

for the use of said reform school, to commence on or before April 1, A. D., 1878, and for a term of not to exceed five years, with privilege of terminating said lease by giving one year notice after two years, and as soon as practicable after said lease is perfected, to remove said reform school to said locality.

SEC. 2. There is hereby appropriated, out of any funds in the state treasury not otherwise appropriated, the sum of two thousand dollars, to be expended by the board of trustees of said school in preparing and paying rent of buildings for the accommodation of said school. \$2,000 appropriated to rent.

SEC. 3. This act, being deemed of immediate importance, shall be in force from and after its publication in the Iowa State Leader and Iowa State Register, newspapers published at Des Moines, Iowa, the provisions of section 33 of the Code, to the contrary notwithstanding. Publication.

Approved, March 25, 1878.

I hereby certify that the foregoing act was published in the Iowa State Register, and Iowa State Leader, March 30, 1878.

JOSIAH T. YOUNG, *Secretary of State.*

CHAPTER 106.

CEMETERIES.

AN ACT for the Protection of Cemeteries in the State of Iowa.

S. F. 195.

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

SECTION 1. That the trustees, board of directors or other officers having the custody and control of any cemetery in this state shall have power, subject to the by-laws and regulations of said cemetery, to inclose, improve and adorn the grounds of such cemetery, to construct avenues in the same, to erect proper buildings for the use of said cemetery, to prescribe rules for improving or adorning the lots therein, or for the erection of monuments or other memorials of the dead upon such lots; to prohibit any use, division, improvement or adornment of a lot which they may deem improper. Officers in control of, may improve subject to by-laws.

SEC. 2. Any person who shall wilfully and maliciously destroy, mutilate, deface, injure or remove any tomb, vault, monument, gravestone or other structure placed in any public or private cemetery in this state, or any fences, railing or other work for the protection or ornamentation of said cemetery, or of any tomb, vault, monument or gravestone, or other structure aforesaid, on any cemetery lot within such cemetery, or shall wilfully and maliciously destroy, cut, break, or injure any tree, shrub, plant, or lawn within the limits of said cemetery, or shall drive at unusual and forbidden speed over the avenues or roads in said cemetery, Penalty for injuring or defacing graves, etc.

Also liable to
action for
trespass.

or shall drive outside of said avenues and roads and over the grass or graves of said cemetery, shall be deemed guilty of a misdemeanor and shall, upon conviction thereof before any court of competent jurisdiction, be punished by a fine of not less than five dollars, nor more than one hundred dollars, or by imprisonment in the county jail for a term of not less than one nor more than thirty days, in the discretion of the court, and such offender shall also be liable in an action of trespass in the name of the person or corporation having the custody and control of said cemetery grounds, to pay all such damages as have been occasioned by his unlawful act or acts, which money, when recovered, shall be applied by said person or corporation to the reparation and restoration of the property so injured or destroyed, if the same can be so repaired or restored.

Trustees may
appoint
watchmen

SEC. 3. It shall be lawful for the trustees, directors, or other officers having the custody and control of any cemetery in this state, to appoint as many day and night watchmen of their grounds as they may think expedient; and such watchmen, and also all their sextons, superintendents, gardeners, and agents stationed upon or near said grounds, are hereby authorized to take and subscribe before any mayor of a city, or justice of the peace of the township where such cemetery is situated, an oath of office similar to that required by law of constables, and upon the taking of such oath, such watchmen, sextons, superintendents, gardeners and agents, shall have, exercise and possess all the powers of police officers within and adjacent to the cemetery grounds, and they and each of them shall have power to arrest any and all persons engaged in violating the laws of this state in reference to the protection, care and preservation of cemeteries, and of the trees, shrubbery, plants, structures, grass and adornments therein, and to bring such person so offending before any justice of the peace within such township, to be dealt with according to law.

With powers
of police offi-
cers.

Publication.

SEC. 4. This act, being deemed of immediate importance, shall be in force from and after its publication in the Des Moines Register, and Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved, March 25, 1878.

I hereby certify that the foregoing act was published in the *Iowa State Register*, March 29, and in the *Iowa State Leader*, April 2, 1878.

JOSIAH T. YOUNG, *Secretary of State*,