

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.*