

to be erected in a suitable and conspicuous place in said cemetery. The material to be used and the manner of construction shall be such as to render the monument durable and permanent; and it shall bear a concise and brief statement, as far as known, of the life, public services, death and burial of the said Charles Shepherd; a description, according to government survey, of the tract of land in which the remains were buried; also a statement of the fact that the monument is erected by the state of Iowa, assisted by McFarland post, G. A. R., of Mount Pleasant, Iowa, and the "Daughters of the American Revolution."

**SEC. 3. Conditions—auditor to issue warrant.** The material, style and cost of said monument shall be determined by said post, except that the entire cost, when said work is completed, shall not exceed the amount of this appropriation, and, provided that the monument shall be placed on a suitable lot, the title of which is vested either in the city of Mount Pleasant, or in said McFarland post, and, provided further, that no part of this appropriation shall be used either for the purchase of ground or for superintendence. The auditor of state shall issue a warrant on the state treasury, payable to said McFarland post, for such sum as shall be required to pay for the monument and the erection thereof, provided for in this act, when the officers of said post shall file in said auditor's office a statement over their official signatures showing that said monument has been purchased and erected in accordance with the provisions of this act, which statement shall show a detailed account of the cost of said work.

Approved April 10, 1902.

## CHAPTER 199.

PAVING STATE'S PORTION OF EAST WALNUT STREET BETWEEN FOURTEENTH AND FIFTEENTH STREETS.

H. F. 322.

AN ACT to appropriate money to pay for paving the state's portion of East Walnut street between Fourteenth and Fifteenth streets adjoining the state's property.

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

**SECTION 1. Amount appropriated.** That there be and hereby is appropriated out of the money in the state treasury not otherwise appropriated the sum of twenty-five hundred dollars (\$2500.00) or so much thereof as may be necessary for the purpose of paving the state's portion of the paving on East Walnut street from Fourteenth street to Fifteenth street.

**SEC. 2. When paid.** The same or as much as is necessary to be paid out only on the certificate of the city clerk that the work has been properly done.

Approved April 11, 1902.

## CHAPTER 200.

SUBSTITUTES FOR INFECTED ARTICLES DESTROYED ON TAMA INDIAN RESERVATION.

S. F. 276.

AN ACT to appropriate seven thousand dollars, or so much thereof as may be necessary, to supply the Indians on the reservation in Tama county with substitutes for things to be destroyed on account of being infected with disease.

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

**SECTION 1. Appropriation—how expended.** There is hereby appropriated from the state treasury the sum of seven thousand dollars, or so much thereof as may be necessary to accomplish the objects hereinafter mentioned, which sum is placed at the disposal of the executive council of the state of Iowa, to be expended under its direction.

**SEC. 2. Destruction of infected property—purchase of substitute property.** The state board of health, in conjunction with the agent of the United States in charge of the Indians on the reservation in Tama county, shall immediately destroy whatever property of the said Indians may be found to be infected with contagious disease; and there shall be supplied to the several Indians whose property is thus destroyed such substitute or substitutes therefor as will cover their loss and prevent hardship and suffering. Said board and agent shall also thoroughly fumigate and disinfect whatever remains in the said camp and which may be dangerous to the public health. The purchases of property substituted for that so destroyed shall be approved by the executive council, and upon the voucher or vouchers of said executive council, the auditor of state shall draw his warrants upon the treasury for any sum or sums so expended, not exceeding the appropriation above named.

**SEC. 3. In effect.** This act, being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in the city of Des Moines, Polk county, Iowa.

Approved March 5, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 6, 1902.

W. B. MARTIN,  
*Secretary of State.*

## CHAPTER 201.

### ERECTION OF FISHWAY IN THE BONAPARTE DAM.

S. F. 218.

**AN ACT** to provide for the condemnation of a fishway and for the erection of a fishway in the Bonaparte dam. Also making an appropriation for the expenses thereof and prescribing penalties for injuring or destroying such fishway.

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

**SECTION 1. Condemnation proceedings—how instituted.** That the attorney-general of this state is hereby authorized and directed within six months from the passage of this act, to institute proceedings in the name of the state of Iowa against the owners and parties in possession of the dam across the Des Moines river at Bonaparte, Iowa, to condemn and appropriate for the use of the state the right to erect and maintain a fishway in the river and dam sufficient to afford free passage for fish from the river below said dam to the waters in the river above the same, and to take all necessary steps to carry out the purposes of this act.

**SEC. 2. Notice—appeal.** The condemnation proceedings hereby authorized shall be the same so far as practicable, and the same notice shall be given as is now provided by law for taking and holding real estate by railway corporations organized in this state and the parties shall have the same right of appeal as in cases of condemnation proceedings instituted by a railway corporation.

**SEC. 3. Damages—auditor to draw warrant.** When the amount of damages in such condemnation proceedings shall have been ascertained in the manner herein provided and duly certified to the auditor of state, he shall draw his warrant for the amount thereof on the state treasurer in favor of the party or parties entitled thereto.

**SEC. 4. Erection of fishway—cost—how paid.** As soon as said damages shall have been assessed by the jury selected for such purpose and the amount thereof paid, it shall be the duty of the state fish and game warden to cause to be erected a substantial and permanent fishway in said dam, of suitable capacity and facilities to afford a free passage of fish up and down the same while