

## CHAPTER 29.

## CHANGING THE MANNER OF SELECTING RAILROAD COMMISSIONERS.

H. F. 85.

**AN ACT** to Change the Manner of Selecting Railroad Commissioners and to Repeal Sections 2 and 8, Chapter 77, Acts of the 17th General Assembly and to Provide for the Election of and to Prescribe the Qualification of Railroad Commissioners and for the Appointment of a Secretary.

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

**SECTION 1.** That sections 2, and 8, of chapter 77, acts of the 17th General Assembly and all acts and parts of acts inconsistent with this act are hereby repealed.

Election of  
three persons  
as R. R. Com-  
missioners.

**SEC. 2.** That at the regular election in the year 1888, there shall be three persons having the qualification of electors, in the places where they shall respectively reside in the State of Iowa, chosen by the electors of the State, from the body of the electors of said State, who, when they shall have taken the oath of office and given such bond as may be required of them by the Governor of the State, shall be known and styled the Board of Railroad Commissioners of the State of Iowa. They shall hold office, beginning on the second Monday in January, 1889, for the period of one, two, and three years respectively, as shall be decided between them by lot at their first meeting as a board in such manner as may be designated by the Secretary of State. At the regular election in the year 1889, and every year thereafter at each such election there shall be chosen one person as commissioner, having the qualification hereinbefore and hereinafter described, who shall hold his office for three years from the second Monday in January after his election, and until his successor is elected and qualified. Said person shall fill the vacancy caused by the expiration of the term of the commissioner whose term expires on the second Monday in January following his said election. It shall organize on each second Monday in every year immediately after the new member has been qualified and if for any cause this is not done, it may be done at a subsequent meeting. The organization shall be by the selection of one member as chairman and a person having the qualifications here-in-before and here-in-after described for a commissioner as secretary. The board shall have power to employ such additional clerical help as it may deem necessary and for the good of the service. No person in the employ of any common carrier or owning any bonds, stock, or property, in any railroad company, or who is in any way or manner pecuniarily interested in any railroad corporation shall be eligible to the office of railroad commissioner and the entering into the employ of any common carrier, or the acquiring of any stock or other

Employment  
of clerical  
help.

interest in any common carrier by any officer under this act after his election or appointment shall disqualify him to hold the office, and to perform the duties thereof.

SEC. 3. All vacancies in the office of railroad commissioners shall be filled by appointment of the Governor. The person appointed to serve until his successor is elected and qualified. The board of commissioners as constituted by chapter 77, acts 17th General Assembly shall hold office and have all powers conferred upon them by chapter 77, acts of the 17th General Assembly and acts amendatory thereto and such other powers and authority as are now or may hereafter be conferred upon them by law until commissioners shall be chosen and enter upon their duties as contemplated by this act.

Vacancies to be filled by appointment of Governor.

SEC. 4. The canvass of votes cast for election of commissioners provided for in this act shall be made and returns and abstracts thereof and relating thereto be made, certified and forwarded and results of said election declared (by the executive council) in all respects in the same manner and by the same officers and boards as now provided by law for canvassing, making, certifying, forwarding and declaring the same as to other State officers.

Canvass of votes cast.

SEC. 5. The commissioners chosen under this act shall have all the powers that are conferred upon the railway commission by chapter 77 acts of the 17th General Assembly, and such other powers and authority as may be now or shall hereafter be imposed by law.

Powers.

Approved April 6, 1888.

## CHAPTER 30.

### REQUIRING RAILROAD COMPANIES TO FENCE TRACKS.

AN ACT Requiring Rail-road Companies to Fence Their Tracks within the State of Iowa, and to Keep the Fences in Good Repair. S. F. 7.

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

SECTION 1. That all railroad corporations organized under the laws of this State, or any other State, owning or operating a line of railroad within this State, which have not already erected a lawful fence, shall construct, maintain and keep in good repair a suitable fence of posts and barb wire, or posts and boards on each side of the tracks of said railroad within the State of Iowa, and so connected with cattle guards at all public highway crossings as to prevent cattle, horses and other live stock from getting on the railroad tracks. Said railroad tracks to be fenced by said railroad companies, on or before January 1, 1890 where the railroads are now built, and within six months after the

Railway companies to fence their tracks.