

## CHAPTER 100.

## AMENDATORY OF THE ROAD LAWS.

**APRIL 7.** AN ACT to Repeal Chapter 163 of the Laws of the Ninth General Assembly, also Chapter 76 of the Laws of the Tenth General Assembly, and to Enact a Law Prescribing the Duties of Township Trustees, and Road Supervisors in certain Cases, and to Provide for the Levying and Collecting of Road Taxes, and Determining the per diem of Road Supervisors.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Iowa,* That chapter 163 of the laws of the Ninth General Assembly, also chapter 76 of the laws of the Tenth General Assembly, be and are hereby repealed.

**SEC. 2.** The township trustees of each organized township in this State shall, at an annual meeting to be held on the second Monday in April in each year, or as soon thereafter as the assessment book is received by the clerk, determine upon the amount of property tax to be levied for roads, bridges, plows, scrapers, tools, and machinery adapted to the construction and repairs of roads, and for the payment of any indebtedness previously contracted by such township for road purposes, and levy the same, which shall not be less than one nor more than three mills on the dollar, on the amount of the township assessment for that year, and said trustees shall at the same time determine whether any of said tax shall be paid in labor, and if they determine that any part may be paid in labor, determine what part may be so paid; said trustees shall at the same time also determine whether any part of said tax shall be a general township fund, for the purpose of purchasing plows, scrapers, or other implements, or machinery adapted to the construction of roads, and for general road work in the township, and if they determine that any of said tax be appropriated for that purpose, they shall determine what amount of said tax shall be so appropriated: *Provided,* That when incorporated towns or cities are, by act of incorporation heretofore passed, made road districts, this act shall not interfere with such districts, but the same shall be under the control of such city.

Tp. trustees to determine amount road-tax.

Tax of 1 to 3 mills.

Tax paid in labor.

General tp. fund for purchase of machinery.

Proviso: cities & towns.

Duty of road supervisor.

**SEC. 3.** The supervisor shall within ten days after receiving the tax-list specified in sections 892 and 893, chapter 46 of the Revision of 1860, post up, in three conspicuous places within his district, written notices of the amount of road-tax assessed to each tax-payer

in said district, and in case of a failure to pay said tax by the first Monday in October, in each year, the supervisor shall report the same to the township trustees, the same as tax on non-resident lands, and the tax thereon shall be collected in the same manner, and the same penalties, as in the case of non-resident lands.

Delinquent taxes to be reported to trustees; how collected.

SEC. 4. The supervisor shall cause said tax collected by him to be expended for the purposes specified in the second section of this act, on or before the first day of October of that year, except the portion set apart for a general township fund, as provided in section two of this act, which shall be by the supervisor paid over to the township clerk from time to time as collected, and his receipt taken therefor.

Tax, how expended.

SEC. 5. The money tax levied upon the property in each road district, except that portion set apart as hereinbefore provided to be set apart as a general township fund, whether collected by the supervisor or the county treasurer, shall be expended for road purposes in that district, and no part thereof shall be paid out or expended for the benefit of any other road district.

Money raised in road dist., except gen'l fund, to be expended in district.

SEC. 6. In every township where the township trustees shall set apart a portion of the road-tax as a general township fund, for the purchase of plows, scrapes, implements, and machinery, to be used in the construction and repairs of roads, the trustees shall require the township clerk to give bond in such additional sum as they may deem proper to secure the safe keeping of such fund, and shall appoint one of their number, or the township clerk, to take charge of and properly preserve and keep in repair such tools, implements, and machinery; and such person shall have authority to determine at what time the supervisors of the several road districts may have the custody and use of the same or any part thereof, and shall be responsible for the safe keeping of the same, when not in the custody of some one of the supervisors, for use in working the roads of his district, and shall receive such compensation for his services as the township trustees shall provide, to be paid out of such general road fund.

Tp. clerk to give bond for gen'l fund.

Trustee or clerk to have care of tools, &c.

Use of same. Compensation of keeper.

SEC. 7. Each road supervisor shall hereafter receive the sum of one dollar and fifty cents for each day spent in the discharge of his official duties.

Pay of road supervisors, \$1.50.

SEC. 9 [8]. Each supervisor shall require all the able-bodied male residents of his district, between the ages of twenty-one and fifty, to perform two days' labor upon the public highway, between the first day of April and the first day of August of each year.

Men between 21 and 50 to do two days' work a year.

Approved April 7, 1868.