

## CHAPTER 17.

## OBSTRUCTION OF HIGHWAYS.

H. F. 9. AN ACT to Amend Chapter 7 of Title 24 of the Code. [Concerning "Malicious Mischief and Trespass on Property."]

[SECTION 1.] *Section 3992½. Be it enacted by the General Assembly of the State of Iowa,* That chapter 7 of title 24 of the code be and the same is hereby amended by adding thereto the following section, to wit: "If any person without authority or permission from the proper road supervisor shall in any manner obstruct, deface, or injure any public road or highway, by breaking up, plowing, or digging within the boundary lines thereof, he shall upon conviction be punished by a fine of not less than five dollars nor more than twenty-five dollars, or by imprisonment in the county jail not more than thirty days, at the discretion of the court."

Code: Title XXIV., ch. 7.

Penalty for obstructing or defacing roads.

Publication clause.

[SEC. 2.] *Section 3992½.* This act being deemed of immediate importance shall take effect and be in force from and after its publication in The Iowa State Register and State Leader, newspapers published at Des Moines, Iowa.

Approved March 12th, 1874.

I hereby certify that the foregoing act was published at Des Moines in *The Daily Iowa State Register* March 15, and in *The Iowa Daily State Leader* March 16, 1874.

JOSIAH T. YOUNG, Secretary of State.

## CHAPTER 18.

## INTERSECTING RAILWAYS.

S. F. 201. AN ACT to Amend Section[s] 1292 and 1293 of the Code [Title X., Ch. 5: "Of Railways."]

*Be it enacted by the General Assembly of the State of Iowa,* That section[s] 1292 and 1293, of the code, are hereby repealed, and the following enacted in lieu thereof:

Code: §§ 1292 and 1293.

Railways crossing or intersecting others to connect, how.

Companies to draw cars from connecting roads.

Compensation.

"Section 1292. Any railway corporation, operating a railway in this state, intersecting or crossing any other line of railway, of the same gauge, operated by any other company, shall, by means of a Y, or other suitable and proper means, be made to connect with such other railway so intersected or crossed; and railway companies where railroads shall be so connected shall draw over their respective roads the cars of such connecting railway; and also those of any other railway or railways connected with said roads made to connect as aforesaid, and also the cars of all transportation companies or persons, at reasonable terms, and for a compensation not exceeding their ordinary rates.

"Sec. 1293. When such corporations are unable to agree upon the method and terms of connection and rates of transportation, either, or any person interested in having such connection made, may make application to the district or circuit court in any county in which said connection may be desired or located, or to the judge of said courts if in vacation, after ten days' notice in writing to the companies. After hearing the parties, or on default, the said judge shall appoint three disinterested persons, being presidents or superintendents of railways, or experts in railway business, without regard to their place of residence, as commissioners, to determine the method and terms of connection and rules and regulations necessary thereto: *Provided*, That the rates as fixed by the said commissioners, for freights offered or transported in the cars of the company offering the same, shall in no case exceed the local rates per mile fixed by law or set forth in the carrying companies' freight tariff prepared and made public in accordance with the laws of the state."

Application to court or judge when companies disagree: who may make.

Appointment of commission to fix rates.

Rates not to exceed company's tariff.

Approved March 13th, 1874.

## CHAPTER 19.

### OPENING AND WORKING HIGHWAYS.

AN ACT to Amend Title Seven, Chapter One, Section 946 of the Code. H. F. 197.  
[Concerning the Establishment of Highways.]

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

SECTION 1. That title seven, chapter one, section 949 of the code of 1873 be and the same is hereby amended by striking out said section, and inserting in lieu thereof the following: Code; 2949.

"[Sec. 949.] After the highway has been finally established, the plat and field-notes must be recorded by the auditor, and he shall certify the same to the township clerk, and the township clerk shall certify to and direct the supervisor of highways to have the same opened and worked subject to the provisions of the next section."

Plat and field-notes recorded.

Duty of county auditor. Township clerk to notify supervisor.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force on and after its publication in the Des Moines Daily State Register and The Daily State Journal, both newspapers published in Des Moines, Iowa.

Publication clause.

Approved March 14th, 1874.

I hereby certify that the foregoing act was published at Des Moines, in *The Daily State Journal* March 19, and in *The Iowa Daily State Register* March 21, 1874.

JOSIAH T. YOUNG, Secretary of State.