

ACTS AND JOINT RESOLUTIONS

PASSED AT THE

SPECIAL SESSION

OF THE

Forty-Second General Assembly

OF THE

STATE OF IOWA

PREPARED FOR PUBLICATION BY AND UNDER THE DIRECTION OF
ROBERT HENDERSON
SUPERINTENDENT OF PRINTING

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Des Moines
1928

LAWS
OF THE
Forty-Second General Assembly
OF THE
STATE OF IOWA

PASSED AT THE SPECIAL SESSION THEREOF, AT DES MOINES, THE CAPITAL
OF THE STATE, BEGUN ON THE FIFTH DAY OF MARCH, AND
ENDED ON THE FOURTEENTH DAY OF MARCH, A. D. 1928,
IN THE EIGHTY-SECOND YEAR OF THE STATE.

CHAPTER 1

**ACTS AND JOURNALS OF EXTRA SESSION OF THE
FORTY-SECOND GENERAL ASSEMBLY**

S. F. 5

AN ACT to provide for the publication of the acts and the journals of the extra session of the 42d general assembly.

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

1 SECTION 1. That for immediate use, laws enacted by the extra
2 session of the 42d general assembly, convened on March 5, 1928,
3 be published in pamphlet form with paper covers, and distributed
4 free to all applicants, the number of copies to be determined by
5 the state printing board.

1 SEC. 2. That for permanent use the acts of the extra session of
2 the 42d general assembly, convened on March 5, 1928, be published
3 in the same volume with the acts of the 43d general assembly.

1 SEC. 3. That for immediate use, the completed journals of the
2 extra session aforesaid be published in pamphlet form with paper
3 covers, in such number as the printing board may find necessary
4 to meet the demand.

1 SEC. 4. That for permanent use, the completed journals of the
2 extra session aforesaid be published in the same volumes with the
3 permanent journals of the 43d general assembly.

1 SEC. 5. All provisions of the existing law with reference to the
2 publication of the acts and journals of the general assembly, so far
3 as inconsistent with the foregoing four sections, are hereby declared
4 inapplicable and of no force in the case of the acts and journals of
5 the aforesaid extra session of the 42d general assembly.

1 SEC. 6. This act being of immediate importance shall take effect
2 upon its publication in the Neola Reporter-Gazette and the Fairfield
3 Ledger.

Approved March 14, A. D. 1928.

I hereby certify that the foregoing act was published in the Neola Reporter-Gazette March 22, 1928, and the Fairfield Ledger March 23, 1928.

ED M. SMITH, *Secretary of State.*

CHAPTER 2
ROAD BOND ACT

S. F. 1

AN ACT to provide a comprehensive program for improvement of the primary road system of the state of Iowa; to authorize the state of Iowa to become indebted in the amount of \$100,000,000 in connection therewith; to provide for the issuance and sale of bonds of said state in evidence of said indebtedness; to budget the primary road fund so as to maintain the primary roads and aid in the payment of the cost of said primary road improvements and to permit the payment therefrom of principal and interest of said bonds and bonds issued by any county in said state payable from said fund; to appropriate primary road funds for the payment of the principal and interest of said state road bonds; to provide for the imposition, levy and collection of a direct annual tax sufficient to pay the principal and interest of said state road bonds; and to provide for the submission of this act to the people to be voted upon at the general election to be held in the year nineteen hundred twenty-eight.

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

- 1 SECTION 1. The following portions of the primary road system
- 2 (except such parts thereof as may heretofore have been paved)
- 3 shall be surfaced with pavement:
- 4 Primary road number 1, from a point nine miles north of Fair-
- 5 field by way of Birmingham and Keosauqua to a point on primary
- 6 road number 3 south of Keosauqua.
- 7 Primary road number 2 from a point on primary road number
- 8 61 west of Grandview by way of Columbus Junction, Washington,
- 9 Sigourney, Oskaloosa, Knoxville, Indianola, Winterset, and Green-
- 10 field, to a point on primary road number 71 south of Atlantic, and
- 11 from a point on primary road number 71 westerly to a point on
- 12 primary road number 32 at Lewis.
- 13 Primary road number 3 from a point on primary road number
- 14 61 west of Fort Madison, by way of Farmington, Bloomfield, Cen-
- 15 terville, Corydon, Leon, Mount Ayr, Bedford, Clarinda, Shenandoah,
- 16 and Sidney to Nebraska City.
- 17 Primary road number 4 from a point on the Missouri line southeast of
- 18 Hamburg, by way of Hamburg and Sidney, to a point on primary road
- 19 number 34 north of Hillsdale. Also from Avoca by way of Harlan, Den-
- 20 ison ond Odebolt to a point on primary road number 20 west of Early.
- 21 Primary road number 5, from Fort Dodge, by way of Manson,
- 22 Storm Lake, and Cherokee to LeMars.
- 23 Primary road number 6 from Centerville by way of Albia, Knox-
- 24 ville, and Carlisle to Des Moines.
- 25 Primary road number 7 from Des Moines by way of Dallas Center,
- 26 Guthrie Center, Hamlin, Harlan and Avoca to Council Bluffs.
- 27 Primary road number 9 from Lansing by way of Waukon, De-
- 28 corah, Cresco, Osage, Manly, Forest City, Swea City, Estherville,
- 29 Spirit Lake, Sibley, and Rock Rapids to a point on the South Dakota
- 30 line north of Larchwood.
- 31 Primary road number 10, from Strawberry Point by way of Oel-
- 32 wein, Waverly, Allison, Hampton, Clarion, Humboldt, Pocahontas,
- 33 Linn Grove, Paullina, and Orange City to a point on primary road
- 34 number 75 west of Orange City.
- 35 Primary road number 11, from Cedar Rapids by way of Inde-
- 36 pendence and Oelwein, to West Union.
- 37 Primary road number 13, from Marion by way of Central City

- 38 to Manchester. Also from Strawberry Point by way of Elkader
39 to a point on primary road number 18 west of McGregor.
- 40 Primary road number 14 between Corydon and Chariton. Also
41 from its intersection with primary road number 58 through Grundy
42 Center to its intersection with primary road number 57.
- 43 Primary road number 15, from Ames by way of Blairsburg, Bel-
44 mond, and Garner to Forest City.
- 45 Primary road number 16, from Mount Ayr to Winterset. Also
46 from Adel by way of Ogden, Fort Dodge, Humboldt and Algona
47 to its intersection with primary road number 9.
- 48 Primary road number 17, from Estherville by way of Emmets-
49 burg, Pocahontas, to Rockwell City. Also from Perry to junction
50 with primary road number 16.
- 51 Primary road number 18, from McGregor by way of Postville,
52 West Union, New Hampton, Charles City, Mason City, Garner,
53 Algona, Emmetsburg, Spencer, and Sheldon to a point on primary
54 road number 75 near Perkins.
- 55 Primary road number 20, from Dubuque by way of Manchester,
56 Independence, Waterloo, Iowa Falls, Webster City, Fort Dodge,
57 Rockwell City, Sac City, and Correctionville to Sioux City.
- 58 Primary road number 21 from Primghar to a point on primary
59 road number 18 east of Sanborn. Also, from Ida Grove to a point
60 on primary road number 20 east of Holstein.
- 61 Primary road number 28 from Martensdale by way of Fort Des
62 Moines to Des Moines.
- 63 Primary road number 30 from Clinton by way of Lowden, Cedar
64 Rapids, Belle Plaine, Tama, Marshalltown, Nevada, Boone, Jefferson,
65 Carroll, Denison, and Missouri Valley to Council Bluffs.
- 66 Primary road number 32 from Davenport by way of Iowa City,
67 Marengo, Grinnell, Newton, Des Moines, Adel, Redfield, Dexter,
68 Adair, Atlantic, and Oakland to Council Bluffs.
- 69 Primary road number 34 from Burlington by way of Mount Pleas-
70 ant, Fairfield, Ottumwa, Albia, Chariton, Osceola, Creston, Corning,
71 Red Oak, and Glenwood, to Council Bluffs.
- 72 Primary road number 38 from Muscatine to Wilton. Also from
73 Tipton to Stanwood.
- 74 Primary road number 48 from Red Oak through Essex to Shen-
75 andoah.
- 76 Primary road number 55 from Dubuque by way of Luxemburg,
77 Guttenberg, Postville, Calmar, and Decorah to a point on the Min-
78 nesota line north of Burr Oak.
- 79 Primary road number 57 from its intersection on primary road
80 number 14 by way of Dike to Cedar Falls.
- 81 Primary road number 58 from Eldora to a point on primary
82 road number 134 west of Eldora. Also east of Eldora to a point
83 on primary road number 14.
- 84 Primary road number 59 from Oskaloosa by way of Montezuma,
85 Tama, Traer, Hudson, and Waterloo, to a point on primary road
86 number 10 east of Waverly.
- 87 Primary road number 60 from a point on primary road number
88 30 east of Boone by way of Madrid to Des Moines.
- 89 Primary road number 61 from Keokuk by way of Fort Madison,

- 90 Burlington, Wapello, Muscatine, Davenport, DeWitt and Maquoketa
91 to Dubuque.
- 92 Primary road number 63 from Des Moines by way of Prairie
93 City, Pella, Oskaloosa, Ottumwa, and Bloomfield to a point on the
94 Missouri line southwest of Bloomfield.
- 95 Primary road number 65 from Leon by way of Osceola, Indianola,
96 Des Moines, Ames, Colo, Iowa Falls, Hampton, Mason City, and
97 Northwood to a point on the Minnesota line north of Northwood.
- 98 Primary road number 69 from Leon by way of Lamoni to the
99 Missouri line south of Lamoni.
- 100 Primary road number 71 from the Missouri line near Braddyville
101 by way of Clarinda, Villisca, Atlantic, Audubon, Carroll, Sac City,
102 Storm Lake, Spencer, and Spirit Lake to a point on the Minnesota
103 line northeast of Spirit Lake.
- 104 Primary road number 74 from Tipton by way of New Liberty
105 to Davenport.
- 106 Primary road number 75 from Missouri Valley by way of Onawa,
107 Sioux City, Le Mars, Sioux Center, and Rock Rapids to a point on
108 the Minnesota line north of Rock Rapids.
- 109 Primary road number 90 from Grundy Center by way of Rein-
110 beck to a point on primary road number 59 south of Hudson.
- 111 Primary road number 99 from Davenport by way of Princeton
112 and Camanche to a point on primary road number 30 west of
113 Clinton.
- 114 Primary road number 134 from a point on primary road num-
115 ber 58 west of Eldora to a point on primary road number 65 north
116 of Hubbard.
- 117 Primary road number 117 from Anamosa to Maquoketa.
- 118 Primary road number 136 from Clinton by way of Charlotte
119 and Delmar to a point on primary road number 61 west of Delmar.
- 120 Primary road number 141 from Denison by way of Mapleton, to
121 Sioux City.
- 122 Primary road number 149 from a point on primary road num-
123 ber 63 west of Hedrick by way of Hedrick, Sigourney, and Williams-
124 burg to primary road number 32 west of Homestead.
- 125 Primary road number 150 from a point on primary road number
126 32 near Homestead by way of Amana and Fairfax to a point on
127 primary road number 30 west of Cedar Rapids.
- 128 Primary road number 161 from Dubuque by way of Cascade,
129 Anamosa, Cedar Rapids, Iowa City, Ainsworth, Mount Pleasant,
130 and Donnellson to a point on primary road number 61 southwest
131 of Montrose.
- 132 Primary road number 218 from a point on primary road number
133 30 south of Vinton by way of Vinton, Waterloo, Waverly, Charles
134 City, and Osage to a point on the Minnesota line north of St. Ansgar.
- 135 All other primary roads or portions thereof, contracts for the
136 paving of which have been let by the highway commission prior
137 to the taking effect of this act.
- 138 All other primary roads (except such portions thereof as may
139 have heretofore been hard surfaced or graveled) shall be surfaced
140 with gravel, sand-clay or other type of low cost surfacing. Pro-
141 vided, however, that after the completion of 80% of the pavement
142 herein authorized the state highway commission may surface with

143 pavement as current primary road funds are available any road
144 herein designated to be graveled, but current primary road funds
145 shall not be used for paving roads herein designated for gravel
146 when their use therefor will result in postponing the completion
147 of the paving of roads hereinbefore specified for paving beyond six
148 years after the taking effect of this act.

1 SEC. 2. Said work of surfacing the primary roads and the grad-
2 ing, draining, bridging, and incidental work in connection therewith
3 shall, in so far as possible, be completed within six years after the
4 taking effect of this act, provided, however, the program of primary
5 road construction work in any county which has authorized primary
6 road bonds shall not be delayed or retarded by reason of the adop-
7 tion of this act.

1 SEC. 3. In order to provide funds with which to aid in meet-
2 ing the cost of improving the primary roads as this act provides,
3 the state of Iowa is hereby authorized to become indebted in the
4 amount of one hundred million dollars (\$100,000,000) and in evidence
5 thereof there shall be issued and sold negotiable serial bonds of
6 the state as hereinafter provided. The total amount of bonds issued
7 hereunder shall not exceed one hundred million dollars. The total
8 amount of outstanding state bonds issued hereunder plus the total
9 amount of outstanding county primary road bonds, plus the total
10 amount of outstanding bonds issued to refund county primary road
11 bonds shall not at any time exceed the sum of one hundred million
12 dollars. The proceeds of said bonds shall be paid into the treasury
13 of the state to be expended in the improvement of the primary
14 roads of the state as provided in this act, and for expenses incurred
15 in carrying out the provisions of this act.

1 SEC. 4. The bonds herein authorized shall be general obligations
2 of the state of Iowa. They shall be issued in serial form and shall
3 bear interest at the rate of not to exceed four per cent per annum,
4 payable semi-annually. Each bond shall be due and payable on
5 the date stipulated on the face thereof, which date shall not be more
6 than twenty years after the date of issuance, and said bonds shall
7 not be taxed. Both principal and interest shall be payable at the
8 office of the treasurer of the state of Iowa, or at any other place
9 designated by the executive council. Each bond shall be signed
10 by the governor under the great seal of the state of Iowa, attested
11 by the secretary of state, and countersigned by the auditor of state.
12 Interest coupons thereto attached shall bear the lithographed fac-
13 simile signature of the auditor of state, and the full faith, credit,
14 and resources of the state of Iowa are hereby pledged for the pay-
15 ment of said bonds and the interest thereon. Said bonds may be
16 of such form as will permit registration of ownership.

1 SEC. 5. All bonds herein authorized shall be sold by the execu-
2 tive council of the state of Iowa in accordance with the provisions
3 of chapter 63 of the code of 1927. Said advertisement and sale
4 shall take place before the bonds are printed.

5 It shall be the duty of the secretary of the executive council to
6 cause to be prepared the forms of advertisements, resolutions, agree-
7 ments, and other necessary forms, for the use of the executive
8 council in the advertisement and sale of bonds as provided in this

9 act, and to prepare and cause to be printed the proper form of bond
10 and to deliver said blank bonds to the proper officials for signature.

1 SEC. 6. The executive council shall from time to time by reso-
2 lutions cause to be issued and sold such portions of such bonds
3 as may be necessary to meet the construction costs of the road im-
4 provement outlined in this act, and all such resolutions shall be
5 entered at large in the minutes of the council's proceedings. Such
6 resolutions shall clearly specify the amount of bonds authorized,
7 the denomination of each bond, the number or designation of each
8 bond, the rate of interest which each bond shall bear, the date of
9 each bond, the maturity date of each bond, and the authorization
10 of the governor to sign said bonds, under the great seal of the state,
11 the authorization of the secretary of state to attest said bonds,
12 and the authorization of the auditor of state to countersign said
13 bonds. Said bonds shall mature and be payable as follows:

14 Three million dollars (\$3,000,000) in each of the years 1935 to
15 1937, both inclusive;

16 Four million dollars (\$4,000,000) in each of the years 1938 to 1941,
17 both inclusive;

18 Five million dollars (\$5,000,000) in each of the years 1942 to 1946,
19 both inclusive;

20 Six million dollars (\$6,000,000) in each of the years 1947 to 1952,
21 both inclusive;

22 Seven million dollars (\$7,000,000) in each of the years 1953 and
23 1954.

24 When signed and attested said bonds shall be delivered to the
25 auditor of state who shall countersign the same, charge the treas-
26 urer of state with such bonds, and deliver the same to such latter
27 officer who shall be responsible therefor on his bond. The treasurer
28 of state shall dispose of said bonds according to the terms of the
29 sale previously entered into by the executive council, and shall
30 credit the proceeds thereof to the primary road bond fund.

1 SEC. 7. Said primary road bond fund is hereby appropriated for
2 and shall be used in the establishment and construction of the pri-
3 mary road system, including the drainage, grading, surfacing, con-
4 struction of bridges and culverts, the elimination or improvement
5 of railroad crossings, the acquiring of additional right of way, and
6 all other expenses incurred in the construction of said primary road
7 system, as this act provides. All of the provisions of the primary
8 road law in so far as the same are applicable, shall apply to the
9 work done and the expenditures made under the provisions of
10 this act.

1 SEC. 8. For the purpose of permitting payment of both principal
2 and interest of the state road bonds issued under the provisions
3 of this act the primary road fund is hereby budgeted in the fol-
4 lowing manner. The state highway commission shall, on or before
5 July first of each year make an estimate of the amount required
6 during the ensuing year to maintain the primary road system and
7 shall transfer said amount so estimated from the primary road fund
8 to the primary road maintenance fund. All moneys remaining in
9 the primary road fund each year, or so much thereof as may be
10 necessary, are hereby appropriated and dedicated for the payment,
11 first, of the interest and principal of the primary road bonds issued

12 by any county, and the interest and principal of bonds issued by
13 any county to refund primary road bonds, and second, the pay-
14 ment of the interest and principal of bonds issued by the state
15 under the provisions of this act, maturing in said ensuing year,
16 and the appropriation of said remaining primary road funds for
17 such purpose shall take precedence over any other provisions of
18 the law now in force or hereafter enacted in relation to said fund.
19 Any amount remaining in said primary road fund in any year
20 after setting aside a sufficient amount to maintain the primary roads
21 and to pay the maturing interest and principal on both state and
22 county bonds as above provided shall be used for the purposes
23 enumerated in chapter 241-B1, code, 1927 as amended by acts of
24 the special session of the forty-second general assembly.

25 The said commission shall thereupon certify to the treasurer of
26 state, (a) the estimated amount of the primary road fund for the
27 ensuing year, (b) the amount set aside for maintaining the primary
28 roads, (c) the amount required for the payment of the maturing
29 interest and principal of primary road bonds issued by any county
30 and the amount required for the payment of the maturing interest
31 and principal of bonds issued by any county to refund primary road
32 bonds, (d) the amount required to retire county primary road bonds
33 subject to call as provided in Sec. 10 hereof, (e) the amount required
34 to pay the maturing interest and principal of primary road bonds
35 issued under this act, and (f) the estimated amount of the primary
36 road fund for the ensuing year available for construction work on
37 the primary roads.

1 SEC. 9. The maturing interest and principal of primary road
2 bonds issued by any county, and bonds issued by any county to
3 refund primary road bonds, shall be paid from the portion of the
4 primary road fund budgeted for that purpose as hereinbefore pro-
5 vided. Thirty days prior to the maturing of any of said bonds
6 or interest thereon, the state highway commission shall prepare a
7 voucher in favor of the county treasurer and drawn against the
8 primary road fund in the amount of said maturing interest and prin-
9 cipal. Said voucher shall be paid from the primary road fund in
10 the same manner as other primary road claims. The funds so re-
11 ceived by any county treasurer shall be used for paying the matur-
12 ing interest and principal of such bonds, and for no other purpose.

1 SEC. 10. Immediately prior to the May first interest payment date
2 next following the taking effect of this act and annually there-
3 after, the highway commission shall ascertain the amount of funds
4 in the primary road fund available to pay off and retire primary
5 road bonds issued by any county and subject to call on said interest
6 payment date. The state highway commission shall use such pri-
7 mary road funds that may be available for that purpose and shall
8 cause suitable vouchers to be prepared and executed, and forward
9 same to the treasurer of each county in which any of said primary
10 road bonds are subject to call, an amount sufficient to pay the same.
11 The county treasurer shall use said funds for the retirement of
12 such bonds and for no other purpose. He shall immediately upon
13 receipt of said funds call in and retire such bonds then subject
14 to call.

1 SEC. 11. There is hereby created a primary road bond redemp-

2 tion fund from which all payments shall be made in redeeming pri-
3 mary road bonds issued by the state, and the payment of interest
4 on said bonds. Whenever any bonds issued hereunder or interest
5 thereon are about to mature, the state highway commission shall
6 prepare a voucher drawn against the primary road fund and in favor
7 of the treasurer of state for the benefit of the primary road bond
8 redemption fund in the amount of said maturing bonds and interest.
9 Said voucher shall be forwarded to the auditor of state, who shall
10 draw his warrant therefor, and the same shall be delivered to the
11 treasurer of state, who shall charge the primary road fund with
12 the amount thereof and credit said amount to the primary road
13 bond redemption fund. Said primary road bond redemption fund
14 shall be used in the redemption of said primary road bonds and
15 for the payment of the interest thereon and for no other purpose.

1 SEC. 12. In each year after this act becomes effective and until
2 all of the bonds issued hereunder shall have been retired, there
3 is hereby imposed and levied upon all the taxable property within
4 the state of Iowa, in addition to all other taxes, to be included and
5 added to the tax levied for state purposes, a direct annual tax for
6 such amount as shall be necessary and sufficient, together with the
7 amount available for that purpose from the primary road fund,
8 to pay the interest and principal of all bonds issued under the pro-
9 visions of this act, as and when the same accrues and becomes due.
10 The proceeds of such direct annual tax are hereby appropriated for
11 the payment of interest and principal of bonds issued hereunder
12 and when collected by the treasurer of state shall be credited to
13 the primary road bond redemption fund.

14 The treasurer of state shall annually certify to the executive
15 council, prior to the time for the levy of general state taxes, the
16 amount of money required to be raised to pay the principal of and
17 interest on bonds issued under this act and maturing in the en-
18 suing year, and said executive council shall annually fix the rate
19 of tax necessary to be levied and assessed upon the valuation of
20 the taxable property within the state to produce funds sufficient
21 to pay such principal and interest, and such additional annual direct
22 tax shall be levied, certified, assessed, and collected at the same
23 time and in the same manner as are taxes for general state purposes;
24 provided, however, that if money from the primary road fund has
25 been appropriated and is set apart for the same purpose for which
26 said direct annual tax is hereby levied and imposed, then the treas-
27 urer of state, in annually certifying to the executive council the
28 amount required, shall specify the amount of money from the pri-
29 mary road fund so appropriated, and the rate fixed by the executive
30 council shall make proper allowance and reduction for any such
31 money so appropriated and set apart from the primary road fund.

1 SEC. 13. While section 15 hereof is in effect, the laws of the
2 state relating to motor vehicle license fees and the gasoline license
3 fees accredited to the primary road fund, shall not be amended
4 so as to reduce the funds now arising therefrom, and the said pro-
5 ceeds of such license fees shall not be used for any other purpose
6 than as specified in this act.

1 SEC. 14. If this act is adopted by the people, the state depart-
2 ment of justice shall upon the adoption by the executive council

3 of the first resolution authorizing the issuance of bonds hereunder
 4 immediately bring an action testing the validity of this act, and in
 5 that event the executive council shall proceed no further toward
 6 the issuance of bonds hereunder until the validity of this act shall
 7 have been determined.

8 Should the supreme court of Iowa hold that the use of primary
 9 road funds, derived from motor vehicle license fees and gasoline
 10 license fees for payment of principal and interest of state bonds
 11 as provided in this act is unconstitutional then this whole act shall
 12 be held invalid and no bonds shall be issued hereunder.

1 SEC. 15. The provisions of the seven preceding sections shall
 2 remain in force and effect without amendment, which will in any
 3 way affect the rights and security of the holders of any such bonds,
 4 so long as any thereof shall be outstanding, except that this sec-
 5 tion shall cease to be effective after the expiration of ninety days
 6 after all of said bonds have been legally called for payment.

1 SEC. 16. The authorization voted by any county to issue bonds
 2 for primary road work shall become null and void, as to any such
 3 bonds not actually issued and sold, immediately upon the issuance
 4 of any state primary road bonds authorized under the provisions
 5 of this act, and no county primary road bonds shall be issued there-
 6 after. Any county primary road bonds issued after this act takes
 7 effect shall cancel the authorization, under this act, for the issuance
 8 of an equal amount of state primary road bonds, and said county
 9 primary road bonds, issued after this act takes effect, shall mature
 10 and be payable at the times specified herein for the payment of an
 11 equal amount of the earliest maturing state primary road bonds.

1 SEC. 17. Interest accruing to the state on primary road bond
 2 funds on deposit shall be credited by the treasurer of state to the
 3 primary road bond fund, and shall not be diverted to the state
 4 sinking fund under the provisions of chapter 55-A1 of the code
 5 of 1927.

1 SEC. 18. This act after publication as provided by law shall be
 2 submitted to the people of the state of Iowa at the general election
 3 to be held in November, nineteen hundred twenty-eight, and shall
 4 take effect if at such election it shall receive a majority of the
 5 votes cast for and against it.

6 Separate ballots shall be provided for the electors, which shall
 7 be substantially in the following form:

8 (Notice to Voters: For an affirmative vote upon any question
 9 submitted upon this ballot make a cross mark in the square after
 10 the word "Yes". For a negative vote, make a similar mark in the
 11 square following the word "No".)

12 "Shall the following public measure, same being an act of the
 13 extra session of the 42nd general assembly, be adopted and ap-
 14 proved?

15 Yes
 16 No

17 (Here insert in full this law).

1 SEC. 19. This act shall take effect immediately upon its adoption
 2 and approval at such election.

Approved March 14, A. D. 1928.

CHAPTER 3

REFUNDS FROM PRIMARY ROAD FUND

S. F. 6

AN ACT to amend, revise and codify section five (5) of chapter one hundred one (101), acts of the forty-second (42nd) general assembly, as amended by the first nine (9) lines of section one (1) of chapter one hundred three (103), acts of the forty-second (42nd) general assembly; and to amend section forty-seven hundred fifty-five-b thirty-eight (4755-b38) of the code of 1927, relating to refunds from the primary road fund to counties for rights-of-way and for bridges and culverts, or for either of said purposes.

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

1 SECTION 1. Section five (5) of chapter one hundred one (101),
2 acts of the forty-second (42nd) general assembly, as amended by
3 the first nine (9) lines of section one (1) of chapter one hundred
4 three (103), acts of the forty-second (42nd) general assembly, is
5 amended, revised, and codified to read as follows:

6 "Where additional right-of-way has been acquired or where bridges
7 or culverts have been built on the primary roads under the super-
8 vision of the highway commission and paid for out of the county
9 road or bridge funds since April nineteen (19), nineteen hundred nine-
10 teen (1919), said county shall be reimbursed for said right-of-way
11 and said bridges or culverts out of the primary road fund in seven
12 (7) annual payments. Provided however, in counties where the total
13 refund does not exceed the sum of five thousand dollars (\$5,000),
14 the entire refund shall be made at the time of the first annual pay-
15 ment. The first payment shall be made January first (1st), nine-
16 teen hundred twenty-eight (1928) and the board of supervisors is
17 authorized to issue certificates anticipating the amount to be re-
18 ceived. Said certificates shall not be issued for a period to exceed
19 six (6) years nor to bear an interest rate to exceed five per cent
20 (5%). The refunds made to any county under this section shall at
21 the option of the board of supervisors of said county be placed to
22 the credit of the county road fund or of the county bridge fund.

23 Payments already made under the section for which this section
24 is a substitute shall be readjusted by the highway commission to con-
25 form herewith. This act shall not be deemed to repeal lines ten (10)
26 to twenty-three (23), inclusive, of section one (1) of chapter one
27 hundred three (103), acts of the forty-second (42nd) general as-
28 sembly."

1 SEC. 2. Section four thousand seven hundred fifty-five-b thirty-
2 eight (4755-b38), of the code, 1927, is amended by inserting after
3 the word "bridge" in the thirteenth line of said section the follow-
4 ing: ", culvert,".

1 SEC. 3. This act being deemed of immediate importance shall
2 be in effect from and after its publication in two (2) newspapers of
3 this state as provided by law.

Approved March 14, A. D. 1928.

I hereby certify that the foregoing act was published in the Marshalltown Times-
Republican March 19, 1928, and the Cherokee Chief March 22, 1928.

ED M. SMITH, *Secretary of State.*

CHAPTER 4
SECONDARY ROADS COMMISSION

H. J. R. 1

HOUSE JOINT RESOLUTION providing for the appointment of a commission to secure information relative to the maintenance and construction of secondary roads and to make an appropriation for the expense of said commission.

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

1 SECTION 1. That the governor of the state of Iowa appoint a com-
2 mission of five persons who shall be delegated to secure data, hold
3 meetings, and collect information in relation to the collection of
4 funds for, and maintenance and construction of, secondary roads.
5 The members thereof shall receive actual necessary expenses and
6 ten dollars (\$10.00) per diem for time actually spent in carrying
7 out the provisions of this resolution.

1 SEC. 2. There is hereby appropriated out of any funds in the
2 state treasury not otherwise appropriated the sum of twenty-five
3 hundred dollars (\$2500.00), or as much thereof as may be necessary
4 for the purpose of carrying out the provisions of this resolution.

1 SEC. 3. This resolution being deemed of immediate importance
2 shall be in full force and effect from and after its publication in the
3 Des Moines Daily Record, a newspaper published in Des Moines, Iowa,
4 and the Cherokee Times, a newspaper published in Cherokee, Iowa.

Approved March 14, A. D. 1928.

I hereby certify that the foregoing act was published in the Cherokee Times March 18, 1928, and the Des Moines Daily Record March 19, 1928.

ED M. SMITH, *Secretary of State.*

CHAPTER 5
GENERAL ASSEMBLY EMPLOYEES

S. J. R. 1

JOINT RESOLUTION relating to the selection of employees for the special session of the forty-second general assembly.

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

1 That the following named persons be employed for the positions
2 indicated for the special session at the same rate per diem as the
3 regular session:

4 Janitors: L. E. Fatland, Wm. Grund, M. H. Jordan, Jim Connelly.
5 Elevator tenders: Frank Stephenson, Frank Shaeffer.
6 Messenger and mail carrier: John Christina.

Approved March 8, A. D. 1928.

CHAPTER 6
CERTIFICATES OF ACKNOWLEDGMENT

H. F. 2

AN ACT to amend section ten thousand one hundred three (10103) of the Code, 1927, relative to the form of certificates of acknowledgment.

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

1 SECTION 1. That the law as it appears in Section ten thousand one
2 hundred three (10103), of the Code, 1927, be and the same is hereby
3 amended as follows:

4 Insert in line seven (7) thereof, immediately preceding the word
5 "certificate", the words "body of the"; also insert in line nine (9),

6 immediately following the word "form", the following, "and shall
7 constitute a part of the certificate,"; also insert in line eleven (11),
8 immediately following the period, the following, "No certificate of
9 acknowledgment shall be held to be defective on account of the failure
10 to show the official title of the officer making the certificate if such
11 title appears either in the body of such certificate or in connection
12 therewith, or with the signature thereto."

1 SEC. 2. This act being deemed of immediate importance shall be
2 in full force and effect from and after the passage and publication in
3 the Evening Gazette and Republican, a newspaper published at Cedar
4 Rapids, Iowa, and the Laurens Sun, a newspaper published at Laurens,
5 Iowa.

Approved March 12, A. D. 1928.

I hereby certify that the foregoing act was published in the Cedar Rapids Evening Gazette and Republican March 14, 1928, and the Laurens Sun March 15, 1928.

ED M. SMITH, *Secretary of State.*

CHAPTER 7 JUDGMENT LIENS

H. F. 4

AN ACT to amend, revise, and codify sections eleven thousand six hundred three (11603), eleven thousand six hundred four (11604), and eleven thousand six hundred five (11605) of the code, 1927, relating to the lien of judgments of the state and federal courts.

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

1 SECTION 1. Sections eleven thousand six hundred three (11603),
2 eleven thousand six hundred four (11604), and eleven thousand six
3 hundred five (11605) of the Code, 1927, are amended, revised, and
4 codified to read as follows:

5 11603. **When judgment lien attaches.** When the real estate lies in
6 the county wherein the judgment of the district court of this state or
7 of the circuit or district courts of the United States was rendered, the
8 lien shall attach from the date of such rendition, but if in another it
9 will not attach until an attested copy of the judgment is filed in the
10 office of the clerk of the district court of the county in which the real
11 estate lies.

12 11604. **Supreme court judgments.** The lien of judgments of the
13 supreme court of Iowa shall not attach to any real estate until an
14 attested copy of the judgment is filed in the office of the clerk of the
15 district court of the county in which the real estate lies.

16 11605. **Docketing transcript.** Such clerk shall, on the filing of such
17 transcript of the judgment of the supreme or district court of this
18 state or of the circuit or district court of the United States in his of-
19 fice, immediately proceed to docket and index the same, in the same
20 manner as though rendered in the court of his own county.

1 SEC. 2. **Publication clause.** This act is deemed of immediate im-
2 portance and shall take effect from and after its publication in the
3 Pioneer, Iowa, and the Laurens Sun, a newspaper published at Laurens,
4 Iowa.

Approved March 12, A. D. 1928.

I hereby certify that the foregoing act was published in the Laurens Sun March 15, 1928, and the Cascade Pioneer March 22, 1928.

ED M. SMITH, *Secretary of State.*

CHAPTER 8

DEFECTIVE CERTIFICATES OF ACKNOWLEDGMENT—LEGALIZING

H. F. 3

AN ACT to legalize defective certificates of acknowledgment filed for record prior to the taking effect of this act, and fixing the time within which actions may be brought to enforce rights thereunder.

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

1 SECTION 1. Any instrument in writing to which is attached a defec-
2 tive certificate of acknowledgment, which was, prior to the taking ef-
3 fect of this act, filed, recorded or spread upon the records in the office
4 of the recorder of the proper county, together with the recording and
5 the record thereof, is legalized and declared as valid, legal and binding,
6 as if such instrument had been properly acknowledged and had had a
7 proper certificate of acknowledgment thereto attached and had been
8 legally recorded.

1 SEC. 2. Any person affected by the provisions of Section one (1)
2 hereof, failing to bring an action in a court of competent jurisdiction
3 within thirty (30) days from the taking effect of this act, to protect
4 any claim or right he might have, shall be barred hereafter from
5 enforcing any such claim or right.

1 SEC. 3. Nothing in this act shall affect pending litigation.

1 SEC. 4. This act, being deemed of immediate importance, shall be
2 in full force and effect from and after its passage and publication in
3 the Evening Gazette & Republican, a newspaper published at Cedar
4 Rapids, Iowa, and the Laurens Sun, a newspaper published at Laurens,
5 Iowa.

Approved March 14, A. D. 1928.

I hereby certify that the foregoing act was published in the Cedar Rapids Evening Gazette and Republican March 19, 1928, and the Laurens Sun March 22, 1928.

ED M. SMITH, *Secretary of State.*

CHAPTER 9

NATIONAL CHAMPION DRUM CORPS

S. F. 8

AN ACT to appropriate a fund for the expenses of the national champion drum corps of the United Spanish War Veterans of America; the national champion fancy drill team of the United Spanish War Veterans Auxilliary of the United States of America, in attending a national convention of the United Spanish War Veterans of America and auxilliary, to be held in Havana, Cuba, in October, 1928.

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

1 SECTION 1. **Appropriation.** There is hereby appropriated to the
2 executive council, out of any funds not otherwise appropriated, the
3 sum of five thousand dollars (\$5000.00), or such part thereof as may
4 be deemed necessary to pay the expenses of the national champion
5 drum corps of the United Spanish War Veterans of America, and
6 the sum of two thousand five hundred dollars (\$2500.00) or such
7 part thereof as may be deemed necessary to pay the expenses of
8 the national champion fancy drill team of the Auxilliary of the
9 United Spanish War Veterans of America, in attending the national
10 convention of the United Spanish War Veterans of America and the
11 auxilliary thereof at Havana, Cuba, in October, 1928, provided, how-
12 ever, that the members of the drill team and drum corps sent under
13 this appropriation shall be actual members of the United States Span-

14 ish War Veterans of America or the women's auxiliary thereto. All
 15 unexpended balances shall revert to the state. An itemized report
 16 of all the expenditures shall be made to the executive council by the
 17 manager of said organizations, showing the expenses incurred by
 18 each organization during its expedition, said report to be placed on
 19 file with the secretary of state.

1 SEC. 2. This act being deemed of immediate importance, shall take
 2 effect and be in force from and after its publication in the Indianola
 3 Record, a newspaper published in Indianola, Iowa, and the Des Moines
 4 Daily Record, a newspaper published in Des Moines, Iowa.

Approved March 14, A. D. 1928.

I hereby certify that the foregoing act was published in the Des Moines Daily Record
 March 19, 1928, and the Indianola Record, March 22, 1928.

ED M. SMITH, *Secretary of State.*

CHAPTER 10

COMMITTEE OF TWENTY-TWO

S. F. 11

AN ACT to appropriate a fund for the expenses of the committee of twenty-two (22)
 organized and created under call of Honorable John Hammill, governor of Iowa,
 to carry on the endeavor to procure agricultural relief and equality.

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

1 SECTION 1. **Appropriation.** There is hereby appropriated to the
 2 chairman and treasurer of the committee of twenty-two (22), or-
 3 ganized and created at Des Moines, Iowa, under call of the Honorable
 4 John Hammill, governor of Iowa, for the purpose of procuring agri-
 5 cultural relief and equality, out of funds not otherwise appropriated
 6 the sum of five thousand dollars (\$5000.00), or so much thereof as
 7 may be deemed necessary to pay the expenses of said committee in
 8 carrying on their work and endeavor to procure agricultural equality
 9 and relief. All unexpended balances shall revert to the state. An
 10 itemized report of all expenditures shall be made to the governor
 11 of the state of Iowa by the chairman and treasurer of said com-
 12 mittee, showing the expenses incurred by it, and said report shall
 13 be placed on file with the secretary of state.

1 SEC. 2. This act being deemed of immediate importance shall be
 2 in force from and after its publication in the Elkader Register, a
 3 newspaper published in Elkader, Iowa, and the Des Moines Register,
 4 a newspaper published in Des Moines, Iowa.

Approved March 14, A. D. 1928.

I hereby certify that the foregoing act was published in the Beaverdale News March
 23, 1928, and the Elkader Register March 22, 1928.

ED M. SMITH, *Secretary of State.*

The Beaverdale News selected by the secretary of state under section 55 of the Code of Iowa.

CHAPTER 11

EXPENSES OF EXTRA SESSION

S. F. 10

AN ACT fixing the compensation of the officers and employees of the extra session of
 the forty-second general assembly and making an appropriation to pay the expenses
 of the said extra session.

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

1 SECTION 1. The compensation of the officers and employees of the
 2 extra session of the forty-second general assembly of the state of

3 Iowa shall be the same as for the regular session of the forty-second
4 general assembly, except as otherwise herein defined, and shall com-
5 mence from the date they were called to perform actual service for
6 said session and continue until they have completed their duties.

1 SEC. 2. There is hereby appropriated out of any funds of the
2 state treasury not otherwise appropriated an amount sufficient to
3 pay the compensation of the lieutenant governor, the speaker of
4 the house and members of the general assembly for their services
5 during the extra session and for the mileage due them according to
6 law; also for the payment of the compensation due all officers and
7 employees of the extra session, including the extra help provided by
8 senate joint resolution No. 1, who shall be compensated at the rate
9 of \$4.00 per day; also mileage for the permanent officers.

1 SEC. 3. There is hereby appropriated the further sum of \$1,000.00,
2 or so much thereof as may be necessary, to pay chaplains, type-
3 writer rentals, towel supply, postage, telephone, telegraph and all
4 other incidental expenses of the extra session of the forty-second
5 general assembly.

1 SEC. 4. There is hereby appropriated the sum of \$903.90 to S.
2 Davidson & Bros. for the payment of chairs for the senate and house
3 chambers.

1 SEC. 5. There is hereby appropriated the sum of \$5.12 each to
2 C. L. Rigby, J. O. Shaff, S. A. Brush, C. A. Benson and Arch W.
3 McFarlane for expenses incurred in attending the funeral of Hon.
4 Willis G. Haskell of Cedar Rapids, Iowa.

1 SEC. 6. For the department of the director of the budget there
2 is hereby appropriated the sum of \$1,000.00, or so much thereof as
3 may be necessary, to defray expenses incurred in auditing the books
4 and accounts of the state highway commission, as provided in chap-
5 ter one hundred one (101), section thirty-seven (37), acts of the
6 forty-second general assembly.

1 SEC. 7. For the printing board there is hereby appropriated the
2 sum of \$1500.00, or so much thereof as may be necessary, to defray
3 the expense of printing incident to the special session of the forty-
4 second general assembly.

1 SEC. 8. There is hereby appropriated to Howard Mathews, speaker
2 pro tem of the house, the sum of \$10.00 per day for each day of the
3 special session of the forty-second general assembly in addition to
4 his regular pay as member of the general assembly.

1 SEC. 9. The auditor of state is hereby authorized and directed to
2 pay the sum herein appropriated upon the certification of the presi-
3 dent and secretary of the senate for senate expense and the speaker
4 of the house and chief clerk of the house for house expense and the
5 secretary of the executive council for all other expenses in connec-
6 tion herewith.

1 SEC. 10. This act being deemed of immediate importance shall be
2 in full force and effect from and after its publication in the Sioux
3 City Journal, a newspaper published in Sioux City, Iowa, and the
4 Fort Dodge Messenger, a newspaper published in Fort Dodge, Iowa.

Approved March 14, A. D. 1928.

I hereby certify that the foregoing act was published in the Fort Dodge Messenger
March 20, 1928, and the Sioux City Journal March 26, 1928.

ED M. SMITH, *Secretary of State.*