

A BILL

FOR AN ACT TO REVISE AND AMEND OUR PRESENT ROAD LAWS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SECTION 1. That each township or portion thereof, outside the limits of any city or incorporated town,
2 shall constitute one highway district.

SEC. 2. Road taxes levied and assessed under the provisions of this act shall be paid in money to the
2 county treasurer, as other taxes are now collected.

SEC. 3. The board of trustees of each township shall, at their regular meeting on the first Monday in
2 April of each year, appoint a highway supervisor, whose compensation shall be fixed by the trustees afore-
3 said, not to exceed, however, the sum of two dollars and fifty cents per day for each day actually employed
4 in the duties of his office; fractional parts of a day to be paid pro rata.

SEC. 4. The township trustees shall have the power to let by contract by competitive bidding all work
2 upon the highways, or they may employ the highway supervisor and authorize said supervisor to employ
3 help at such compensation as said trustees may fix.

SEC. 5. The township trustees and highway supervisor shall constitute a committee to purchase for
2 their respective townships, all tools and implements to be used on such highways, and to provide for the
3 custody and care of the same.

SEC. 6. All able bodied men over twenty-one years of age and under forty-five years of age shall pay
2 to the county treasurer, at such time and times as other taxes are payable the sum of two dollars each annu-
3 ally, to be known as poll tax for highway purposes.

SEC. 7. The levy shall not exceed five mills on the dollar in any one year for road purposes.

SEC. 8. Nine hours shall constitute a day's work upon the highway.

SEC. 9. The township clerk shall receive from the county treasurer all moneys collected under the
2 provisions of this act and disburse the same only upon the order of the township trustees, and such township
3 clerk shall receive as compensation for receiving and disbursing the same one per cent of all moneys
4 received by him. The bond of such township clerk shall be fixed by the trustees and approved by the
5 board of supervisors.

SEC. 10. It shall be unlawful for any person to plow on the highways, except by permission of the
2 township trustees or highway supervisor of the township in which such highway is situated.

SEC. 11. Whenever the trustees shall deem it necessary for the benefit of the public highways to construct a tile drain or drains along any highway, they shall have the power to lay such tile drain through adjoining lands, or to connect with tile drains upon adjoining lands; provided such adjoining tile drain shall be of sufficient capacity to carry off the additional water conveyed thereby. If such adjoining tile drain shall not be of sufficient capacity said trustees shall have power to authorize and direct the removal of the same and substitute tile of sufficient capacity for the purpose desired, and in that event the expenses of substituting such tile drain shall be paid by the highway district, unless such substituted drain shall benefit the adjoining land owner upon which the same is located, in which event said trustees shall pay such share of said expense as may be agreed upon.

SEC. 12. Whenever any tile drain, constructed as provided for in section 11 hereof, shall be in danger of obstruction by reason of willow or other hedge or trees, said trustees are authorized to condemn such willow or other hedge or trees for the destruction of the same.

SEC. 13. That from and after the passage of this act it shall be unlawful for any person to set out or plant any willow hedge upon or adjoining any public highway in this state. Any such willow hedge planted or set out contrary to the provisions of this section may be removed at any time by order of the township trustees.

SEC. 14. The township trustees and highway supervisor shall have power to enter upon any land adjoining any highway for the purpose of opening or constructing any ditch, drain or necessary water course, and to change the natural water course whenever it shall be for the public benefit, and to dig, open and clean ditches and drains upon such adjoining lands for the purpose of carrying off the waters from said highway, or to drain any slough or pond on said highway; if the owner of such adjoining lands objects to such entry, said trustees may bring suit before the nearest justice of the peace for the purpose of determining the damages resulting from such entry, whereupon said justice shall give notice of such action to such land owner for the time and in the manner required for the service of original notices in civil actions, and at the time fixed for such hearing said owner may appear and file his claim for damages for such entry, and if the amount so claimed shall not exceed the sum of one hundred dollars, such justice shall proceed to empanel a jury as in civil actions, which shall proceed to hear and determine the amount of such damage if any. If the amount so claimed exceeds one hundred dollars said justice shall certify said proceedings to the district court of the county which shall proceed to hear and determine said damages if any, in the same manner as other civil actions are determined in said court.