

1 SEC. 3. This act, being deemed of immediate importance, shall  
 2 be in full force and effect from and after its passage and publication  
 3 in the Bedford Times-Press, a newspaper published at Bedford,  
 4 Iowa, and the Clarinda Herald, a newspaper published at Clarinda,  
 5 Iowa.

House File No. 97. Approved February 25, 1934.

I hereby certify that the foregoing act was published in the Bedford Times-Press, March 15, 1934, and Clarinda Herald, March 12, 1934.

MRS. ALEX MILLER, *Secretary of State.*

## CHAPTER 45

### SECONDARY ROADS. CONSTRUCTION FUND

H. F. 23

AN ACT to amend section forty-six hundred forty-four-c eight (4644-c8), Code, 1931, relating to the secondary road construction fund.

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

1 SECTION 1. Section forty-six hundred forty-four-c eight (4644-  
 2 c8), Code, 1931, is amended by striking from line 6 thereof the  
 3 word "gasoline" and by inserting in lieu thereof the words "motor  
 4 vehicle fuel."

House File No. 23. Approved December 21, 1933.

## CHAPTER 46

### SECONDARY ROADS. CLOSING OF VACATED OR ABANDONED ROADS

S. F. 273

AN ACT to require the board of supervisors and the members thereof to close or cause to be closed, against vehicular travel, all secondary roads which may be formally vacated or affirmatively abandoned by said board, to provide the manner of such closing, to provide for the doing of the work of such closing by members of the board or by the county engineer, to provide for the cost of said work, to prohibit the removal of barriers erected in order to effect such closing, and to fix the penalty for the negligent failure to perform said duty and for the wrongful removal of said erections.

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

1 SECTION 1. When a secondary road is formally vacated or affirma-  
 2 tively abandoned by the board of supervisors, it shall be the duty of  
 3 said board, and of the members thereof, immediately to close or  
 4 cause to be closed said vacated or abandoned road against ordinary  
 5 vehicular travel. The work of said closing may be assigned by said  
 6 board to one or more members of said board or to the county en-  
 7 gineer. Said closing shall be effected by the erection of some ef-  
 8 fective and substantial barrier at all places at which public ve-

9 hicular travel has theretofore had authorized access to said vacated  
10 or abandoned road.

1 SEC. 2. If any member of said board or the county engineer  
2 negligently fails to perform the duty herein imposed upon him, he  
3 shall be guilty of a misdemeanor and upon conviction, shall be fined  
4 not to exceed the sum of twenty-five (25) dollars.

1 SEC. 3. When a road has been adequately and effectively closed  
2 as heretofore provided, neither the members of the board nor the  
3 county engineer shall thereafter be under any liability to maintain  
4 said closing.

1 SEC. 4. Any person who shall remove any barrier which has  
2 been erected hereunder in order to close a vacated or abandoned  
3 road, shall be guilty of a misdemeanor and in addition shall be liable  
4 for all damages proximately resulting from such removal.

1 SEC. 5. The expense attending the closing of a vacated or aban-  
2 doned road shall be deemed a road construction or maintenance and  
3 paid accordingly.

Senate File No. 273. Approved March 2, 1934.

## CHAPTER 47

### ROAD POLL TAX. REFUND

#### H. F. 56

AN ACT to provide for a refund on road poll taxes.

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

1 SECTION 1. If before the road poll tax was reduced by chapter 73,  
2 acts of the Forty-fifth General Assembly, any person paid a larger  
3 road poll tax for the year 1933 than could have been lawfully col-  
4 lected from him if said act had been in effect at the time when he  
5 paid the tax, the board of supervisors of the county to which he paid  
6 the same shall cause to be refunded to him the difference in amount  
7 between the tax he paid and the tax that might lawfully as aforesaid  
8 have been collected from him under the said act, refund to be made  
9 from the fund to which said poll tax payment was credited.

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

House File No. 56. Approved January 3, 1934.

I hereby certify that the foregoing act was published in the Davenport Democrat,  
January 5, 1934, and the Sioux City Tribune, January 6, 1934.

MRS. ALEX MILLER, *Secretary of State.*