

**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

the water is running over such dam, and of the most approved pattern. The warden shall personally superintend the construction of such fishway and shall certify the cost of the same to the state auditor who shall thereupon draw his warrant on the state treasurer for the amount thereof.

SEC. 5. **Appropriation—governor to approve.** There is hereby appropriated from any moneys in the state treasury not otherwise appropriated, a sufficient sum to pay the warrants herein authorized. But no money shall be expended for any purpose provided by this act until approved by the governor of the state who shall determine whether the amount fixed in the condemnation proceedings shall be paid or refused.

SEC. 6. **Injury or destruction of fishway—penalty.** Any person who shall wilfully injure or destroy the fishway so erected or maintained, shall be guilty of a misdemeanor and upon conviction thereof shall be subjected to the same penalties as are provided in section 2550 of the code.

SEC. 7. **In effect.** 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 the Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 2, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader April 3, 1902.

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

## CHAPTER 202.

### PORTRAIT OF JAMES HARLAN.

H. F. 454.

AN ACT making an appropriation for the purchase of a portrait of the late James Harlan for the gallery of portraits in the art gallery of the historical department at Des Moines, Iowa.

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

SECTION 1. **Amount appropriated—executive council to purchase.** There is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of one thousand dollars, or so much thereof as may be required for the purpose, for the purchase of an oil portrait of Hon. James Harlan, senator from Iowa in the United States Senate from 1855 to 1865 and from 1867 to 1873, and the executive council is hereby created a commission to make the purchase of the same.

Approved April 12, 1902.

## CHAPTER 203.

### TO REIMBURSE F. M. POWELL OF GLENWOOD.

H. F. 148.

AN ACT to reimburse F. M. Powell for money paid by him to secure the vacation of a public road for the benefit of the institution for feeble-minded children at Glenwood.

WHEREAS F. M. Powell, of Glenwood, for the purpose of securing the vacation of a public road through the grounds of the institution for feeble-minded children at Glenwood, did, during the year 1901, pay the sum of one hundred sixty dollars (\$160.00) for a right of way for a public road in lieu of the one through the institution grounds; and

WHEREAS a public road was established over the right of way thus purchased and the one through the institution grounds was vacated to the great benefit, of the institution; therefore