

WHEREAS, Such a library is necessary for the instruction of the inmates and the good order and discipline of said penitentiary, and there being no provision made by law for the speedy substitution of such library; therefore,

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

SECTION 1. That chapter 63 of the acts of the Twenty-third General Assembly of the State of Iowa is hereby repealed and the following enacted in lieu thereof: Ch. 63, 1890, repealed.

SEC. 2. That the remainder of the money so appropriated for said Prisoners' Aid Association, and which has not been drawn from the state, to-wit: the sum of \$704.65, be and the same is hereby appropriated to aid in procuring a library for the State Penitentiary at Anamosa to replace the one recently destroyed by fire. The Governor shall appoint a committee of three suitable persons to select the books for said library, who shall serve without compensation. Money appropriated to procure library.

SEC. 3. The money thus appropriated shall be drawn on the requisition of the warden of said penitentiary at such time and in such sums as he shall deem necessary. How drawn.

SEC. 4. This act being deemed of immediate importance shall take effect from and after its publication in the Iowa State Register and the Des Moines Leader. Take effect.

Approved May 5, 1897.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, May 7, 1897.

G. L. DOBSON,
Secretary of State.

CHAPTER 20.

AN ACT to provide for the annotation, indexing, publication, distribution, and sale of the code, and statutes hereafter enacted, and the appointment of a supervising committee and the election of an editor, and prescribing their duties.

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

SECTION 1. Former revisions and codes shall be cited and designated as follows: Code of 1851, revision of 1860, code of 1873, and the revision and codification passed and adopted at the extra session of the Twenty-sixth General Assembly, "the code." Revisions and codes—how designated.

SEC. 2. The Twenty-sixth General Assembly shall, on or before the third legislative day after the passage of this act and before the day of the adjournment of the extra session thereof, convene in joint session and select by viva voce vote in a non-partisan manner, upon a roll call of the members, an editor of the code, who shall perform the duties hereinafter defined. A joint committee, consisting of two members of the senate and three of the house, shall be elected by the senate and the house, Selection of editor.
Election of supervising committee.

respectively, to have general supervision of the work of annotation, indexing and publication of the code, and the members thereof shall be allowed actual expenses for attending its meetings, which shall be at the capital, and such committee shall be known and designated as the code supervising committee.

Binding of
enrolled bills.

SEC. 3. The secretary of state shall, as soon as possible, cause all the enrolled bills comprising the code to be bound by the state binder in such volumes as shall be most convenient, which shall be delivered only to the chairman of the code supervising committee, who shall be responsible therefor and keep the same safe from fire or loss or damage by other cause, and shall return the same upon completion of his work, free from interlineation, memoranda, erasure, or alteration whatever, except as herein provided.

Annotation.

SEC. 4. The code supervising committee shall cause the code to be annotated and require the persons employed for that purpose, as hereinafter provided, to classify and cite immediately under each section, giving the names of parties, book and page, all of the decisions of the supreme court of Iowa which may aid in understanding or explaining the same, stating briefly the pertinent points decided, also the decisions of the supreme court of the United States, of the United States circuit court of appeals, and, as far as practicable, of the United States circuit and district courts, construing statutes of Iowa.

Three attorneys shall be employed to annotate.

SEC. 5. For the purpose of accomplishing such annotation so that the work shall be done in time to be published as a part of said code, the code supervising committee shall employ three competent attorneys to annotate said code, the committee designating the titles and parts of the code for the different annotators to be employed upon, so as to keep the printers constantly supplied with copy and accomplish dispatch in the prosecution of the work; the committee to have the authority to employ additional annotators or editorial assistants, stenographers and clerks necessary to complete the work by the time required and to direct generally the prosecution of the work, in all not to cost to exceed seven thousand five hundred dollars for such annotation.

Power to employ additional annotators conferred

Comp'n'sation

SEC. 6. The compensation of such persons so employed to make and provide such annotation shall be not to exceed one thousand two hundred and fifty dollars each, and actual railway expenses of meeting and conferring together and with the code supervising committee. It shall be the duty of such persons so employed to annotate, to proceed immediately to the discharge of their respective duties, to the end that the same be completed on or before the first day of October, 1897. For any failure to properly prosecute their work with diligence the code

supervising committee may discharge such attorney or attorneys and employ others in their stead, and for like reason may discharge any successor. The said annotators shall be compensated only for the time actually employed not to exceed ten dollars per day for each calendar day, and their accounts for such services to be sworn to and then audited and allowed by the code supervising committee and approved by the executive council. Such persons so employed to annotate shall furnish their manuscript typewritten.

SEC. 7. The Code Supervising Committee shall supervise in all things the entire work of editing and annotating the code, and in case of neglect or inability to act on the part of such editor, said committee may discharge him and employ another editor in his stead and for like reasons may discharge any successor.

Code committee shall supervise.

SEC. 8. The editor shall arrange and number consecutively and in a convenient and suitable manner, sections, subdivisions, titles, and parts of the code, and the chapters of each title shall be numbered separately, and he shall cause to be printed in parentheses at the end of each section the numbers of corresponding sections of the code of 1873, the revision of 1860, and the code of 1851, in the order named, and references to session laws so far as practicable.

Arrangement and numeration of sections, etc.

SEC. 9. He shall prepare suitable catch words to be printed at the beginning of each section in black faced type; he shall read the proofs; correct all manifest grammatical and clerical errors in the code; and attend to its proper punctuation, but shall not change the meaning thereby; and shall note all such corrections, or changes in punctuation, on the enrolled bills in red ink. He shall sign any corrections, except in punctuation, made by him, with his name, and any unauthorized correction or change made on the enrolled bills by the editor, or any change made by any other person than the editor, shall be deemed a forgery and punished accordingly.

Catch words, errors and punctuation.

SEC. 10. He shall prepare for publication with the code the rules of the Supreme Court with annotations.

Rules of supreme court.

SEC. 11. He shall also prepare for publication and publish with the code a prefix thereto which shall contain the Declaration of Independence, the Constitution of the United States, the statutes of the United States relating to citizenship and naturalization, and those relating to the authentication of statutes, records, and the like, the ordinance of 1787 and the articles of compact, the organic law of Michigan, of Wisconsin, and of Iowa, and amendments thereto, the act for the admission of Iowa into the Union, the Constitution of the State of Iowa annotated as hereinbefore provided for by the code, and this act, and an analysis of the contents and table of abbreviations. He shall

Prefix to the code; copyright; index.

also copyright the code of 1897, its indexing, numbering of titles, chapters and sections, annotations, and its entire arrangement and publication, and assign such copyright to the State of Iowa. The editor shall also prepare a suitable, exhaustive, and plain index to said code with cross references in the usual manner of indexing statutes and codes of laws, accomplishing as near as practicable with extraordinary care and diligence a perfect index.

Printing and
binding.

SEC. 12. The Code Supervising Committee shall cause said code to be well made of first class materials, printed and bound in full law sheep in one volume, to be hand sewed and in accordance with the best workmanship and methods of publishing law books. The main body of the code, the prefix, index and appendices shall be printed in new, clear cut, plain long primer type, and the annotations in brevier of same quality, double columns, all set solid, on paper of the size as near as may be to the supplement to the revised statutes of the United States, the leaves to be seven and one-half inches in width by ten and three-quarters in length, the printed matter to be five inches by eight and one-half inches. The State Binder shall furnish all the material and do all the work of binding these codes in the manner herein provided for the sum and price not to exceed one dollar a volume. The State Printer shall furnish the type and set the same and do all the work of printing the codes in the manner herein provided for the sum and price not to exceed thirty-eight cents a copy or volume; the state to furnish the paper for such codes, and the electrotypes and the work of electrotyping the same. The State Printer shall deliver the type in page forms to the person employed by the Code Supervising Committee to electrotype the same. The Code Supervising Committee shall procure the pages of the code to be electrotyped; the state to furnish the metal and own the electrotypes which shall be in the custody of the Secretary of State and be carefully preserved by him; the bills for electrotyping to be verified and audited and allowed by the Code Supervising Committee and approved by the Executive Council. If the printed pages of the code exceed in number two thousand pages the State Printer shall receive pro rata compensation for such excess. The work must be done to the satisfaction and approval of said Code Supervising Committee and to commence as soon as matter or copy is furnished and continue as rapidly as practicable so that the code of 1897 shall be ready for distribution on or before the first day of October, 1897.

Publication.

SEC. 13. The editor shall begin to deliver manuscript of the code and annotations to the printer within thirty days from the time of receiving the enrolled bills from the chairman of the supervising committee and the work of publication, printing and binding the code shall be done

as speedily as is consistent with good work, and the whole shall be completed and ready for distribution and on sale on or before October 1, 1897.

SEC. 14. The State Binder shall deliver one thousand copies to the Secretary of State within ten days after receiving the last printed matter, and at the rate of two thousand, five hundred per week thereafter until all are completed. State binder to deliver to Secretary of State.

SEC. 15. The editor of the code shall be provided with a stenographer or clerk whose compensation shall be, not to exceed the sum of fifty dollars per month or the aggregate sum of two hundred and fifty dollars. Comp'nation of stenographer.

SEC. 16. As soon as five hundred copies of the code are printed and bound to the satisfaction of the editor and Code Supervising Committee, the same shall be deposited with the Secretary of State, and so on until all are completed, and the Secretary of State shall be the custodian thereof, and shall distribute the same as follows: To the Governor, all Judges of the Supreme Court and Judges of the United States Circuit and District Courts in Iowa, two copies each; state officers, district and superior courts, members of the Twenty-sixth and succeeding General Assemblies, the Secretary of the Senate, Clerk of the House, state territorial libraries in the United States, county officers, mayor of each city or town, justices of the peace, township clerks, public libraries of the state, each one copy; to the State Library twenty copies, State University ten copies; to the Agricultural College and the State Normal School, each two copies; and to each of the other public institutions of the state, one copy; and said code shall be sold to the public generally at the uniform price of not more than five dollars, the price to be fixed by the executive council and the proceeds of said sale shall be accounted for to the Secretary of State and paid into the state treasury. Distribution.

SEC. 17. For the convenience of distribution the Secretary of State shall deliver to the auditor of each county the requisite number therefor, to be distributed as herein provided, who shall in turn deliver the same to the persons entitled thereto, and take their receipts for the same, and keep a memorandum thereof on file in his office. Distribution by county auditors.

SEC. 18. The Secretary of State may also deliver to each county auditor such number of copies of the code as in his judgment will be required to supply the demand, who shall sell such copies at the price fixed under the provision of Section 16 hereof, at not more than five dollars per copy, and pay the proceeds into the county treasury on or before the 15th day of November of each year. Each county auditor shall, upon receipt of the copies transmitted to him, execute receipts therefor in duplicate, one of which he shall immediately transmit to the Secretary of State, and the other to the State Auditor. For sale by county auditors.

Statement of
copies sold. SEC. 19. The said county auditor shall also on or before the 15th day of November of each year, make out in writing under oath a statement of the number of copies sold by him and not before accounted for, and the number remaining on hand, and the amount paid to the county treasurer, and transmit such statement to the Auditor of State, who shall charge the county treasurer with such amount, and the Secretary of State shall certify to the Auditor the number of copies transmitted to each county auditor, and the State Auditor shall charge each county auditor therewith, and subsequently credit him with such as may be sold or otherwise lawfully disposed of.

Copies delivered to successors. SEC. 20. When the county auditor goes out of office having any such copies remaining, he shall deliver them to his successor, taking his receipt therefor in duplicate, one of which shall be sent to the State Auditor, which shall be his sufficient discharge for the same; and every county officer, justice of the peace, and mayor of city or town, and township clerk, receiving a copy shall give his receipt therefor, and shall pass the copy to his successor or deliver it to the auditor for the use of subsequent officers, and each shall be liable therefor on his official bond.

Compensation of editor. SEC. 21. The editor of the code shall receive as his compensation the sum of one thousand five hundred dollars to be audited by the Code Supervising Committee and Executive Council and paid as the work progresses. Said sum shall be in full for the entire service to be rendered by the editor under the provisions of this chapter, and for all his work of editing said code and indexing the same.

Number published. SEC. 22. There shall be published fifteen thousand copies of the code.

Selection of materials; auditing and approving bills. SEC. 23. The Executive Council with the advice of the editor and Code Supervising Committee shall select and approve the paper and other materials for said code, and shall audit all bills for the same, and shall approve all bills for expenses of printing, binding and distribution.

Selection of editor. SEC. 24. The Twentyninth General Assembly and each third General Assembly thereafter shall select in a manner as provided in Sec. 2. hereof for the selection of editor some competent and suitable person to compile, annotate and superintend the publication of the statutes of a general or permanent nature enacted after the adoption of the code.

Compilation, distribution and sale. SEC. 25. Such compilation shall in all respects so far as applicable be numbered, annotated, indexed, printed, bound, published and distributed to the same persons, and sold and accounted for in the same manner as herein provided for the code, and the price thereof shall not be more than one dollar and fifty cents each.

Auditing and allowing bills. SEC. 26. The Code Supervising Committee shall audit and allow all bills contracted under the provisions of this

act as the work progresses subject to the approval of the Executive Council.

SEC. 27. The code as herein provided to be published and distributed shall be the official edition and the only authoritative publication of the existing laws of the State, and no other publication of the laws of the State shall be used in the courts or referred to in the decisions, by title, chapter or section in the reports of the same; and the Secretary of State and all other persons are hereby prohibited from delivering or permitting to be copied any acts or resolutions or copies thereof passed at this special session of the General Assembly except as herein provided until after the code goes into effect; and the code or any part thereof shall be published only in the manner herein or hereafter provided by the General Assembly; and the rules of the Supreme Court providing for the citations of sections of the laws of this State shall designate the same as contained and numbered in the official code of 1897. No public money shall be paid or expended for any publication of the laws of the State except for those published by authority of the State, and any such purchase or publication herein prohibited shall be a misdemeanor.

SEC. 28. There is hereby appropriated out of any money in the treasury not otherwise appropriated, an amount sufficient to defray all expenses incurred in carrying out the provisions of this act.

SEC. 29. All acts or parts of acts inconsistent with this act are hereby repealed. 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 Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved May 4, 1897.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader May 5, 1897.

G. L. DOBSON,
Secretary of State.

CHAPTER 21.

AN ACT to amend an act entitled "an act to provide for the annotation, indexing, publication, distribution, and sale of the code and statutes hereinafter enacted and the appointment of a supervising committee, the election of an editor and prescribing his duties," approved May 4th, 1897, and to legalize the action of the supervising committee.

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

SECTION 1. That there be added to section 5 of the said act the following words: or said supervising committee may employ Emlin McClain to furnish the annotations for the said code at a price not to exceed the said sum of seven

Official
publication.

Appropriat'ns

Take effect.

S. F. 113.

Committee
may employ
E. McClain.