2. Litigation.** Nothing in this act shall affect pending litiga-
2 tion.

1 **SEC. 3. Publication.** This act being deemed of immediate impor-
2 tance shall take effect and be in force from and after its publication
3 in the Des Moines Register, a newspaper published in the city of Des
4 Moines and the Daily Gate City, a newspaper published in the city of
5 Keokuk, said publication to be without expense to the state.

Approved April 26, A. D. 1924.

I hereby certify that the foregoing act was published in the Daily Gate City, Keokuk, May
2, 1924, and the Des Moines Register, May 2, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 43

LAURA SMITH DAY

S. F. 295

AN ACT to legalize the official acts of Laura Smith Day, of Wapello county, Iowa, as notary public.

WHEREAS, Laura Smith of Blakesburg, Wapello county, Iowa, was duly commissioned as a notary public on the fifth (5) day of July, 1921 and continued to act as a notary public and take acknowledgments and sign certificates as Laura Smith until the twenty-fifth (25th) day of January, 1924, and

WHEREAS, the said Laura Smith was married on the twenty-fifth (25th) day of September, 1923, and that by reason of the said marriage, her legal name became Laura Smith Day, and

WHEREAS, the said Laura Smith Day was commissioned as a notary public under her correct name on the twenty-fifth (25th) day of January, 1924.

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

1 SECTION 1. **Acknowledgments legalized.** That all acknowledgments
2 of written instruments including affidavits, deeds, mortgages and all
3 other documents taken or made by the said Laura Smith Day after
4 her marriage on the twenty-fifth (25th) day of September 1923 down
5 to and including the twenty-fifth (25th) day of January, 1924 as
6 Laura Smith, be and the same are hereby legalized and made valid
7 the same as though the said Laura Smith Day had been duly com-
8 missioned as a notary public under that name at the time such ac-
9 knowledgments were taken, provided nothing in this act shall affect
10 pending litigation.

1 SEC. 2. **Publication.** This act being deemed of immediate impor-
2 tance shall be in force and effect from and after its publication in the
3 Blakesburg Excelsior, a newspaper published at Blakesburg, Iowa,
4 and the Iowa Forum, a newspaper published at Des Moines, Iowa,
5 without expense to the state.

Approved March 12, A. D. 1924.

I hereby certify that the foregoing act was published in the Blakesburg Excelsior March 20, 1924 and the Iowa Forum March 19, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 44

WILLIAM E. COX

H. F. 312

AN ACT to authorize the issuance of a patent to certain lands in Winnebago county, Iowa, to William E. Cox.

WHEREAS, Geo. W. Marquardt and J. G. Fink conveyed to the trustees of the university of Iowa, the east half of the northwest quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$) section twenty-five (25) township one hundred (100) north,

range twenty-five (25) west of the fifth principal meridian, Winnebago county, Iowa, by warranty deed dated March 1, 1866, and recorded in Book "C", page 328, deed records of Winnebago county, Iowa; and

WHEREAS, by decree of the district court of Iowa in and for Winnebago county, the title to said real estate was quieted in the state of Iowa for the use of the state university of Iowa by decree entered June 9, 1902; and

WHEREAS, Lovell Swisher, treasurer of the board of regents of the state university of Iowa, and on behalf of said board of regents, on May 14, 1903, conveyed said real estate to George L. Cox by warranty deed, which deed was thereafter recorded in book 48, page 600, deed records of Winnebago county, Iowa; and

WHEREAS, the said George L. Cox died intestate in Winnebago county, Iowa, on or about June 9, 1920, seized of the fee simple title to said real estate, and his surviving spouse and sole heirs-at-law have heretofore conveyed all of their right, title and interest in and to said land to William E. Cox by conveyances now of record in the office of the county recorder of Winnebago county, Iowa; and the said William E. Cox and his grantors have been in the open, continuous, notorious and adverse possession of said real estate under color of right and claim of title, for more than twenty (20) years last past; and

WHEREAS, doubts have arisen whether any title remained in the state of Iowa by reason of the aforesaid decree, and whether the said conveyance by Lovell Swisher, treasurer of the board of regents of the state university of Iowa, to George L. Cox was sufficient to transfer to him the full fee simple title to said real estate; now, therefore,

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

1 SECTION 1. **To issue patent.** That the governor and secretary of
2 state shall, in the name of the state of Iowa and under its seal, convey
3 by patent to the said William E. Cox, the following described real
4 estate situated in Winnebago county, Iowa, to-wit:

5 The east half of the northwest quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$) section twenty-
6 five (25), township one hundred (100) north, range twenty-five (25)
7 west of the fifth principal meridian;

8 and thereby transfer to the said William E. Cox any and all interest
9 which the state of Iowa may have in and to said described real estate,
10 said patent to issue without expense to the state of Iowa.

1 SEC. 2. **Publication.** This act, being deemed of immediate impor-
2 tance shall take effect and be in force from and after its publication
3 in the Forest City Summit, a newspaper published in Forest City,
4 Iowa, and the Iowa Forum, a newspaper published in the city of Des
5 Moines, Iowa, without expense to the state.

Approved April 12, A. D. 1924.

I hereby certify that the foregoing act was published in the Forest City Summit, April 24, 1924, and the Iowa Forum, April 16, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 45

APPANOOSE COUNTY

S. F. 299

AN ACT legalizing the transfer of certain funds by the county treasurer of Appanoose county, Iowa.

WHEREAS, the county of Appanoose had outstanding warrants in the sum of fifteen thousand eight hundred ten and 10/100 dollars (\$15810.10), drawn on the juvenile and paupers funds, and

WHEREAS, there was no money in either of said funds to meet said warrants or to pay the same, and

WHEREAS, there was in the bridge fund of said county, collected for the year 1923, the sum of ten thousand two hundred seventy-six dollars, (\$10276.00), over and above what was expended out of said fund for said year, and

WHEREAS, there was in the insane fund of said county, collected for the year 1923, the sum of forty-two hundred dollars (\$4200.00), over and above what was expended out of said fund for said year, and

WHEREAS, there was in the soldiers' relief fund of said county, collected for the year 1923 and some years prior thereto, the sum of ten thousand five hundred forty dollars (\$10540.00), over and above what was expended out of said fund for said year 1923, and

WHEREAS it was deemed by the board of supervisors of said county of Appanoose, that the amounts remaining in said funds were far in excess of the amounts needed to take care of the legitimate demands on said respective funds for the current year, and

WHEREAS, the treasurer of Appanoose county, acting under authorization of said board of supervisors of said county, did transfer the following amounts:

Five thousand eight hundred ten and 10/100 dollars (\$5810.10) from said bridge funds, two thousand dollars (\$2000.00) from the insane fund, and eight thousand dollars (\$8000.00) from the soldiers' relief fund, to the juvenile and pauper funds for the purpose of taking care of the outstanding warrants against said two last named funds; therefore

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

1 SECTION 1. **Transfer legalized.** That the acts of the county treasurer of Appanoose county, Iowa, in transferring five thousand eight
2 hundred ten and 10/100 dollars (\$5810.10) from the bridge fund,
3 two thousand dollars (\$2000.00) from the insane fund and eight thousand
4 dollars (\$8000.00) from the soldiers' relief fund, to the juvenile
5 and paupers funds, in such proportionate amounts as will make available
6 for the liquidation of outstanding warrants against said two last
7 named funds in the sum of fifteen thousand eight hundred ten and
8 10/100 (\$15810.10), be and the same are hereby legalized.

1 SEC. 2. **Limitation.** Nothing in this act shall be construed so as
2 to legalize any other acts of the county treasurer, now or hereafter,
3 except as herein specifically set out.

1 SEC. 3. **Litigation.** Nothing in this act shall affect pending litigation.
2

1 SEC. 4. **Publication.** This act, being deemed of immediate importance, shall be in force and effect from and after its publication in
2 the Des Moines Register, a newspaper published in Des Moines, Iowa,
3 and in the Centerville Iowegian and Citizen, a newspaper published
4 in Centerville, Iowa; said publication to be without expense to the
5 state.
6

Approved March 31, A. D. 1924.

I hereby certify that the foregoing act was published in the Centerville Iowegian, April 7, 1924, and the Des Moines Register, April 4, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 46

FOREST CITY, IOWA

H. F. 293

AN ACT to legalize the transfer of funds by the city council of the city of Forest City, Iowa.

WHEREAS, the city of Forest City in the county of Winnebago, and state of Iowa, did levy a tax for the purpose of providing for a fire station; and

WHEREAS, said fire station has now been purchased and is adequate for the said city, and now in use in said city as a fire station, and the same having been fully paid for out of the building fund of said city, and on January 17th, 1924 there remained in the fund thus created for the fire station the sum of twenty-three hundred twenty-one and 96/100 dollars (\$2321.96), which sum had accumulated from the tax levy as above stated; and

WHEREAS, the city of Forest City, Iowa, had on hand the sum of fourteen hundred and eleven and 80/100 dollars (\$1411.80) in a fund named as, interest on bond fund, and the sum of two hundred fifty-one and 52/100 dollars (\$251.52) in a fund named as, motor fund on January 17, 1924, all of which had been legally levied and collected; and

WHEREAS, said city had no use for said sums of money for the purposes for which they were levied, and the said funds were wholly inactive; and

WHEREAS, the city council of the city of Forest City, Iowa, by resolution on the 17th day of January, 1924, ordered the money in said funds transferred to the fire equipment fund of the city of Forest City, Iowa, it being deemed necessary and advisable that said transfer be made, and there being no other manner in which such funds could be legally used; and

WHEREAS, doubts have arisen concerning the legality of the transfer of the funds above referred to from the fire station fund, interest bond fund, and motor fund, to the fire equipment fund, although such transfer has operated to the best interest of the city and its citizens; now therefore,

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

1 SECTION 1. **Transfer legalized.** That the acts of the city council
2 of the city of Forest City, Iowa, in transferring the sum of twenty-

3 three hundred twenty-one and 96/100 dollars (\$2321.96) in the fire
 4 station fund, and the sum of fourteen hundred and eleven and 80/100
 5 dollars (\$1411.80) in the interest on bond fund, and the sum of two
 6 hundred fifty-one and 52/100 (\$251.52) dollars in the motor fund, all
 7 of said sums being inactive, to the fire equipment fund of the city
 8 of Forest City, Iowa, be and the same are hereby legalized, and such
 9 transfer is hereby declared to be legal and proper in all respects.

1 **SEC. 2. Litigation.** Nothing in this act shall affect pending litiga-
 2 tion.

1 **SEC. 3. Publication.** This act being deemed of immediate impor-
 2 tance shall take effect and be in force from and after its publication
 3 in the Forest City Summit, a newspaper published in the city of
 4 Forest City, Iowa, and the Des Moines Register, a newspaper pub-
 5 lished in the city of Des Moines, Iowa, without expense to the state.

Approved February 26, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Register, March 1,
 1924, and the Forest City Summit, March 6, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 47

BOARD OF CONTROL

S. F. 310

AN ACT legalizing the transfer by concurrent resolution by the 38th general assembly
 of \$519,287.76 from the general revenue fund of the state to the support fund of
 various state institutions under the board of control of state institutions, and the
 expenditure thereof the same as though such transfer had been legally made and
 an appropriation made therefor.

WHEREAS, the 38th general assembly did by concurrent resolution at-
 tempt to transfer from the general revenue fund of the state to the support
 fund of various institutions because of a deficit therein and charges against
 said various support funds the sum of \$519,287.76, and,

WHEREAS, the auditor of state and the treasurer of state did transfer
 from the general revenue fund of the state to the support fund of these
 various institutions named in and pursuant to the provisions of said reso-
 lution, the sum of \$519,287.76 and did issue and pay warrants against said
 funds when so transferred, and,

WHEREAS, said fund should have been transferred by an act of the
 general assembly and not by concurrent resolution and an appropriation
 made therefor, therefore,

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

1 **SECTION 1. Transfer legalized.** That all of the acts of the auditor
 2 of state and of the treasurer of state done pursuant to said concurrent
 3 resolution, and in connection with the transfer from the general reve-
 4 nue fund of the state to the support fund of the various state institu-
 5 tions specified herein, and all warrants drawn against and paid from

6 such funds so transferred and expenditure thereof in the sum of five
 7 hundred nineteen thousand, two hundred eighty-seven dollars and
 8 seventy-six cents (\$519,287.76) are hereby legalized and validated
 9 in the same manner as though said funds had been legally transferred
 10 and an appropriation made therefor; the amount being transferred
 11 and expended for each institution being as follows:

12	Institution	Location	Amount
13	The Reformatory, Anamosa.....		\$108,412.42
14	Clarinda State Hospital, Clarinda.....		18,183.49
15	Soldiers' Orphans' Home, Davenport.....		27,894.36
16	Training School for Boys, Eldora.....		35,425.22
17	State Penitentiary, Ft. Madison.....		88,410.83
18	Institution for Feeble-minded Children, Glenwood		50,648.09
19	Independence State Hospital, Independence.....		13,339.17
20	Soldiers' Home, Marshalltown.....		62,450.76
21	Training School for Girls, Mitchellville.....		27,018.76
22	Mt. Pleasant State Hospital, Mt. Pleasant.....		68,303.17
23	State Sanatorium, Oakdale.....		9,385.35
24	State Hospital and Colony for Epileptics, Woodward		9,816.14
25	Total		\$519,287.76

1 **SEC. 2. Publication.** This act being deemed of immediate impor-
 2 tance shall be in full force and effect from and after its publication
 3 in the Des Moines Capital and the Des Moines Register, newspapers
 4 published at Des Moines, Iowa.

Approved April 17, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Register, April 19,
 1924, and the Des Moines Capital, April 18, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 48

BOARD OF CONTROL

S. F. 311

AN ACT legalizing the transfer by concurrent resolution by the 39th general assembly of \$199,839.39 from the general revenue fund of the state to the support fund of various state institutions under the board of control of state institutions and the expenditure thereof the same as though such transfer had been legally made and appropriation made therefor.

WHEREAS, the 39th general assembly did by concurrent resolution attempt to transfer from the general revenue fund of the state to the support fund of various institutions because of a deficit therein and charges against said various support funds the sum of \$199,839.39, and,

WHEREAS, the auditor of state and the treasurer of state did transfer from the general revenue fund of the state to the support fund of these various institutions named in and pursuant to the provisions of said resolution, the sum of \$199,839.39 and did issue and pay warrants against said funds when so transferred and,

WHEREAS, said fund should have been transferred by an act of the general assembly and not by concurrent resolution and an appropriation made therefor, therefore,

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

1 SECTION 1. **Transfer legalized.** That all of the acts of the auditor
 2 of state and of the treasurer of state done pursuant to said concurrent
 3 resolution, and in connection with the transfer from the general revenue
 4 fund of the state to the support fund of the various state institutions
 5 specified herein, and all warrants drawn against and paid from
 6 such funds so transferred and expenditure thereof in the sum of one
 7 hundred ninety-nine thousand, eight hundred thirty-nine dollars and
 8 thirty-nine cents (\$199,839.39) are hereby legalized and validated in
 9 the same manner as though said funds had been legally transferred
 10 and an appropriation made therefor; the amount being transferred
 11 and expended for each institution being as follows:

12	Institution	Location	Amount
13	Soldiers' Orphans' Home,	Davenport.....	\$ 18,561.95
14	Training School for Boys,	Eldora.....	6,165.84
15	Institution for Feeble-minded Children,	Glenwood	73,780.76
16	Soldiers' Home,	Marshalltown.....	32,419.44
17	Training School for Girls,	Mitchellville.....	12,555.26
18	Mt. Pleasant State Hospital,	Mt. Pleasant.....	13,521.15
19	State Sanatorium for the Treatment of Tubercu-		
20	losis, Oakdale	9,702.73
21	State Hospital and Colony for Epileptics,	Woodward	33,132.26
22	Total	<u>\$199,839.39</u>

1 SEC. 2. **Publication.** This act being deemed of immediate impor-
 2 tance shall be in full force and effect from and after its publication
 3 in the Des Moines Capital and the Des Moines Register, newspapers
 4 published at Des Moines, Iowa.

Approved April 17, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Register, April 19, 1924, and the Des Moines Capital, April 18, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 49

BOARD OF CONTROL

H. J. R. 9

JOINT RESOLUTION authorizing the board of control of state institutions to enter into contracts for the employment of prisoners.

WHEREAS, the extra session of the fortieth general assembly has adopted House File No. 84, an act relating to the board of control, its powers and duties and in said act has authorized the board of control to enter into contracts for the employment of prisoners, and

WHEREAS, said act will not become effective at once and it is desired that this power be conferred upon the board of control at this time, and

WHEREAS, the said board of control has cancelled certain contracts for the employment of prisoners in the state penitentiary and the men's reformatory between said board of control and the Reliance Manufacturing Company and the Sterling Company, the date of cancellation to be effective as of July 1, 1924 and it is the desire of this legislature to ratify and confirm the board of control in its cancellation of these contracts, now, therefore,

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

1 SECTION 1. **Contracts cancelled.** That the resolution of the board
2 of control cancelling the contracts between the board of control and
3 the Reliance Manufacturing Company and the Sterling Company for
4 the employment of prisoners in the state penitentiary and in the
5 men's reformatory is ratified and confirmed, and said contracts are
6 cancelled as of date July 1, 1924.

1 SEC. 2. **Contracts authorized.** The board of control of state insti-
2 tutions is authorized to enter into contracts with persons, firms or
3 corporations for the employment of prisoners on state premises where
4 the work and prisoners employed thereon are under the supervision,
5 direction and control of the board of control and the warden, providing
6 always that such contracts shall not extend beyond July 1, 1927.

1 SEC. 3 **Terms.** In making such contracts the board shall not per-
2 mit such services to be rendered to a private party at a less wage than
3 is paid free labor for like service or its equivalent, taking into con-
4 sideration all the elements that enter into the value of prison labor,
5 and the decision of the board of control in that respect shall be final,
6 after approval by the appeal board provided for by chapter 3-a of
7 senate file No. 7 of the acts of the fortieth general assembly of Iowa,
8 extra session.

1 SEC. 4. **Publication.** This act being deemed of immediate im-
2 portance, shall be in full force and effect from and after its publication
3 in the Des Moines Register and the Des Moines Capital, newspapers
4 published in Des Moines, Iowa.

Approved April 29, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Register May 2, 1924, and the Des Moines Capital May 1, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 50

INDEPENDENT SCHOOL DISTRICT OF TOLEDO

S. F. 301

AN ACT to legalize the action of the board of directors of the independent school district of Toledo, Tama county, Iowa, and the treasurer thereof in the transfer of certain funds from the general fund to the school house fund of said school district.

WHEREAS, the board of directors of the independent school district of Toledo, Tama county, Iowa, did during the year 1914 construct and equip a new school house and did under the date of April first, 1914, issue seventy-

five thousand dollars (\$75,000.00) school building bonds to pay the costs thereof, and

WHEREAS, fifty-eight thousand dollars (\$58,000.00) of said bonds mature on April first, 1924, the balance having been paid, and

WHEREAS, there was during the current year large amounts of money on hand in the general fund not needed for use in said fund and said board of directors, desiring to retire five thousand dollars (\$5,000.00) of the bonds maturing on April first, 1924, without resorting to the means of issuing refunding bonds in that amount, and because it had said surplus on hand in said general fund and had no use for the same in said fund, did by unanimous vote of its board of directors, authorize and direct its school treasurer to transfer the sum of five thousand dollars (\$5,000.00) from its general fund to its school house fund, and said transfer was duly made, and

WHEREAS, it was the unanimous opinion of said board of directors that it was for the best interests of said school district to use said amount thus transferred to retire bonds maturing in like amount, and

WHEREAS, doubt has arisen as to the legality of said transfer, and as to said board's right to make the same,

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

1 **SECTION 1. Transfer legalized.** That the acts of the board of
2 directors of the independent school district of Toledo, Tama county,
3 Iowa, and of the treasurer of said school district, in transferring the
4 sum of five thousand dollars (\$5,000.00) from the general fund of
5 said school district to its school house fund, be and the same are
6 hereby legalized and validated.

1 **SEC. 2. Publication.** This act being deemed of immediate impor-
2 tance shall take effect and be in force from and after its publication
3 in the Des Moines Register, a newspaper published in Des Moines,
4 Iowa, and the Toledo Chronicle, a newspaper published in Toledo, Tama
5 county, Iowa, said publication to be made without cost to the state.

Approved March 31, A. D. 1924.

I hereby certify that the foregoing act was published in the Toledo Chronicle, April 3, 1924, and the Des Moines Register, April 4, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 51

INDEPENDENT SCHOOL DISTRICT OF COUNCIL BLUFFS

S. F. 286

AN ACT to legalize an election held in the independent school district of Council Bluffs, in the county of Pottawattamie, state of Iowa, and the issuance and sale of bonds by said school district pursuant thereto.

WHEREAS, at the regular election held on March 12, 1923, a majority of the voters of the independent school district of Council Bluffs, in the county of Pottawattamie, state of Iowa, voting thereat, voted in favor of issuing bonds of said school district in the sum of \$225,000, for the purpose

of erecting and equipping a new school building in and for said school district; and

WHEREAS, the board of directors of said school district pursuant to said election, enacted proceedings preliminary to the issuance and sale of said bonds; and

WHEREAS, doubts have arisen concerning the validity of said election and the authority of the board of directors of said school district to issue and sell said bonds, and it is deemed advisable to put said doubts and all other doubts which may hereafter arise concerning said election and the proceedings forever at rest: now, therefore,

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

1 SECTION 1. **Election legalized.** That said election held in said school
2 district on March 12, 1923, and all proceedings had by the board of
3 directors of said school district in relation and pursuant thereto be
4 and the same are hereby declared to be legal and valid, and that the
5 school building bonds of said school district in the aggregate amount
6 of \$225,000, so authorized at said election when issued, sold and
7 delivered are hereby declared to be legal and to constitute valid and
8 binding obligations of said school district.

1 SEC. 2. **Litigation.** Nothing in this act shall affect pending litiga-
2 tion.

1 SEC. 3. **Publication.** This act being deemed of immediate impor-
2 tance, shall take effect and be in force from and after its publication
3 in the "Des Moines Register", a newspaper published in Des Moines,
4 Iowa, and the "Council Bluffs Nonpareil", a newspaper published in
5 Council Bluffs, Iowa, without expense to the state.

Approved December 22, A. D. 1923.

I hereby certify that the foregoing act was published in the Des Moines Register, December 27, 1923, and the Council Bluffs Nonpareil, December 26, 1923.
W. C. RAMSAY, *Secretary of State.*

CHAPTER 52

INDEPENDENT SCHOOL DISTRICT OF WATERLOO

H. F. 286

AN ACT to legalize the acts of the board of directors of the independent school district of Waterloo, Iowa, in estimating the amount required for the general fund for the school year 1923-1924, and the certification thereof to the board of supervisors of Black Hawk county, Iowa, and the levy thereof by said board of supervisors.

WHEREAS, the board of directors of the independent school district of Waterloo, Iowa, did, at a lawful meeting held within the time provided by law, estimate the amount required for the general fund of the school district for the school year 1923-1924, and fix the same at the amount of three hundred forty thousand dollars (\$340,000), and did thereafter cause the same to be duly certified to the county auditor and the board of supervisors of Black Hawk county, Iowa, within the time required by law.

WHEREAS, included in said sum so estimated and so certified was the amount of thirty thousand dollars (\$30,000) estimated to apply on interest on lawful bonded indebtedness of said school district as provided by section 2813 of the 1913 supplement to the code of Iowa, leaving the amount of said certification applicable to other proper purposes and expenditures for the general fund of said school district, three hundred ten thousand dollars (\$310,000), said amounts not being segregated in said certificate and estimate, through oversight in the preparation of the same, although such segregation was in fact and at the time the intention of said board.

WHEREAS, the levy of the sum of three hundred ten thousand dollars (\$310,000) is less than the maximum fixed by law that may be levied for the general fund of said school district and the said amount of thirty thousand dollars (\$30,000) is less than the maximum fixed by law which may be levied by said district for the payment of interest on bonds, and in addition to such levies there is permitted by law a five per cent (5%) addition to such levies to provide for possible shrinkage in the collection of the same, or other causes.

WHEREAS, the board of supervisors of Black Hawk county, Iowa, have levied the said tax in the total amount of three hundred forty thousand dollars (\$340,000) and the same has been published, according to law, and it is deemed advisable to set aside all doubts concerning the validity of the said estimate and certification and the levy of the same by the board of supervisors; now therefore

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

1 **SECTION 1. Levy legalized.** That the estimate made by the board
 2 of directors of the independent school district of Waterloo, Iowa, for
 3 the general fund for the school year 1923-1924 in the sum of three
 4 hundred forty thousand dollars (\$340,000) and the certification there-
 5 of to the county auditor and the board of supervisors of Black Hawk
 6 county, Iowa, and the levy of the said amount and the publication
 7 thereof by the said board of supervisors be and the same are hereby
 8 declared to be legal and valid notwithstanding the failure to separate
 9 in said estimate, certification and levy the amount estimated for
 10 interest on bonds authorized to be estimated and levied by section
 11 2813 of the 1913 supplement to the code of Iowa, and acts amendatory
 12 thereto, and that the said estimate, certification and levy be and the
 13 same hereby are declared to be of the same force and effect as though
 14 there had been separately estimated, certified and levied thirty thou-
 15 sand dollars (\$30,000) thereof as and for the bond fund of said dis-
 16 trict, and the county auditor of said county is hereby authorized to
 17 certify said taxes to the county treasurer and the county treasurer
 18 authorized to collect the same as provided by law.

1 **SEC. 2. Litigation.** This act shall not affect pending litigation.

1 **SEC. 3. Publication.** This act, being deemed of immediate impor-
 2 tance, shall take effect and be in force from and after its publication
 3 in the Des Moines Register, a newspaper published in the city of Des
 4 Moines, Iowa, and in the Waterloo Tribune, a newspaper published in
 5 Waterloo, Iowa, without expense to the state.

Approved December 21, A. D. 1923.

I hereby certify that the foregoing act was published in the Waterloo Times Tribune, Decem-
 ber 27, 1923, and the Des Moines Register, December 24, 1923.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 53

UNION TOWNSHIP, CASS COUNTY

S. F. 316

AN ACT to legalize the levy, assessment, collection and transfer of certain school taxes in Union township, Cass county, Iowa from the school house fund to the general fund.

WHEREAS, the secretary of the school board of Union township in Cass county, Iowa, erroneously certified to the board of directors of Cass county, Iowa, a tax of eleven and one-tenth (11.1) mills for school house purposes in July, 1922, and

WHEREAS, the board of directors of the school district of Union township in Cass county, Iowa did not authorize the certification of said tax for school house purposes, and

WHEREAS, said tax was levied and entered against the property in Union township in said county and said tax was collected and is now in the hands of the county treasurer of said county, and

WHEREAS, the fund created by said levy cannot be used in said school district for school house purposes, and

WHEREAS, no claims have been filed for the payment of taxes erroneously assessed and said fund will therefore lie idle and be of no benefit to the taxpayers of said school township, and

WHEREAS, the board of directors of the school district of Union township at their regular annual meeting on the 17th day of March, 1923 by resolution authorized the treasurer to transfer the money collected by reason of said tax levy for school house purposes to the general fund, and

WHEREAS, the general fund of said school district will be depleted such that it will be unable to continue the schools therein during the school year commencing July 1, 1924 unless the school house fund herein described is transferred to the general fund, due to the fact that the board of directors of said school district failed to certify a tax to the board of supervisors in July, 1923 for the reason that said board was under the impression that it could by resolution transfer the school house fund to the general fund, and

WHEREAS, said school house fund cannot be otherwise transferred except by a majority vote of the electors in said school township at the annual meeting provided by law to be held in March, 1925, now, therefore,

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

1 SECTION 1. Levy legalized. That the levy and collection of a tax
2 of eleven and one-tenth (11.1) mills for school house purposes against
3 the property in Union township in Cass county, Iowa, pursuant to
4 the certificate of the board of supervisors of the school district of
5 Union township in Cass county, Iowa, filed with the board of super-
6 visors of Cass county, Iowa in July, 1922, be and the same is hereby
7 legalized.

1 **SEC. 2. Transfer legalized.** That the resolution adopted by the
 2 board of directors at their regular meeting on March 17, 1923, direct-
 3 ing the county treasurer to transfer the funds collected for school
 4 house purposes in Union township, Cass county, Iowa, under the levy
 5 described in section one (1) hereof, and the transfer of said funds
 6 be and they are hereby legalized and validated in the same manner
 7 as though all of the acts of all of the officers connected therewith had
 8 been authorized by and done pursuant to the provisions of law.

1 **SEC. 3. Publication.** This act being deemed of immediate impor-
 2 tance shall take effect and be in force from and after its publication
 3 in the Des Moines Register, a newspaper published in Des Moines,
 4 Iowa, and in the Cumberland Enterprise, a newspaper published in
 5 Cumberland, Cass county, Iowa, said publication to be made without
 6 cost to the state.

Approved April 19, A. D. 1924.

I hereby certify that the foregoing act was published in the Cumberland Enterprise, May 1,
 1924, and the Des Moines Register, April 23, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 54

INDEPENDENT SCHOOL DISTRICT OF INDIANOLA

H. F. 316

AN ACT to legalize a school election held in the independent school district of Indianola, in the county of Warren on the tenth (10th) day of March, nineteen hundred twenty-four (1924), whereat there was submitted to the voters of said independent school district, pursuant to a resolution adopted by the board of directors thereof, a proposition to issue bonds of said district in the sum of one hundred seventy-five thousand dollars (\$175,000.00), the funds arising from the sale thereof, to be used for the purpose of construction and equipping a school building and procuring a site therefor.

WHEREAS, the board of directors of the independent school district of Indianola, caused to be submitted to the qualified electors of said district, on the tenth (10th) day of March, nineteen hundred twenty-four (1924) the following question:—"Shall the independent school district of Indianola, county of Warren, state of Iowa, issue bonds in the sum of one hundred seventy-five thousand dollars (\$175,000.00) for the purpose of constructing and equipping a school building and procuring a site therefor?" and

WHEREAS, at said election, as shown by the returns thereof, there was cast, in favor of said proposition, a majority of ninety-nine (99) votes; and

WHEREAS, by reason of the fact that one of the school buildings in said district had been condemned as unsafe for use as such, it is urgently necessary to speedily construct the said new school building as voted for; and

WHEREAS, the said board of directors, in pursuance of authority conferred upon them by law, proceeded to advertise said bonds for sale; and

WHEREAS, shortly prior to the day set for the sale of said bonds, a suit was instituted by two of the voters of said school district, returnable at the September term, nineteen hundred twenty-four (1924) of the district court of said county and seeking to enjoin the issuance of said bonds and to declare the said election illegal; and

WHEREAS, the only real ground alleged in the petition for so declaring said election to be illegal is that a sufficient number of illegal votes were cast to change the result of said election but that said allegation cannot be supported by sufficient evidence; and

WHEREAS, no temporary injunction was prayed for in said petition so as to give the said board of directors an opportunity to move its dissolution and have the matter speedily determined; and

WHEREAS, it is apparent that the suit is brought for delay and constitutes obstruction to the orderly conduct of the business of said school district as under the equity practice, said suit cannot be tried on its merits until the November, nineteen hundred twenty-four (1924) term of said court and that such delay will be to deprive many of the school children of said district of school facilities for more than a year; and

WHEREAS, by the bringing of said suit the sale of said bonds was prevented and will be prevented until its final determination because of the refusal of prospective purchasers of bonds to buy them when litigation questioning their validity is pending; now therefore

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

1 **SECTION 1. Election legalized.** That the election held in the inde-
2 pendent school district of Indianola, Warren county, Iowa, on the
3 tenth (10th) day of March, nineteen hundred twenty-four (1924)
4 and all matters and things done in the calling and holding of said
5 election and the submission to the said voters of the aforesaid propo-
6 sition for the issuance of bonds, or in any wise relating thereto, is
7 hereby declared to be legal and valid notwithstanding any irregulari-
8 ties or omissions or defects in connection therewith and the result
9 of said election upon the question of issuing said bonds of said school
10 district as certified is hereby legalized and declared to be full and
11 legal authority for the issuance of said bonds, the same as if all pro-
12 visions of the law relating thereto had been fully and strictly com-
13 plied with.

1 **SEC. 2. Publication.** This act being deemed of immediate im-
2 portance shall take effect and be in full force from the date of its
3 publication in the Indianola Tribune and the Iowa Forum, news-
4 papers published in Indianola, Iowa and Des Moines, Iowa, respectively,
5 without expense to the state.

Approved April 19, A. D., 1924.

I hereby certify that the foregoing act was published in the Iowa Forum, April 23, 1924,
and the Indianola Tribune, April 22, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 55

SCHOOL TOWNSHIP OF ELKHORN, PLYMOUTH COUNTY

S. F. 292

AN ACT to legalize the action of the board of directors, of the school township of Elkhorn, Plymouth county, Iowa, in the transfer of certain funds from the general fund to the school house fund of said school township.

WHEREAS, the board of directors of the school township of Elkhorn, Plymouth county, Iowa did erect and build a school building, during the season of 1923, to take the place of one destroyed by fire, and,

WHEREAS, said board have completed said building and have paid for the cost of constructing the same out of the insurance covering the building destroyed, with the exception of a balance due of \$1,500.00, and,

WHEREAS, there was a large balance of money on hand in the general fund not needed for use in said fund, and said board of directors desiring to relieve the school township from issuing bonds and further taxation, and because it had said surplus on hand in said fund and had no use for the same in said fund, did by a unanimous vote of its board of directors authorize and direct its treasurer to transfer the sum of \$1,500.00 from the general fund to the school house fund, and said amount has been used by said board to pay the balance due for the building of said school house, and,

WHEREAS, it was the unanimous opinion of said board, and the desire and sentiment of the taxpayers of said school township to avoid further taxation and use said money for said purpose, and,

WHEREAS, doubt has arisen as to the legality of said transfer, or of said board's right to make the same, and as to the authority for making said transfer.

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

1 SECTION 1. **Transfer legalized.** That the acts of the board of di-
2 rectors of the school township of Elkhorn, Plymouth county, Iowa,
3 in transferring the sum of \$1,500.00 from the general fund of said
4 school corporation to the school house fund, and in issuing a warrant
5 on said school house fund for said sum, on the 17th day of December,
6 1923, in payment of a balance due for the building of a school house
7 in said township in District No. 9, be and the same are hereby legal-
8 ized and validated.

1 SEC. 2. **Publication.** This act, being deemed of immediate im-
2 portance, shall take effect and be in force from and after its publica-
3 tion in the Des Moines Register, a newspaper published in the city of
4 Des Moines, Iowa, and the Kingsley News Times, a newspaper pub-
5 lished in Plymouth county, Iowa, without expense to the state.

Approved February 7, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Register, February 9, 1924, and the Kingsley News Times, February 15, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 56

IONIA, IOWA

S. F. 303

AN ACT to legalize an election held on the 21st day of January, 1924, in and for the town of Ionia, county of Chickasaw, state of Iowa, on the propositions of constructing a municipal electric light and power system and of issuing bonds in the sum of fourteen thousand dollars (\$14,000) to pay the cost thereof, and to legalize all acts and proceedings of the town council of said town in respect to said election and said bonds.

WHEREAS, at an election held in and for the town of Ionia, county of Chickasaw, state of Iowa, on the 21st day of January, 1924, there was submitted to the voters of said town the proposition of constructing a municipal electric light and power system and the issuance of bonds in the sum of fourteen thousand dollars (\$14,000) to pay the cost thereof; and

WHEREAS, a majority of the votes cast at said election were in favor of each of said propositions and the affirmative vote for the issuance of said bonds was equal to a majority of the votes cast at the last regular municipal election of said town; and

WHEREAS, doubts have arisen concerning the validity of said election, the notice thereof not having been published for four consecutive weeks, and it is desired to put said doubts and all other doubts which may arise concerning the legality of said election and the legality of all acts and proceedings of the town council relating to said election and to the issuance of said bonds forever at rest; now therefore

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

1 SECTION 1. **Election legalized.** That the election held on the 21st
2 day of January, 1924, in and for the town of Ionia, county of Chicka-
3 saw, state of Iowa, on the propositions of constructing a municipal
4 electric light and power system and the issuance of bonds in the sum
5 of fourteen thousand dollars (\$14,000) to pay the cost thereof, be
6 and the same is hereby declared to be legal and valid, notwithstand-
7 ing any irregularities or omissions or defects in connection therewith.

1 SEC. 2. **Bonds.** That the electric light and power bonds of said
2 town in the sum of fourteen thousand dollars (\$14,000) when issued,
3 sold and delivered to the purchasers, and the sale thereof, are hereby
4 declared to be legal and to constitute valid and binding obligations of
5 said town, notwithstanding any irregularities or omissions or defects
6 in connection therewith.

1 SEC. 3. **Litigation.** Nothing in this act shall affect pending liti-
2 gation.

1 SEC. 4. **Publication.** This act, being deemed of immediate impor-
2 tance, shall take effect and be in force from and after its publication
3 in the Des Moines Register, a newspaper published in Des Moines, Iowa,
4 and the Des Moines Capital, a newspaper published in Des Moines,
5 Iowa, without expense to the state.

Approved March 31, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Register, April 4, 1924, and the Des Moines Capital, April 3, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 57

FORT DODGE, IOWA

S. F. 291

AN ACT to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants, of the city of Fort Dodge, Iowa.

WHEREAS, the city of Fort Dodge, in the county of Webster, state of Iowa, by its city council did heretofore authorize and incur expenditures in the sum of twenty-three thousand dollars (\$23,000), for proper corporate purposes, as permitted by law, and did issue warrants of said city in like amount to evidence such indebtedness, in the manner and form required by law; and

WHEREAS, at a properly convened meeting of the city council of said city held on January 17, 1924, a resolution entitled "Resolution to provide for the issuance of twenty-three thousand dollars (\$23,000) funding bonds", was adopted for the purpose of funding the indebtedness represented by the aforesaid warrants; and

WHEREAS, doubts have arisen concerning the legality or validity of the aforesaid warrants or a portion thereof and concerning the legality of the proceedings of the city council providing for the issuance of said funding bonds and it is deemed advisable to put said doubts and all other doubts which may arise concerning the legality or validity of the aforesaid warrants and proceedings forever at rest, now, therefore,

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

1 **SECTION 1. Acts legalized.** That the acts and proceedings of the
2 city council of the city of Fort Dodge, Iowa, in making expenditures
3 for said city and issuing warrants therefor in the sum of twenty-
4 three thousand dollars (\$23,000), as aforesaid, and authorizing and
5 directing the issuance and sale of negotiable bonds in the sum of
6 twenty-three thousand dollars (\$23,000) for the purpose of funding
7 the aforesaid warrants, be and the same are hereby legalized and
8 validated.

1 **SEC. 2. Warrants.** That the aforesaid warrants of the city of
2 Fort Dodge, Iowa, in the aggregate sum of twenty-three thousand
3 dollars (\$23,000) be and the same are hereby legalized and declared
4 to be valid, legal and subsisting obligations of said city.

1 **SEC. 3. Funding bonds.** That the funding bonds of the city of
2 Fort Dodge, Iowa in the aggregate sum of twenty-three thousand
3 dollars (\$23,000) authorized and directed to be issued and sold by
4 said resolution for the purpose of funding the aforesaid warrants
5 and the sale thereof be and the same are hereby legalized and said
6 bonds, when issued, shall be the valid, legal and subsisting obligations
7 of said city of Fort Dodge.

1 **SEC. 4. Litigation.** Nothing in this act shall affect pending liti-
2 gation.

1 **SEC. 5. Publication.** This act, being deemed of immediate im-
2 portance, shall take effect and be in force from and after its publi-

3 cation in the "Des Moines Register", a newspaper published in the
 4 city of Des Moines, Iowa and the "Fort Dodge Messenger", a news-
 5 paper published in the city of Fort Dodge, Iowa, without expense
 6 to the State.

Approved January 24, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Register, January 26, 1924, and the Fort Dodge Messenger, January 29, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 58

COUNCIL BLUFFS, IOWA

S. F. 284

AN ACT to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants, of the city of Council Bluffs, Iowa.

WHEREAS, The city of Council Bluffs, in the county of Pottawattamie, State of Iowa, by its city council did heretofore authorize and incur expenditures in the sum of two hundred thousand dollars, (\$200,000.00), for corporate purposes, as permitted by law, and did issue warrants of said city in like amount to evidence such indebtedness, in the manner and form required by law; and

WHEREAS, Said expenditures were made for proper corporate purposes and the indebtedness of said city at the time said warrants were issued did not, and does not at this time, exceed the constitutional limitations; and

WHEREAS, At a properly convened meeting of the city council of said city, held on the 30th day of November, 1923, a resolution entitled "Resolution authorizing the issuance of two hundred thousand dollars (\$200,000.00) of funding bonds," was adopted for the purpose of funding the indebtedness represented by the aforesaid warrants; and

WHEREAS, Doubts have arisen concerning the legality or validity of the aforesaid warrants or a portion thereof on the ground that the indebtedness which said warrants evidence or a portion thereof was contracted in excess of the statutory limitation on indebtedness; and

WHEREAS, Doubts have arisen concerning the legality of the aforesaid warrants because the expenditures or a portion thereof, evidenced thereby, were contracted in excess of the appropriations theretofore made for the funds against which said warrants were drawn; and

WHEREAS, Doubts have arisen concerning the legality or validity of aforesaid warrants or a portion thereof on the ground that the aforesaid expenditures or a portion thereof were contracted in excess of said city's authorized annual revenues; and

WHEREAS, Doubts have arisen concerning the legality or validity of the aforesaid warrants or a portion thereof on the ground that the aforesaid expenditures or a portion thereof, were contracted in excess of said city's annual revenue actually levied; and

WHEREAS, Doubts have arisen concerning the legality or validity of the aforesaid warrants or a portion thereof on the ground that the

aforesaid expenditures or a portion thereof, were not provided for in said city's annual appropriations; and

WHEREAS, It is deemed advisable to put said doubts and all other doubts which may arise concerning the legality or validity of the aforesaid warrants forever at rest; now, therefore:

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

1 **SECTION 1. Acts legalized.** That the acts of the city council of the
2 city of Council Bluffs, Iowa, in making expenditures for said city,
3 issuing warrants therefor in the sum of two hundred thousand
4 dollars, (\$200,000.00), as aforesaid, and authorizing and directing
5 the issuance and sale of negotiable bonds in the sum of two hundred
6 thousand dollars, (\$200,000.00), for the purpose of funding the
7 aforesaid warrants, be and the same are hereby legalized and validated.

1 **SEC. 2. Warrants.** That the aforesaid warrants of the city of
2 Council Bluffs, Iowa, in the aggregate sum of two hundred thousand
3 dollars, (\$200,000.00), be and the same are hereby legalized and
4 declared to be valid, legal and subsisting obligations of said city.

1 **SEC. 3. Funding bonds.** That the funding bonds of the city of
2 Council Bluffs, Iowa, in the aggregate sum of two hundred thousand
3 dollars, (\$200,000.00), authorized and directed to be issued and sold
4 by said resolution for the purpose of funding the aforesaid warrants
5 be and the same are hereby legalized and when sold as by law pro-
6 vided, shall be the valid, legal and subsisting obligations of said city of
7 Council Bluffs, Iowa.

1 **SEC. 4. Litigation.** Nothing in this act shall affect pending liti-
2 gation.

1 **SEC. 5. Publication.** This act, being deemed of immediate im-
2 portance, shall take effect and be in force from and after its publica-
3 tion in the Des Moines Register, a newspaper published in the city
4 of Des Moines, Iowa, and the Council Bluffs Nonpareil, a newspaper
5 published in the city of Council Bluffs, Iowa, without expense to the
6 state.

Approved December 22, A. D. 1923.

I hereby certify that the foregoing act was published in the Des Moines Register, December 27, 1923, and the Council Bluffs Nonpareil, December 26, 1923.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 59

OAKLAND, IOWA

H. F. 234

AN ACT to legalize an election held in the incorporated town of Oakland, Iowa, and the issuance and sale of bonds by said town pursuant thereto.

WHEREAS, pursuant to a petition duly filed with, and resolutions duly passed by the council of the town of Oakland, Iowa, an election was held in said town on August 9, 1923, whereat the proposition of constructing

extensions to the municipal waterworks system and the proposition of issuing bonds of said town in a sum not to exceed ten thousand dollars (\$10,000) for waterworks extension purposes were each approved by a majority of the electors voting at said election; and

WHEREAS, pursuant to said election, the council of said town did thereafter enter into a contract for the sale of said bonds in the sum of ten thousand dollars (\$10,000), and did enter into a contract for the construction of the proposed waterworks extension; and

WHEREAS, doubts have arisen concerning the legal sufficiency of said petition, resolutions, election and sale and the validity of said bonds and it is deemed advisable to put said doubts and all other doubts which may hereafter arise concerning said proceedings and said bonds forever at rest; now, therefore

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

1 **SECTION 1. Election legalized.** That the election held in said town
2 on August 9, 1923, on the proposition of constructing extensions to
3 the municipal waterworks system and on the proposition of issuing
4 bonds of said town in a sum not to exceed ten thousand dollars
5 (\$10,000) for waterworks extension purposes, and all matters and
6 things done in calling and holding said election, publishing notice
7 thereof, and in the submission to the electors of the aforesaid propo-
8 sitions or in any way connected therewith, be and the same are hereby
9 declared to be legal and valid.

1 **SEC. 2. Bonds.** That the sale of said bonds be and the same is
2 hereby declared to be legal and valid and that waterworks extension
3 bonds of said town in the aggregate amount of ten thousand dollars
4 (\$10,000) be and the same are hereby legalized and when issued and
5 delivered are declared to constitute valid, legal and subsisting obli-
6 gations of the town of Oakland, Iowa, and thereafter said town shall
7 levy taxes for the payment of the principal of and interest upon said
8 bonds in accordance with the provisions of the laws of the state.

1 **SEC. 3. Litigation.** Nothing in this act shall affect pending liti-
2 gation.

1 **SEC. 4. Publication.** This act being deemed of immediate im-
2 portance shall take effect and be in force from and after its publica-
3 tion in the Des Moines Register, a newspaper published in the city of
4 Des Moines, Iowa, and the Oakland Acorn, a newspaper published in
5 the town of Oakland, Iowa, without expense to the state.

Approved December 21, A. D. 1923.

I hereby certify that the foregoing act was published in the Des Moines Register, January 2, 1924, and the Oakland Acorn, December 27, 1923.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 60

AMES, IOWA

H. F. 323

AN ACT to legalize the voting of bonds for the extension of the waterworks system in Ames, Iowa, at a special election held on April 30th, 1923, and to legalize the issuance of such bonds.

WHEREAS, in pursuance of the filing and presentation of a petition asking that a special election be called for the purpose of voting upon the issuance of bonds in the sum of seventy thousand dollars for the extension of the waterworks system, which petition was signed by a majority of the qualified electors of the city of Ames, Iowa, the mayor and council of the said city, did, by due, regular and legal proceedings, in strict compliance with the statutes in such cases made and provided, call a special election for such purpose, to be held on the 30th day of April, 1923; and,

WHEREAS, at the said election on the said date, the following propositions were submitted to the electors of the said city, to-wit:

“Shall the city of Ames extend the municipal waterworks system? Shall it issue bonds in the sum of seventy thousand dollars for waterworks extension purposes?”; and

WHEREAS, at the said election there were 1450 votes cast on the extension of the said waterworks system, of which 1406 were for the said extension and 44 against; and

WHEREAS, on the proposition of issuing the said bonds there were 1329 votes cast, of which 1285 were in the affirmative and 44 in the negative; and

WHEREAS, owing to the large vote cast at the preceding election, that of March 27th, 1922, when 2835 votes were cast, the said proposition to issue bonds failed to receive an affirmative vote as large as a majority of the votes cast at the last preceding election; and

WHEREAS, it appears from the signing of the said petition, and from the affirmative vote cast at the said special election that the great majority of the electors of the said city are in favor of the extension of the said waterworks system, and the issuance of said bonds; and

WHEREAS, it appears that the issuance of said bonds would not infringe upon the constitutional or statutory limitations of indebtedness, now, therefore,

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

1 **SECTION 1. Election legalized.** That the acts of the electors of
2 the city of Ames, Iowa, in voting for the issuance of bonds for the
3 extension of the waterworks system of the said city, in the sum of
4 seventy thousand dollars, at the special election held April 30th, 1923,
5 are hereby declared to be legal and binding, and of the same force
6 and effect as though the said proposition had received an affirmative
7 vote as large as a majority of the votes cast at the preceding election,
8 to-wit, that of March 27th, 1922.

1 **SEC. 2. Bonds.** That all proceedings in reference to said special
2 election are hereby legalized and the city of Ames is hereby authorized

3 to issue said bonds in the sum of seventy thousand dollars (\$70,000),
 4 as proposed at said election with the same force and effect as though
 5 said affirmative vote had been as large as the majority of votes cast
 6 at the preceding election.

1 **SEC. 3. Publication.** This act being deemed of immediate im-
 2 portance, shall take effect and be in force from and after its publica-
 3 tion in the Des Moines Capital, a newspaper published in the city of
 4 Des Moines, Iowa, and in the Ames Daily Tribune, a newspaper pub-
 5 lished in the city of Ames, Iowa, without expense to the state.

Approved April 19, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Capital, April 22,
 1924, and the Ames Daily Tribune, April 25, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 61

BLACK HAWK COUNTY

S. F. 306

AN ACT to legalize certain acts and resolutions of the board of supervisors of Black Hawk county, Iowa.

WHEREAS, the buildings and equipment of the Black Hawk county home, are unsafe, unsanitary and are wholly inadequate for the needs and necessities for the proper care, protection and welfare of the inmates of the said home and the administration of the affairs and management of the said Black Hawk county home; and

WHEREAS, the board of supervisors of Black Hawk county, Iowa, have ascertained that they can build and have received estimates for the erection of a new administration building at a cost of not to exceed \$10,000.00; and

WHEREAS, the said board of supervisors have ascertained that they can build and have received estimates for the erection of a dining room and a public meeting place for the inmates of the said home, at a cost of not to exceed \$6,000.00 provided that the said two buildings are joined together and have a common partition wall; and

WHEREAS, the building of the said buildings joined together with a common partition wall with openings and doors in the said wall and under the one contract, will effect a saving to Black Hawk county, of \$4220.00.

WHEREAS, the board of supervisors have, for the purpose of erecting these buildings, adopted the following resolution:

"Be it resolved by the board of supervisors of Black Hawk county, Iowa, that this board proceed immediately to receive bids and let the contract for the erection of an administration building at the Black Hawk county home, at a cost not to exceed \$10,000.00, and to erect a building for a dining room and public meeting place at the Black Hawk county home, at a cost not to exceed \$6,000.00; the said buildings to be joined together with a common partition wall with openings or doors in the said wall connecting the said buildings; and that both buildings be included

in a single contract for the erection of both buildings at a cost of erection not to exceed \$16,000.00 for the two buildings.”; and

WHEREAS, there has arisen doubts as to the legality of the act of the said board and of the validity of the said resolution in letting a contract and erecting the said buildings in one contract; and

WHEREAS, funds are available for the erection of the said buildings without the necessity of levying an additional tax to pay for the same; now, therefore,

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

1 SECTION 1. **Resolution and contract.** That the said resolution of
2 the board of supervisors of Black Hawk county, Iowa, be, and the
3 same is hereby legalized and for all purposes, made as valid and bind-
4 ing as though the board of supervisors, at the time of the adoption
5 of the said resolution, had under the Statutes of Iowa, full power and
6 authority to adopt the said resolution, and that the said resolution
7 is hereby made valid and binding and that the act of the board of
8 supervisors in letting a contract and erecting the said buildings in
9 one contract for a total cost of not to exceed \$16,000.00 for the two
10 buildings, is hereby legalized and made valid and binding.

1 SEC. 2. **Litigation.** Nothing in this act shall in any manner affect
2 pending litigation.

1 SEC. 3. **Publication.** This act being deemed of immediate im-
2 portance shall be in full force and effect from and after its passage
3 and publications as required by law, in the Des Moines Register, a
4 newspaper published in the city of Des Moines, Iowa, and the Water-
5 loo Evening Courier, a newspaper published in Waterloo, Iowa, with-
6 out expense to the state of Iowa.

Approved March 28, A. D. 1924.

I hereby certify that the foregoing act was published in the Waterloo Evening Courier, March 29, 1924, and the Des Moines Register, March 29, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 62

CALHOUN COUNTY

S. F. 300

AN ACT to legalize certain acts and resolutions of the board of supervisors of Calhoun county, Iowa.

WHEREAS, the main building of the Calhoun county home was totally destroyed by fire in the latter part of the year 1923, and,

WHEREAS, for the proper care, protection and welfare of about fifty inmates of said home it became necessary immediately to provide a suitable home for them and also to save the expense of renting places in order to care for them and hiring persons for that purpose, and,

WHEREAS, the board of supervisors of Calhoun county in this emergency and for these necessary purposes adopted the following resolution:

“Be it resolved by the board of supervisors of Calhoun county, Iowa:

That the main building of said county home be rebuilt, as deemed advisable by the building committee, and that for the purpose of raising revenue sufficient for the construction of said building, there is hereby levied a tax of two mills on the dollar on the property taxable in the county for said purpose, and in addition thereto there is hereby transferred to the county home building fund in this county, funds from the following sources, viz.:

Domestic animal fund,	\$ 1,500.00
Bridge bond fund,	1,300.00
Bridge bond interest fund,	350.00
Insane fund,	8,000.00
County fund, insurance money on hand in county fund.	15,820.32
County fund,	15,000.00”

Now, therefore,

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

1 SECTION 1. **Resolution.** That the said resolution of the board of
 2 supervisors of Calhoun county, Iowa, be and the same is hereby
 3 legalized and for all purposes made as valid and binding as though
 4 the board of supervisors at the time of the adoption of said resolution
 5 had under the statutes of Iowa full power and authority to adopt
 6 said resolution to levy said tax of two (2) mills on the dollar on the
 7 taxable property of the county for the county home building fund
 8 and as though the said board of supervisors had at the time full
 9 power and authority to transfer the following funds to the county
 10 home building fund:

11 Domestic animal fund, the sum of.....	\$ 1,500.00
12 Bridge bond fund, the sum of.....	1,300.00
13 Bridge bond interest fund, the sum of.....	350.00
14 Insane fund, the sum of.....	8,000.00
15 County fund, insurance money on hand in county	
16 fund	15,820.32
17 County fund	15,000.00

1 SEC. 2. **Publication.** This act, being deemed of immediate im-
 2 portance, shall be in full force and effect from and after its passage
 3 and publication as required by law, in the Des Moines Register, a
 4 newspaper published in the city of Des Moines, Iowa, and the Manson
 5 Journal, a newspaper published in Calhoun county, Iowa, without
 6 expense to the state.

Approved March 8, A. D. 1924.

I hereby certify that the foregoing act was published in the Manson Journal, March 13, 1924, and the Des Moines Register, March 12, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 63

WINNEBAGO COUNTY

H. F. 311

AN ACT to legalize the acts and proceedings of the board of supervisors of Winnebago county, Iowa, in relation to the transfer of certain funds.

WHEREAS, the county home of the county of Winnebago which consists of ninety acres of land and inadequate frame buildings has heretofore been operated at a large financial loss to the county, and

WHEREAS, a trust known as the Ole J. Clevan estate consisting of two hundred and forty acres of land free from incumbrance, and eleven thousand dollars, (\$11,000.00), in cash has been placed by order of court under complete control of the board of supervisors of Winnebago county and their successors in office as perpetual trustees, provided Winnebago county would add enough funds to build a suitable fire proof home for its dependents who are usually kept at the county home as by law provided, and

WHEREAS, an architect employed by said board of supervisors has estimated that such a building suitable to the needs of Winnebago county could be built for thirty to thirty-five thousand dollars, and

WHEREAS, the present county home cannot at this time be sold to an advantage, and

WHEREAS, the said board of supervisors, in order to accept said trust estate and use same for county home purposes did by resolution transfer from the bridge fund of Winnebago county the sum of twenty thousand dollars (\$20,000.00), to a county home building fund, and

WHEREAS, it appearing that said fund is not necessary to build bridges in said county, now therefore

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

1 SECTION 1. **Acts of board.** That the resolution of the board of
2 supervisors of Winnebago county, Iowa, in transferring twenty
3 thousand dollars (\$20,000.00) from the bridge fund of said county
4 to a county home building fund to be used in connection with said
5 trust fund be, and the same is hereby legalized and for all purposes
6 made as valid and binding as though the board of supervisors at the
7 time of the adoption of said resolution had, under the statutes of
8 Iowa, full power and authority to adopt the same.

1 SEC. 2. **Publication.** This act being deemed of immediate im-
2 portance shall be in full force and effect from and after its passage
3 and publication as required by law, in the Des Moines Register, a
4 newspaper published in the city of Des Moines, Iowa, and the Lake
5 Mills Graphic, a newspaper published in the city of Lake Mills, Iowa,
6 without expense to the state.

Approved April 12, A. D. 1924.

I hereby certify that the foregoing act was published in the Lake Mills Graphic, April 16, 1924, and the Des Moines Register, April 17, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 64

MONROE COUNTY

S. F. 289

AN ACT to legalize the levy and collection by the board of supervisors and treasurer of Monroe county, Iowa, of a cemetery tax of five-tenth (.5) of one mill (.001) on the dollar, of the taxable property of Monroe county, Iowa, for the year 1922.

WHEREAS, during the year 1922, and for many years prior thereto, there was located in the city of Albia, Monroe county, Iowa, a public cemetery known as Oak View cemetery of Albia, Iowa; and

WHEREAS, said Oak View cemetery was used by citizens from all parts of Monroe county, Iowa, for burial purposes; and

WHEREAS, Monroe county, Iowa, owned lots within said cemetery which were, and are used, by the said county for burial purposes; and

WHEREAS, on September 11, 1922, the board of supervisors of Monroe county, Iowa, levied a cemetery tax of five-tenths (.5) of one mill (.001) on the dollar, of the taxable property of Monroe county, Iowa, for the purpose of aiding in the care and maintenance of said Oak View cemetery of Albia, Iowa, which said tax was collected during the year 1923 by the treasurer of Monroe county, Iowa; and

WHEREAS, doubts have arisen as to the legality of said tax levy so made by the board of supervisors and collected by the treasurer of Monroe county, Iowa; now therefore

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

1 SECTION 1. **Proceedings.** That all proceedings and acts of the
2 board of supervisors of Monroe county, Iowa, and of other officers
3 of Monroe county, Iowa, in relation to the levy and collection of a
4 cemetery tax of five-tenths (.5) of one mill (.001) on the dollar, of the
5 taxable property of said county for the year 1922, be, and the same
6 are hereby validated and legalized in all respects.

1 SEC. 2. **Litigation.** Nothing in this act shall in any manner affect
2 pending litigation.

1 SEC. 3. **Publication.** This act being deemed of immediate im-
2 portance shall take effect and be in force from and after its publication
3 in the Des Moines Register, a newspaper published in the city of Des
4 Moines, Iowa, and in the Albia Union-Republican, a newspaper pub-
5 lished in Albia, Monroe county, Iowa, all without expense to the state.

Approved January 31, A. D. 1924.

I hereby certify that the foregoing act was published in the Albia Union Republican, February 7, 1924, and the Des Moines Register, February 4, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 65

SHELBY COUNTY

H. F. 292

AN ACT to legalize the assessment and collection of certain taxes in Jackson township, Shelby county, Iowa, and to authorize the transfer of the proceeds thereof to the road funds of said township.

WHEREAS, There was levied in Polk township, Shelby county, Iowa for the year 1921 a tax of one-half of one mill ($\frac{1}{2}$ of 1 mill) for cemetery purposes, and

WHEREAS, by error occurring in the office of the county auditor of said county said levy was entered against the property in Jackson township in said county, and

WHEREAS, said tax was collected and is now in the hands of the county treasurer of said county, and

WHEREAS, there is no public cemetery in said Jackson township, and

WHEREAS, the fund created by said levy cannot be used by the trustees of said Jackson township, and

WHEREAS, no claims have been filed for the repayment of taxes erroneously assessed, and

WHEREAS, said fund will lie idle and be of no benefit to the taxpayers of said Jackson township, and

WHEREAS, a transfer of said fund to the road fund will be of future benefit to the tax payers of said Jackson township, and

WHEREAS, said fund amounted to \$304.87 on January first, 1924, now therefore,

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

1 SECTION 1. **Levy.** That the levy of a tax of one-half of one mill
2 ($\frac{1}{2}$ of 1 mill) for cemetery purposes for the year 1921, in Jackson
3 township, Shelby county, Iowa, be and it is hereby legalized.

1 SEC. 2. **Township trustees.** That the township trustees of Jack-
2 son township, Shelby county, Iowa, be and they are hereby authorized
3 and empowered to transfer the cemetery fund of said township in the
4 sum of \$304.87, together with all accrued interest thereon, to the road
5 fund of said township, said trustees being hereby authorized to cause
6 said transfer to be made by the treasurer of Shelby county, Iowa, by
7 resolution duly passed by said board of trustees.

1 SEC. 3. **Cost.** The cost of the publication herein provided for may
2 be paid from said funds.

1 SEC. 4. **Publication.** This act being deemed of immediate im-
2 portance shall take effect and be in force from and after its publica-
3 tion in the Des Moines Register, a newspaper published in Des Moines,
4 Iowa, and in the Harlan Tribune, a newspaper published in Harlan
5 Shelby county, Iowa, said publication to be made without cost to
6 the state.

Approved March 12, A. D. 1924.

I hereby certify that the foregoing act was published in the Harlan Tribune, March 19, 1924, and the Des Moines Register, March 14, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 66

SIOUX CITY, IOWA

H. F. 288

AN ACT to legalize the issuance of certain warrants of the city of Sioux City, Iowa, issued against the police equipment fund of said city and legalizing and validating said warrants as issued.

WHEREAS, the city of Sioux City, in the county of Woodbury, and state of Iowa, did by its city council heretofore authorize and incur expenditures in the sum of \$152,252.07 for corporate purposes, as permitted by law, and did issue warrants of said city in like amount to evidence said indebtedness, in the manner and form required by law; and

WHEREAS, said expenditures were made for proper corporate purposes and the indebtedness of said city at the time said warrants were issued did not, and does not at this time, exceed the constitutional limits; and

WHEREAS, said expenditures do not exceed the amount of tax duly and legally levied by law for said police equipment fund; and

WHEREAS, at a regular and properly convened meeting of the city council of the city of Sioux City, Iowa, held on the 9th day of January, 1924, a resolution entitled—

“A resolution authorizing the city auditor to draw warrants upon the police equipment fund in favor of the B. E. Short contracting company as follows:

Warrant No. 1908 for the sum of \$22,770.82;

Warrant No. 1909 for the sum of \$9,220.97;

Warrant No. 1912 for the sum of \$23,850.00;

Warrant No. 1915 for the sum of \$37,514.28;

making a total sum in favor of the B. E. Short contracting company of \$93,356.07; and in favor of the Climax paint shop upon the police equipment fund as follows:

Warrant No. 1910 for the sum of \$5,900.00;

Warrant No. 1913 for the sum of \$5,087.10;

Warrant No. 1916 for the sum of \$1,938.90;

making a total sum in favor of the Climax paint shop of \$12,926.00; and in favor of the Pauly jail building company upon the police equipment fund as follows:

Warrant No. 1911 for the sum of \$29,550.00;

Warrant No. 1914 for the sum of \$9,524.50;

Warrant No. 1917 for the sum of \$6,895.50;

making a total sum in favor of the Pauly jail building company of \$45,970.00;”

was adopted for the purpose of paying the indebtedness represented by the aforesaid warrants; and

WHEREAS, doubts have arisen concerning the legality or validity of the aforesaid resolution and the warrants issued thereunder on the ground that the entire amount of levy heretofore legally made by the city council of the city of Sioux City, Iowa, for the benefit of the police equipment fund was not available nor subject to be anticipated at this time; and

WHEREAS, doubts have arisen concerning the legality of the aforesaid warrants because the expenditures or a portion thereof, evidenced thereby,

were contracted in excess of the appropriation theretofore made for the funds against which said warrants were drawn; and

WHEREAS, doubts have arisen concerning the legality or validity of said resolution and of the aforesaid warrants issued thereunder on the ground that the aforesaid expenditures were contracted in excess of said city's authorized annual revenues; and

WHEREAS, doubts have arisen concerning the legality or validity of the aforesaid resolution and warrants issued thereunder on the ground that the aforesaid expenditures were contracted in excess of said city's annual revenues actually levied; and

WHEREAS, doubts have arisen concerning the legality or validity of said resolution and said warrants issued thereunder on the ground that the aforesaid expenditures were not provided for in said city's annual appropriation; and

WHEREAS, it is deemed advisable to put said doubts and all other doubts which may arise concerning the legality or validity of the aforesaid resolution and the several warrants issued thereunder forever at rest; now, therefore,

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

1 SECTION 1. **City council.** That the acts of the city council of the
2 city of Sioux City, Iowa, authorizing and incurring expenditures for
3 said city and in the passage and adoption on the 9th day of January,
4 1924, of the resolution entitled:

5 "A resolution authorizing the city auditor to draw warrants upon
6 the police equipment fund in favor of the B. E. Short contracting
7 company as follows:

8 Warrant No. 1908 for the sum of \$22,770.82;

9 Warrant No. 1909 for the sum of \$9,220.97;

10 Warrant No. 1912 for the sum of \$23,850.00;

11 Warrant No. 1915 for the sum of \$37,514.28;

12 making a total sum in favor of the B. E. Short contracting company
13 of \$93,356.07; and in favor of the Climax paint shop upon the police
14 equipment fund as follows:

15 Warrant No. 1910 for the sum of \$5,900.00;

16 Warrant No. 1913 for the sum of \$5,087.10;

17 Warrant No. 1916 for the sum of \$1,938.90;

18 making a total sum in favor of the Climax paint shop of \$12,926.00;
19 and in favor of the Pauly jail building company upon the police equip-
20 ment fund as follows:

21 Warrant No. 1911 for the sum of \$29,550.00;

22 Warrant No. 1914 for the sum of \$9,524.50;

23 Warrant No. 1917 for the sum of \$6,895.50;

24 making a total sum in favor of the Pauly jail building company of
25 \$45,970.00."

26 and the issuance of each and all of the several warrants therein de-
27 scribed upon the police equipment fund of the city of Sioux City, Iowa,
28 be and the same are hereby legalized and validated.

1 SEC. 2. **Warrants.** That the several warrants drawn in favor of
2 the B. E. Short contracting company in the total amount of \$93,356.07,
3 and in favor of the Climax paint shop in the total amount of \$12,926.00,

4 and in favor of the Pauly jail building company in the total amount
 5 of \$45,970.00, all drawn upon the police equipment fund of the city
 6 of Sioux City, Iowa, and aggregating the sum of \$152,252.07, be and
 7 the same are hereby legalized and declared to be the valid, legal and
 8 subsisting obligations of the city of Sioux City, Iowa.

1 **SEC. 3. Acts legalized.** That all acts of the city of Sioux City,
 2 Iowa, done with reference to contracting the indebtedness evidenced
 3 by said warrants and the passage of the resolution with reference
 4 thereto are hereby legalized and validated.

1 **SEC. 4. Litigation.** Nothing in this act shall affect pending litiga-
 2 tion.

1 **SEC. 5. Publication.** This act, being deemed of immediate im-
 2 portance, shall take effect and be in force from and after its publica-
 3 tion in the Des Moines Register, a newspaper published in the city
 4 of Des Moines, Iowa, and the Union Advocate, a newspaper published
 5 in the city of Sioux City, Iowa, without expense to the state.

Approved March 27, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Register, March 30,
 1924, and the Union Advocate, Sioux City, April 3, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 67

OSKALOOSA, IOWA

H. F. 294

AN ACT to legalize the transfer of funds by the city council of the city of Oskaloosa.

WHEREAS, the city of Oskaloosa in the county of Mahaska and state of Iowa, did some years ago make certain sewer improvements and issued therefor bonds to pay the same and the interest thereon; and

WHEREAS, taxes have been levied to take up and pay the bonds thus issued by the city of Oskaloosa; and

WHEREAS, after having paid such bonds and interest upon the same there still remained in the fund thus created the sum of seventy-nine hundred one and 18/100 dollars (\$7901.18), over and above the amount required to pay the bonds and interest which sum had accumulated from the tax levy above stated; and

WHEREAS, the purpose for which the bonds and tax levy had been made have been fully fulfilled and discharged, and the amount of money remaining over and above the sum necessary to take up the bonds, namely: Seventy-nine hundred one and 18/100 dollars (\$7901.18) remained in the said sewer bond fund under the titles sewer bond fund division "A" and sewer bond fund division "B", and wholly inactive; and

WHEREAS the city council of the city of Oskaloosa, by resolution, on the 21st day of January, 1924, ordered the money in said fund, together with all moneys thereafter collected from the county treasurer of Mahaska county or otherwise, and coming into the hands of the city treasurer of the city of Oskaloosa, under sewer bond fund division "A" or sewer bond

fund division "B", transferred to sewer maintenance fund, and there being no other manner in which such fund could be legally used; and

WHEREAS, doubts have arisen concerning the legality of the transfer of the money in said sewer bond fund division "A" and sewer bond fund division "B" to the sewer maintenance fund, although such transfer will operate to the best interests of the city and its citizens; now therefore,

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

1 SECTION 1. **City council.** That the acts of the city council of the
2 city of Oskaloosa, Iowa, in transferring the sum of seventy-nine hun-
3 dred one and 18/100 dollars (\$7901.18), said sum constituting a bal-
4 ance remaining over in sewer bond fund division "A" and sewer bond
5 fund division "B" after all bonds and interest have been paid, together
6 with all moneys hereafter collected from the county treasurer of
7 Mahaska county, or otherwise, under sewer bond fund division "A"
8 or sewer bond fund division "B", to the sewer maintenance fund of
9 the city of Oskaloosa, be and the same are hereby legalized, and such
10 transfer is hereby declared to be legal and proper in all respects.

1 SEC. 2. **Litigation.** Nothing in this act shall affect pending litiga-
2 tion.

1 SEC. 3. **Publication.** This act being deemed of immediate impor-
2 tance shall take effect and be in force from and after its publication
3 in the Des Moines Register, a newspaper published in the city of Des
4 Moines, Iowa, and the Oskaloosa Herald, a newspaper published in the
5 city of Oskaloosa, Iowa, without expense to the state.

Approved March 15, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Register, March 19, 1924, and the Oskaloosa Herald, March 19, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 68

FARMERS SAVINGS BANK OF BEACONSFIELD

H. F. 297

AN ACT to legalize the corporate acts and proceedings of the Farmers Savings Bank of Beaconsfield, Iowa, and to authorize the renewal of the period of corporate existence of said bank.

WHEREAS, the Farmers Savings Bank of Beaconsfield, Iowa duly adopted articles of incorporation and filed the same for record in the office of the county recorder of Ringgold county, Iowa, and also filed the same for record in the office of the secretary of state of Iowa and received from the secretary of state a certificate of incorporation on the 17th day of November, 1902, and further complied with the laws of the state of Iowa in all respects and received a permit from the auditor of state to transact a banking business as a savings bank in the state of Iowa, and

WHEREAS, said Farmers Savings Bank has at all times since said date been engaged in the banking business at Beaconsfield, Iowa, and has at all times complied fully with the laws of this state, and

WHEREAS, the period of corporate existence of said bank expired on November 17, 1922, and

WHEREAS, through inadvertence and under the assumption upon the part of its officers and directors that its period of corporate existence continued for a period of fifty years from the 17th day of November, 1902, said bank failed to renew its period of corporate existence within three months before or after the expiration thereof; now therefore,

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

1 SECTION 1. **Renewal corporate existence.** That the Farmers Sav-
2 ings Bank of Beaconsfield, Iowa, is expressly authorized to take, at
3 any time prior to July 1, 1924, the proper and necessary action in
4 accordance with law, to renew its period of corporate existence for a
5 term not to exceed fifty years from November 17, 1922, and all action
6 which has been or may be taken by the stockholders, board of direc-
7 tors and officers of such bank for the purpose of effecting such re-
8 newal, and all the acts of said bank purporting to be performed since
9 November 17, 1922, as a corporation are hereby expressly declared
10 to be as legal and as valid as if proper action had been taken for the
11 renewal of the corporate existence of said bank within the time pre-
12 scribed by statute and as if the same had been renewed according
13 to law.

1 SEC. 2. **Litigation.** Nothing in this act shall affect pending litiga-
2 tion.

1 SEC. 3. **Publication.** This act being deemed of immediate impor-
2 tance shall be in full force and effect from and after its publication
3 in the Des Moines Register, a newspaper published in Des Moines,
4 Iowa and in the Record-News, a newspaper published at Mt. Ayr, Iowa,
5 without expense to the state.

Approved March 28, A. D. 1924.

I hereby certify that the foregoing act was published in the Record News, Mt. Ayr, April 9, 1924, and the Des Moines Register, April 3, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 69

ST. ANTHONY SAVINGS BANK

S. F. 304

AN ACT to legalize the corporate acts and proceedings of the St. Anthony Savings Bank of St. Anthony, Iowa, and to authorize the renewal of the period of corporate existence of said bank.

WHEREAS, the St. Anthony Savings Bank of St. Anthony, Iowa, duly adopted articles of incorporation and filed same for record in the office of the county recorder of Marshall county, Iowa, and also filed the same for record in the office of the secretary of state of Iowa and received from the secretary of state a certificate of incorporation on the 29th day of April 1902, and further complied with the laws of the state of Iowa in all

respects and received a permit from the auditor of state to transact a banking business as a savings bank in the state of Iowa, and

WHEREAS, said St. Anthony Savings Bank has at all times since said date been engaged in the banking business at St. Anthony, Iowa, and has at all times fully complied with the laws of this state, and

WHEREAS, the period of corporate existence of said bank expired on May 1, 1922, and

WHEREAS, through inadvertence and under the assumption upon the part of its officers and directors that its period of corporate existence continued for a period of fifty years from the 29th day of April, 1902, said bank failed to renew its period of corporate existence within three months before or after the expiration thereof; now therefore

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

1 **SECTION 1. Renewal corporate existence.** That the St. Anthony Sav-
2 ings bank at St. Anthony, Iowa, is expressly authorized to take, at any
3 time prior to July 1, 1924, the proper and necessary action in accord-
4 ance with law, to renew its period of corporate existence for a term
5 not to exceed fifty years from May 1, 1922, and all action which has
6 been or may be taken by the stockholders, board of directors and
7 officers of such bank for the purpose of effecting such renewal, and
8 all acts of said bank purporting to be performed since May 1, 1922,
9 as a corporation are hereby expressly declared to be as legal and
10 as valid as if proper action had been taken for the renewal of the
11 corporate existence of said bank within the time prescribed by statute
12 and as if the same had been renewed according to law.

1 **SEC. 2. Litigation.** Nothing in this act shall affect pending litiga-
2 tion.

1 **SEC. 3. Publication.** This act being deemed of immediate impor-
2 tance shall be in full force and effect from and after its publication
3 in the Des Moines Register, a newspaper published in Des Moines,
4 Iowa, and in the Times Republican, a newspaper published at Mar-
5 shalltown, Iowa, without expense to the state.

Approved March 31, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Register, April 4, 1924, and the Times Republican, Marshalltown, April 3, 1924.
W. C. RAMSAY, *Secretary of State.*

CHAPTER 70

CONSOLIDATED INDEPENDENT SCHOOL DISTRICT OF LAURENS

S. F. 307

AN ACT to legalize the transfer of money from the general fund to the school house fund of the consolidated independent school district of Laurens, Pocahontas county, Iowa.

WHEREAS, at a meeting of the board of directors of the consolidated independent school district of Laurens, in Pocahontas county, Iowa, held on March 1st, 1924, and by virtue of a resolution then passed, ten thou-

said dollars of money in the general fund of the district was transferred to the school house fund thereof for the purpose of paying school house bonds of the district, and

WHEREAS, doubts have arisen as to the legality of such transfer and resolution and these doubts should be removed and the transfer validated; therefore

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

1 SECTION 1. **Transfer legalized.** That the transfer of ten thousand
2 dollars of money from the general fund of such school district unto
3 the school house fund as made and provided by the resolution of said
4 board of directors passed on March 1st, 1924, is hereby confirmed and
5 declared to be legal and valid.

1 SEC. 2. **Litigation.** Nothing in this act shall affect pending litigation.
2

1 SEC. 3. **Publication.** This act being deemed of immediate importance shall take effect and be in full force from and after its publication in the Des Moines Register, a newspaper published in Des Moines, Iowa, and in the Laurens Sun, a newspaper published in Laurens, Iowa, all without expense to the state.
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Approved April 9, A. D. 1924.

I hereby certify that the foregoing act was published in the Laurens Sun, April 17, 1924, and the Des Moines Register, April 17, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 71

DEPARTMENT OF AGRICULTURE

S. F. 324

AN ACT to make an emergency appropriation for the department of agriculture.

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

1 SECTION 1. **Weather and crop service.** There is hereby appropriated, out of any money in the state treasury not otherwise appropriated, to the department of agriculture for use in the weather and crop service of such department, the sum of two hundred dollars (\$200.00). The emergency appropriation provided for in this section shall be available immediately upon taking effect of this act.
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1 SEC. 2. **Publication.** This act, being deemed of immediate importance shall take effect and be in force from and after its publication in the Des Moines Register and the Des Moines Capital, newspapers published in Des Moines, Iowa.
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Approved April 25, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Register, April 30, 1924, and the Des Moines Capital, April 29, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 72

CHILD WELFARE COMMISSION

S. F. 290

AN ACT to provide to pay the expenses of the Iowa child welfare commission appointed by the governor.

WHEREAS, Governor N. E. Kendall, did on November 23rd, 1923, appoint a commission to be known as the Iowa child welfare commission, composed of the following citizens of the state, namely: Mrs. E. F. Armstrong, Ft. Dodge; George Cosson, Des Moines; Miss Caroline Forgrave of Perry; Charles E. Hearst of Cedar Falls, Mrs. Isaac L. Hillis of Des Moines, Wesley Johnson of Dayton, Mrs. H. W. Spaulding of Grinnell, Mrs. Ida B. Wise Smith of Des Moines, Mrs. Francis Edmund Whitley of Webster City and James B. Weaver of Des Moines, and

WHEREAS, the purpose of such commission is to examine the reports and recommendations of like commissions in other states, and the various statutes enacted pursuant to such recommendations insofar as pertinent to like problems arising within the state of Iowa; to examine the statutes of our own state and inquire into the best standards in the various states in the handling of problems affecting child life such as the following: children born out of wedlock; the feeble minded; child-helping, child-placing and child-caring institutions; adoption; delinquency, dependency and neglect; juvenile courts; mothers' aid; to submit to the governor and 41st general assembly in regular session, in the form of printed report, the recommendations of the commission based on its investigations and upon public hearings to be held throughout the state as to changes deemed wise in the laws of this state relative to child problems, and

WHEREAS, the members of said commission are to serve without compensation, but will be under the necessity of incurring certain expenses such as clerical and stenographic help, stationery, postage, traveling expense for attendance at meetings, cost of printing, and the like.

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

1 SECTION 1. **Appropriation.** That there is hereby appropriated the
2 sum of twenty-five hundred dollars (\$2500.00), or so much thereof
3 as may be necessary out of any moneys not otherwise appropriated,
4 for use in defraying the expenses of the Iowa child welfare commis-
5 sion, including secretarial and stenographic assistance, stationery,
6 postage, printing, traveling expense of members of the commission
7 in attendance on meetings, and any other expense which in the judg-
8 ment of said commission may be necessary for the proper performance
9 of the duties of such commission. Provided, however, that said com-
10 mission shall have authority to call upon the child welfare research
11 station at the state university of Iowa City for any assistance in the
12 work of the commission that may be found practicable.

1 SEC. 2. **Serve without compensation.** That the members of said
2 commission shall serve without compensation.

1 SEC. 3. **Requisition.** That the funds herein appropriated shall be
2 payable from time to time on requisition of the commission, evidenced

3 by resolution of such commission filed with the auditor of state, and
4 that the commission as part of its report shall submit and file itemized
5 statement of its expenditures with vouchers thereof.

1 **SEC. 4. Publication.** This act being deemed of immediate im-
2 portance shall be in full force and effect from and after its passage
3 and publication as required by law, in the Des Moines Capital and Des
4 Moines Tribune, newspapers published in the city of Des Moines, Iowa.

Approved April 3, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Capital, April 7,
1924, and the Des Moines Register, April 7, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 73

LEGISLATIVE EMPLOYEES

H. J. R. 1

HOUSE JOINT RESOLUTION fixing the compensation of the officers and employees
of the special session of the fortieth general assembly.

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

1 **SECTION 1. Compensation.** That pursuant to the provisions of
2 chapter one (1), acts of the thirty-eighth general assembly, it is pro-
3 vided that the compensation of all officers and employees of the special
4 session of the fortieth general assembly, shall be at the same rate
5 for corresponding services as paid during the regular session of the
6 fortieth general assembly.

1 **SEC. 2. Publication.** This act being deemed of immediate im-
2 portance shall be in full force and effect from and after its publica-
3 tion in the Des Moines Register and the Des Moines Capital, news-
4 papers published in Des Moines, Iowa.

Approved December 19, A. D. 1923.

I hereby certify that the foregoing act was published in the Des Moines Register December
21, 1923, and the Des Moines Capital December 20, 1923.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 74

LEGISLATIVE EMPLOYEES

H. J. R. 2

HOUSE JOINT RESOLUTION relating to the selection of additional employees of the
special session of the fortieth general assembly of the state of Iowa, fixing their
compensation, and defining their duties.

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

1 **SECTION 1. Extra help.** That the action of the retrenchment and
2 reform committee under authority conferred upon it by concurrent

3 resolution of the fortieth general assembly in selecting the following
 4 extra help required by the work of the special session of the fortieth
 5 general assembly be and the same is hereby approved and the state
 6 auditor is, upon pay roll duly approved, authorized and instructed to
 7 pay them at the rates and for such services actually rendered during
 8 the period hereafter limited.

9 Under the custodian:

10 1. Janitors. As janitors at a compensation of \$100.00 per month
 11 dating from the reconvening of the special session on December 4th:
 12 Samuel Blackburn, Stuart McMullen, Jake Tobis, Chas. S. Harris,
 13 W. F. Wiley, B. F. Schreves, Otha Blue, Wilder J. Moore.

14 2. Elevator tenders. As elevator tenders at a compensation of
 15 \$100.00 per month dating from the reconvening of the special session
 16 on December 4th: Hazel Anderson and George Stirts.

17 3. Assistant postmaster. As assistant state house postmaster at
 18 a compensation of \$3.00 per day dating from the reconvening of the
 19 special session on December 4th: Frank Blagburn.

20 4. Assistant matron. As assistant matron at a compensation of
 21 \$3.00 per day dating from the reconvening of the special session on
 22 December 4th: Mrs. Ella Johnson.

23 5. Extra firemen. As extra fireman at a compensation of \$125.00
 24 per month dating from the reconvening of the special session on De-
 25 cember 4th: Phillip Jones.

26 In the state library:

27 6. Research assistant. One research assistant at a compensation
 28 of \$4.00 per day dating from the reconvening of the special session
 29 on December 4th: R. F. Forest.

30 7. Stenographer. One stenographer at a compensation of \$4.00 per
 31 day dating from the reconvening of the special session on December
 32 4th: Mary Kornis.

33 8. Page. One page at a compensation of \$2.00 per day dating from
 34 the reconvening of the special session on December 4th: Fred Maurer.

Approved December 19, A. D. 1923.

I hereby certify that the foregoing act was published in the Des Moines Register January 7, 1924, and the Des Moines Capital, January 5, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 75

LEGISLATIVE EMPLOYEES

H. J. R. 3

JOINT RESOLUTION authorizing the secretary of state to make house joint resolution No. 2, passed by the extraordinary session of the fortieth general assembly, effective immediately by publication.

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

1 SECTION 1. **Publication.** That house joint resolution No. 2, passed
 2 by the extraordinary session of the fortieth general assembly, and
 3 approved by the governor, being deemed of immediate importance
 4 shall take effect and be in full force from and after its publication

5 in the Des Moines Register and the Des Moines Capital, newspapers
6 published in the city of Des Moines, Iowa, and the secretary of state
7 is hereby authorized and directed to cause house joint resolution 2
8 to be published as provided herein.

Approved January 3, A. D. 1924.

CHAPTER 76
SENATORIAL DISTRICTS

H. J. R. 6

JOINT RESOLUTION proposing an amendment to section thirty-four (34) of article three (3) of the constitution of the state of Iowa, relating to the apportionment of the state into senatorial districts.

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

1 SECTION 1. **Number of senators.** That the following amendment
2 to section thirty-four (34) of article three (3) of the constitution of
3 the state of Iowa be and the same is hereby proposed:

4 That the period (.) at the end of said section thirty-four (34) of
5 article three (3) of the constitution of the state of Iowa be stricken
6 and the following inserted:

7 “, but no county shall be entitled to more than one (1) senator.”

1 SEC. 2. Be it further resolved that the foregoing proposed amend-
2 ment be and the same is hereby referred to the legislature to be chosen
3 at the next general election for members of the next general assembly,
4 and that the secretary of state cause the same to be published for
5 three (3) months previous to the date of said election as provided
6 by law.

1 SEC. 3. This act being deemed of immediate importance shall take
2 effect and be in force from and after its publication in the Des Moines
3 Register and in the Iowa Forum, both newspapers published in Des
4 Moines, Iowa.

Approved April 26, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Register May 2, 1924, and the Iowa Forum May 7, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 77
CERTIFICATION OF TEACHERS

H. J. R. 8

JOINT RESOLUTION relating to certification of teachers in certain cases and the approval of certain schools for state aid and approval of certain schools for tuition.

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

1 SECTION 1. **Orders not retroactive.** That no regulations or orders
2 by the state superintendent of public instruction or the board of

3 educational examiners with reference to the qualifications of teachers
 4 in regard to having taken certain high school or collegiate courses or
 5 teacher's training courses, shall be retroactive so as to apply to any
 6 teacher who has had at least three years successful experience in
 7 teaching; and no teacher once approved for teaching in any kind of
 8 school shall be prevented by such regulations or orders from continuing
 9 to teach in the same kind of school for which he has previously been
 10 approved; provided, however, that this section shall not be construed
 11 as limiting the duties or powers of any school board in the selection
 12 of teachers, or in the dismissal of teachers for inefficiency or for any
 13 legal cause.

1 **SEC. 2. State aid.** No school shall be deprived of its right to be
 2 approved for state aid or approved for tuition by reason of the employ-
 3 ment of any teacher as authorized under the preceding section.

1 **SEC. 3. Publication.** This resolution being deemed of immediate
 2 importance shall be in effect from and after its passage and publication
 3 in the Des Moines Register and Des Moines Capital, newspapers pub-
 4 lished in Des Moines, Iowa.

Approved April 28, A. D. 1924

I hereby certify that the foregoing act was published in the Des Moines Register May 2,
 1924, and the Des Moines Capital, May 1, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 78

MUNICIPAL CORPORATIONS

H. F. 180

AN ACT to amend, revise, and codify sections four thousand seventy-one (4071), four thousand seventy-two (4072), four thousand seventy-three (4073), four thousand seventy-nine (4079), four thousand eighty-two (4082), and four thousand eighty-five (4085) of the compiled code of Iowa, relating to municipal corporations.

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

That sections four thousand seventy-one (4071), four thousand seventy-two (4072) and four thousand seventy-three (4073) of the compiled code of Iowa are amended, revised, and codified to read as follows:

1 **SECTION 1. Plats of additions or subdivisions.** The plat of any addi-
 2 tion to any city or town or subdivision of any part or parcel of lands
 3 lying within or adjacent to any city or town, shall be divided by streets
 4 into blocks and such blocks and streets shall conform as nearly as
 5 practicable to the size of blocks and the widths of streets therein, and
 6 shall be extensions of the existing system of streets. The council
 7 may require the owner of the land to bring all streets to a grade
 8 acceptable to the council before the plat is approved. It may require
 9 alleys to be platted separating abutting lots and if so platted, the
 10 alleys shall conform as nearly as practicable to the widths of alleys
 11 in the city or town and shall be extensions of the existing system
 12 of alleys.

1 **SEC. 2. Filing plat with clerk—approval by council.** All such plats,
2 except subdivisions of less than one (1) block, shall be filed with the
3 clerk of the city or town and when so filed, the council within a rea-
4 sonable time, shall consider the same, and shall, if it is found to con-
5 form to the provisions of the preceding section, by resolution approve
6 the plat and direct the mayor and clerk to certify the resolution which
7 shall be affixed to the plat.

1 **SEC. 3. Acknowledgment.** Each plat shall be accompanied by a
2 correct description of the land or parcel of land subdivided and by a
3 statement to the effect that the subdivision as it appears on the plat
4 is with the free consent and in accordance with the desire of the
5 proprietor, signed and acknowledged by such proprietor and his spouse,
6 if any, before some officer authorized to take the acknowledgment of
7 deeds.

1 **SEC. 4. Abstract of title—opinion—certificates.** Every plat shall
2 have attached thereto, a complete abstract of title accompanied by an
3 opinion from an attorney-at-law showing that the fee title is in the
4 proprietor and that the land platted is free from encumbrance, or is
5 free from encumbrance other than that secured by the bond provided
6 for in the second following section, and a certified statement from the
7 treasurer of the county in which the land lies that it is free from
8 taxes, and from the clerk of the district court that it is free from all
9 judgments, attachments, mechanics' or other liens as appears by the
10 record in his office, and from the recorder of the county that the title
11 in fee is in such proprietor and that it is free from encumbrance or
12 free from encumbrance other than that secured by the bond provided
13 for in the second succeeding section, as shown by the records of his
14 office.

1 **SEC. 5. Encumbrances—payment—creditor's refusal.** If the land
2 so platted is encumbered with a debt certain in amount and which the
3 creditor will not accept with accrued interest to the date of proffered
4 payment if it draws interest, or with a rebate of six per cent (6%)
5 per annum if it draws no interest, or if the creditor cannot be found,
6 then such proprietor, and if a corporation, its proper officer or agent,
7 may make an affidavit stating either that the proprietor offered to pay
8 the creditor the full amount of his debt, or the debt with the rebate,
9 as the case may be, and that he would not accept the same, or that
10 he cannot be found.

1 **SEC. 6. Encumbrance—bond.** The proprietor shall then execute and
2 file with the recorder a bond in double the amount of the encumbrance,
3 which bond shall be approved by the recorder and clerk of the district
4 court. The bond shall run to the county and be for the benefit of pur-
5 chasers of land subdivided by the plat and shall be conditioned for the
6 payment of the encumbrance, and the cancellation thereof, of record
7 as soon as practicable after the same becomes due and to hold all
8 purchasers and those claiming under them forever harmless from such
9 encumbrance.

1 **SEC. 7. Record—dedication.** The signed and acknowledged plat,
2 the abstract, and the attorney's opinion, together with the certificates
3 of the clerk, recorder and treasurer, and the affidavit and bond, if
4 any, together with the certificate of approval of the council shall be

5 entered of record in the plat book in the auditor's office. When so
6 entered, the signed and acknowledged plat shall be entered of record
7 in the office of the county recorder, and shall be of no validity until
8 so filed. Such acknowledgment and recording shall be equivalent to a
9 deed in fee simple of such portion of the premises platted as is set
10 apart for streets or other public use, or as is dedicated to charitable,
11 religious, or educational purposes.

That section forty hundred seventy-nine (4079) of the compiled code of Iowa is amended, revised, and codified to read as follows:

1 **SEC. 8. Plat by auditor.** Whenever the original proprietor of any
2 subdivision of land has sold or conveyed any part thereof, or invested
3 the public with any rights therein, and has failed and neglected to
4 execute and file for record a plat as provided in this chapter, the
5 county auditor shall by mail or otherwise notify some or all of such
6 owners, and demand its execution. If such owners, whether so notified
7 or not, fail and neglect for thirty days after the issuance of such
8 notice to execute and file said plat for record, the auditor shall cause
9 one to be made, making any survey necessary therefor.

1 **SEC. 9. Execution and filing—effect.** Said plat shall be signed and
2 acknowledged by the auditor, who shall certify that he executed it by
3 reason of the failure of the owners named to do so, and file it for
4 record in his office and in the office of the county recorder, and when
5 so filed it shall have the same effect as if executed, acknowledged, and
6 recorded by the owners.

1 **SEC. 10. Costs and expenses.** A correct statement of the costs and
2 expenses of such plat, survey, and record, verified by oath, shall be
3 by the auditor laid before the board of supervisors, which shall allow
4 the same.

1 **SEC. 11. Assessment of costs.** The auditor shall at the same time
2 assess the amount pro rata upon the several subdivisions of said
3 tract, lot or parcel so subdivided, and it shall be collected in the same
4 manner as general taxes, and shall go to the general county fund;
5 or said board may direct suit to be brought in the name of the county
6 to recover from the original proprietor such cost and expense.

That section forty hundred eighty-two (4082) of the compiled code of Iowa is amended, revised, and codified to read as follows:

1 **SEC. 12. Resurvey of town plats.** In all cases where the original
2 plat of any city, town, or village, or any addition thereto, has been or
3 may be lost or destroyed after the sale and conveyance of any sub-
4 division, block or lot thereof by the original proprietor and before the
5 same shall have been recorded, or the property so platted has been
6 indefinitely located or the plat is materially defective, any three per-
7 sons owning real property within the limits of such plat may have
8 the same resurveyed and replatted, and such plat recorded as here-
9 inafter directed. In no case shall such plat or replat be made and
10 recorded as hereinafter directed, without the consent in writing, en-
11 dorsed thereon, of the original proprietor, if he be alive, and known,
12 nor before an order has been entered by the district court upon appli-
13 cation of the parties desiring a replat to be made, that such replat
14 is necessary. The court shall have jurisdiction of the matter upon

15 proof of publication of notice of the application for at least two weeks
16 in some newspaper of general circulation in the city or town.

1 **SEC. 13. Contesting.** Any person may at any time within six
2 months from the date of its filing for record, commence an action in
3 equity against the persons employing the surveyor, setting up his
4 cause of complaint and asking that such record be cancelled. If it
5 appears on the trial that the city, town or village or addition was
6 originally laid out and platted; that the original proprietor had sold
7 any or all of the lots thereof, or that he intended to dedicate to the
8 public the streets, alleys, or public squares therein; that the plat
9 thereof has never been recorded, but is lost, or that the plat was in-
10 definitely located or materially defective; that the proprietor is dead
11 or his place of residence unknown; and that the resurvey and plat
12 for record is a substantially accurate survey and plat of the original
13 plat of such city, town, village or addition, then the action shall be
14 dismissed at the cost of the complainants, otherwise the court shall
15 set aside said plat and cancel the same of record at the cost of the
16 defendant.

1 **SEC. 14. Publication.** This act being deemed of immediate impor-
2 tance shall take effect and be in force from and after its publication
3 in the Des Moines News and the Plain Talk, newspapers published
4 in the city of Des Moines, Iowa, without expense to the state. If not
5 so published then this act shall take effect as provided by the con-
6 stitution.

Approved February 15, A. D. 1924.

CHAPTER 79

STATE TO SELL PROPERTY

H. F. 315

AN ACT to authorize the executive council to sell certain property of the state.

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

1 **SECTION 1. Executive council to act.** That the executive council
2 is hereby authorized to sell lot three (3) of the official plat of block
3 one (1) of H. Lyon's addition and lots seventeen (17) and eighteen
4 (18) block L of Griffith's addition number two (No. 2) East Des
5 Moines, Iowa, the same being a part of the lots acquired by the state
6 in connection with capitol extension.

1 **SEC. 2.** Upon the sale of said real estate described in section one (1),
2 the proper officers of the state are hereby authorized and directed to
3 execute proper conveyances therefor, and that the proceeds of said
4 sale be paid into the general funds of the state.

1 **SEC. 3. Appraisers.** Before the executive council shall sell said
2 lots it shall make application to the chief justice of the supreme court
3 of the state of Iowa for the appointment of appraisers thereof. The
4 chief justice shall appoint three disinterested persons as such ap-

5 praisers and the appraisal shall be returned to the executive
6 council.

1 SEC. 4. **Not less than appraised value.** The executive council shall
2 not sell said lots at less than the appraised value thereof. The ap-
3 praisers shall qualify and be compensated as by law provided for
4 appraisers in condemnation proceedings.

Approved April 19, A. D. 1924

CHAPTER 80

CARL TASCHNER

H F 327

AN ACT to authorize the issuance of a patent to certain lands in Clayton county Iowa

WHEREAS, on the fifteenth day of November, eighteen hundred ninety-four (1894), the board of supervisors of Clayton county, state of Iowa, by resolution duly and legally adopted, sold to Christian Taschner lots one (1), two (2) and three (3), in the southwest quarter (SW- $\frac{1}{4}$) of section twenty-four (24), and lot five (5) in section twenty-five (25), township ninety-one (91), north, range one (1), west of the fifth P. M., in Clayton county, Iowa, and,

WHEREAS, Carl Taschner, the immediate grantee of said Christian Taschner, has acquired lands by warranty deed from the said Christian Taschner, and the said Carl Taschner and his grantor have been in the open, notorious, adverse and unequivocal possession thereof ever since the year eighteen hundred ninety-four (1894) and,

WHEREAS, said lots are islands subject to overflow in the Mississippi river, and were understood and believed by the county of Clayton to be a part of the swamp lands granted to said county by the state of Iowa, and

WHEREAS, there appears to be a cloud upon the title of the said Carl Taschner by reason of some alleged lack of authority of said board of supervisors to convey said land, now, therefore,

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

1 SECTION 1. **Convey by patent.** That the governor and secretary
2 of state shall in the name of the state of Iowa and under its seal,
3 convey by patent to the said Carl Taschner, the following described
4 real estate situated in Clayton county, Iowa, to-wit: Lots one (1),
5 two (2) and three (3), in the southwest quarter (SW- $\frac{1}{4}$) of section
6 twenty-four (24), and lot five (5) in section twenty-five (25), town-
7 ship ninety-one (91), north, range one (1), west of the fifth P. M., in
8 Clayton county, Iowa; and thereby transfer to the said Carl Taschner
9 any and all interest which the state of Iowa may have in and to said
10 described real estate, said patent to issue without expense to the
11 state of Iowa.

Approved April 26, A. D. 1924.

CHAPTER 81

THOMAS LOGAN

S F 323

AN ACT authorizing the issuance of a patent to certain lands in Jasper county, Iowa.

WHEREAS, Thomas Logan of Jasper county, Iowa, on the 29th day of October, 1866, in accordance with the provisions of an act of Congress and acts of the general assembly of the state of Iowa, was issued a patent to certain lands in Jasper county, Iowa, being described in said patent as the north half of the section No. four (4), township No. seventy-eight (78), north of range No. twenty (20), west of the 5th P. M., being a part of the 5 section grant and containing three hundred twenty acres, and

WHEREAS, said patent by mistake described the said tract of land wrongfully in that said description should have read, lots 5, 6, 7 and 8 of section No. four (4), township No. seventy-eight (78), north of range No. twenty (20), west of the 5th P. M., being a part of the 5 section grant and containing three hundred twenty acres according to the official plat of the survey of the said lands, and

WHEREAS, there are now several owners and claimants to various portions of said tract of land, therefore,

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

- 1 SECTION 1. **To convey by patent.** That the governor and secretary
- 2 of state be and are hereby authorized, empowered and directed in the
- 3 name of the state of Iowa and under its seal to convey by patent to
- 4 Thomas Logan the following described real estate in Jasper county,
- 5 Iowa, to-wit:
- 6 Lots five (5), six (6), seven (7) and eight (8) of section No. four
- 7 (4), township No. seventy-eight (78), north of range No. twenty (20),
- 8 west of the fifth (5th) principal meridian, being a part of the five (5)
- 9 section grant and containing three hundred twenty (320) acres
- 10 according to the official plat of the survey of the said lands. Said
- 11 patent to issue without expense to the state.

Approved April 25, A. D. 1924.

CHAPTER 82

TO CORRECT CROSS REFERENCES

S F 325

AN ACT to correct cross references in sections forty-one hundred twenty-four (4124), forty-one hundred fifty-eight (4158), and forty-one hundred sixty-four (4164), of the compiled code of Iowa, and section fifty-seven hundred seventy-seven (5777) of the supplement to said code.

WHEREAS, in the enactment and original enrollment of the acts of the legislature which comprised sections forty-one hundred twenty-four (4124), forty-one hundred fifty-eight (4158), and forty-one hundred sixty-four

(4164) of the compiled code of Iowa, and section fifty-seven hundred seventy-seven (5777) of the supplement to said code, errors were made in the cross references which appear in said sections, therefore

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

1 **SEC. 1. Amend 4124.** That section forty-one hundred twenty-four
2 (4124) of the compiled of Iowa, is hereby amended by striking out of
3 line nine the words and figures "forty-one hundred seventeen [4118]"
4 and inserting in lieu the words "forty-one hundred eighteen".

1 **SEC. 2. Amend 4158.** That section forty-one hundred fifty-eight
2 (4158) of the compiled code of Iowa, is hereby amended by striking
3 out of lines three and four the words and figures "forty-one hundred
4 forty-two [4143] and forty-one hundred forty-five [4146]" and in-
5 serting in lieu the words "forty-one hundred forty-three and forty-
6 one hundred forty-six".

1 **SEC. 3. Amend 4164.** That section forty-one hundred sixty-four
2 of the compiled code of Iowa, is hereby amended by striking out of
3 line four the following: "forty-one hundred twenty-four,"; also by
4 striking out of line five "[4126]" and inserting in lieu the following:
5 ", forty-one hundred twenty-six,".

1 **SEC. 4. Amend 5777.** That section fifty-seven hundred seventy-
2 seven (5777) of the supplement to the compiled code of Iowa, is hereby
3 amended by striking out of lines eight and nine the words "fifty-seven
4 hundred seventy-four" and inserting in lieu the words "fifty-seven
5 hundred seventy-six".

Approved April 25, A. D. 1924.

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