

A BILL

FOR AN ACT TO PROVIDE FOR THE ERECTION OF A STATE SOLDIERS' AND SAILORS' MONUMENT.

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

SECTION 1. That so much of the money which may come into the state treasury in pursuance of an act of congress, refunding to the state the amount paid to the general government under the direct tax act, approved August 5, 1861, as may remain after there shall have been paid therefrom the amount due and payable under the constitution and laws of this state to the school fund thereof, together with such other sums as may hereafter be set apart and appropriated by the legislature for such purpose, be and the same is hereby appropriated for the purpose of erecting a state Soldiers' and Sailors' monument, according to the design already adopted by the board of commissioners.

Sec. 2. It shall be the duty of the Iowa Soldiers' and Sailors' Monument commission as now constituted, and their successors in office, and they are hereby given the power to secure and take the grounds or lands already owned by the state of Iowa, or by purchase, donation or by condemnation, or in part by purchase or in part by condemnation, a suitable site in the vicinity of the state capitol for the erection of said monument, the cost of said site, if any there be, to be taken from moneys hereinbefore appropriated for the erection of said monument. All the powers conferred by the general laws of the state for the taking and condemnation of private property be and the same are hereby given to and conferred upon said board of commissioners the same as if herein specifically provided for and re-enacted; *provided* further, that before the approval of any site selected the title thereto shall first be submitted to the attorney general of the state of Iowa and by him approved.

Sec. 3. The board of commissioners may make such rules and regulations for the payment of money, the government of contractors and employes, and the management of the grounds and premises, as they may deem prudent—not inconsistent with this act and the laws of the state. They may meet on their own adjournment, and shall meet at the call of the president of the board, and a majority present at such meeting shall constitute a quorum for the transaction of business. They shall receive for their services the sum of four dollars per day and actual expenses for the time they are actually employed in attending to their duties as commissioners, to be paid on itemized statements, sworn to by the claimant. The executive

9 council may, for just cause, remove any member of said board, and fill all vacancies therein
10 caused by removal or otherwise. Any person appointed to fill such vacancy shall be selected
11 from the political party to which their predecessor belonged.

SEC. 4. The commissioners are authorized to contract for labor, material, and any distinct
2 portion of the work. All lettings of the work shall be advertised in two or more newspapers
3 of general circulation, and sealed proposals shall be received therefor; but the commissioners
4 shall have the right to reject any or all bids. In all contracts, the interests of the state shall
5 be protected by proper bonds. All contracts of builders, supervising architect, or material
6 men shall reserve to the commissioners, for good cause shown, the right to annul the same;
7 the commissioners shall make no allowance for damages, only for expenses conferred and
8 labor performed. Ten per cent shall be reserved on payment of estimates on work in pro-
9 gress until the contract therefor shall be completed and the work done thereunder inspected
10 and accepted by the commissioners. The contracts shall be so let that the state shall not be
11 required to pay, in any one year, more than fifty thousand dollars (\$50,000) of said appropria-
12 tion; *provided*, that if said sum of fifty thousand dollars (\$50,000) shall not be expended in
13 any given year, then the sum that may be expended for the next or subsequent year shall be
14 increased by the sum of such unexpended balance. Models of any statuary, bas reliefs,
15 bronze or carved work contained in the plan or design already adopted by the com-
16 missioners, may be required of the contractors for the inspection and approval of said com-
17 missioners before the same are carved or cast.

SEC. 5. The material used in the construction of said monument shall be of the best
2 quality of granite, or any other equally durable stone, and such other stone, marble, bronze,
3 or material as may be necessary for ornamenting and completing said ornament, and the
4 direction, plans and specifications of the work shall be executed by skilled and reputable
5 architects, contractors, artists, mechanics and laborers. The commissioners, as far as is just
6 and practicable, with due regard to the best interests of the state and the object and pur-
7 pose of the work, shall give preference to Iowa material and labor. In the working plans
8 and specifications accepted, the supervising architect shall be required to, and shall, guaran-
9 tee that each and every part of said monument shall be perfect and complete for the purpose
10 designed and intended, as fully as it is made to appear and represented to be in the super-
11 vising architect's plans and specifications; and shall be required to give bonds, with accepta-
12 ble sureties, in the penal sum of \$2,000, conditioned that the said working plans shall be
13 perfect and complete for the purposes designed and intended, and that the monument shall be
14 fully completed and finished, as a whole and in every part, for and within the price estimated
15 and fixed by such supervising architect and the board, and which price shall be duly stated
16 when his specifications and working plans shall be completed. And it shall be further under-
17 stood and agreed, that no more extra work or material shall be necessary to fully complete
18 the monument than the estimates set forth.

SEC. 6. The board of Commissioners shall appoint a secretary, who shall take an oath to faithfully perform the duties of his office. He shall keep a record of the proceedings of the board; shall make a record of all contracts and obligations; shall furnish each contractor with a copy of his contract marked "Approved by the Board" (day and date), and no contract shall be valid until thus endorsed and delivered; he shall certify to all vouchers ordered by the board; shall keep a set of books, so as to show the financial condition of the fund and work; shall make yearly statements of the cost and expenditures and a complete list of vouchers, and for what purpose, and to whom paid, which reports the governor shall transmit to the General Assembly at each session. The pay of the secretary shall not exceed seventy-five dollars per month, and he shall give bond in the sum of two thousand dollars (\$2,000) for the faithful performance of his duty. All contracts for any purpose connected with the monument where the amount exceeds (\$500) shall be regularly passed upon by the board in session, and all amounts of a lesser sum than five hundred dollars may be passed upon and approved by the executive committee of the board and shall be recorded by the secretary in a book kept for that purpose, and a copy shall be made out and certified to by the secretary and delivered to the other party to the contract; and until such delivery no contract shall be valid or binding on either party, and the secretary shall retain on proper file all vouchers, statements and other papers of value to the board, the contractor or to the state.

SEC. 7. It shall not be lawful for any member of the board, the supervising architect, superintendent or secretary, to be directly or indirectly interested in, or to derive any profit from any contract, employment or purchase connected with the monument or with the action of the board; nor shall the above named officers be the owner or interested in any claim against the board or state, growing out of the erection of said monument, other than for the compensation for their services. Any of the above named officers violating the provisions of this section, or corruptly using his official position, shall be deemed guilty of a felony, and upon conviction shall be fined in any sum not exceeding one thousand dollars, to which may be added imprisonment in the state prison for any term not exceeding two years.

SEC. 8. It shall be the duty of said commissioners to appoint a supervising architect for the purpose of preparing specifications, details, estimates, and working plans for the erection of said monument, and to supervise the proper construction of the same, who shall give suitable bonds in the sum of five thousand dollars for the faithful performance of the duty of his office, and shall be liable under bonds for any failure in faithfully discharging the duties of his office, and for all losses and damages that may be incurred on account of his violating any of the provisions of this act, or on account of his neglect or incapacity for the duties of his office. He shall receive such compensation as may be agreed upon in advance.

SEC. 9. Be it further provided that all acts in relation to said board, as to who shall preside and how vacancies shall be filled, and in all other respects not inconsistent herewith be and the same are hereby continued in force.