

I hereby certify that the foregoing act was published in the Des Moines Daily Capital March 25, 1904, and the Register and Leader March 26, 1904.

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

## CHAPTER 190.

### RIGHT OF WAY OVER CERTAIN GROUNDS OF THE STATE.

S. F. 258.

AN ACT authorizing the executive council of the state to grant the right of way to the Chicago, Anamosa & Northern Railway Company over and across the east half of the southwest quarter of section thirty-three (33), township eighty-five (85), range four (4), west of the fifth principal meridian.

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

SECTION 1. **Authority to grant and convey.** That the executive council of the state be and it is hereby authorized and empowered to grant and convey to the Chicago, Anamosa & Northern Railway Company a right of way one hundred (100) feet in width over and across the east half of the southwest quarter of section thirty-three (33), township eighty-five (85), range four (4), west of the fifth principal meridian, in Jones county, Iowa, on and along the line of said railway as now surveyed and located, and following, as nearly as practicable, the old abandoned grade known as the Wapsie Valley Railroad grade across said land; such right of way to be granted upon such terms and conditions as may be imposed by the executive council.

SEC. 2. **In effect.** This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the "Register and Leader" and the "Des Moines Daily Capital," newspapers published at the city of Des Moines, Iowa.

Approved April 6, A. D. 1904.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Daily Capital, April 8, 1904.

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

## CHAPTER 191.

### CONSTRUCTION OF ELECTRIC RAILWAY OVER CERTAIN GROUNDS OF THE STATE.

S. F. 896.

AN ACT empowering the executive council to authorize the location, construction, maintenance, and operation of an electric line of railway over, upon and across certain lands belonging to the state of Iowa.

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

SECTION 1. **Authority to grant right of way.** That the executive council be and they are hereby authorized and empowered to grant proper and convenient right of way to any duly incorporated railway company desiring to locate its contemplated line of railway over, upon and across the lands belonging to the state of Iowa, known as the Iowa Industrial School lands, at or near the city of Eldora, upon such terms and conditions as said executive council may deem advisable.

SEC. 2. **Preliminary surveys—approval—deed.** Any railway company duly incorporated contemplating the location, construction, maintenance and operation of its line of proposed railway upon and across said lands shall make the necessary preliminary surveys, maps and profiles defining its line,

and submit the same to said executive council and if the same shall meet the approval of said executive council, and upon payment by said company to the state treasurer of the compensation agreed upon, the governor of Iowa shall execute and deliver to said railway company, its successors or assigns, a deed for said right of way.

**SEC. 3. Suitable sidings—depot.** In considering the advisability of granting such right of way, the executive council will take into consideration the feasibility of suitable sidings, depot and other facilities for the convenient handling of freights, and the accommodation of passengers as may be reasonably afforded by the operation of the line of railway proposed to be located, constructed, maintained and operated over, upon and across said industrial school lands; and said executive council shall, as one of the conditions, require the construction of a proper siding to the coal house located at said school.

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

Approved April 13, A. D. 1904.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Daily Capital, April 15, 1904.

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

## CHAPTER 192.

### RIGHT OF WAY OVER GROUNDS OF STATE INSTITUTION AT COUNCIL BLUFFS.

H. F. 241.

AN ACT to authorize the granting to the Council Bluffs, Tabor & Southern Electric Railway company, its successors or assigns, a right of way through lands owned by the state of Iowa and used by the school for the deaf, at Council Bluffs, Iowa.

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

**SECTION 1. Authority to acquire right of way.** That the Council Bluffs, Tabor & Southern Electric Railway company, its successors or assigns, are hereby authorized to acquire a right of way over and through lands of the state used in connection with the school for the deaf at Council Bluffs, Iowa, upon the terms and conditions herein provided.

**SEC. 2. Terms and conditions.** That said railway company, its successors or assigns, shall furnish to the executive council, a plat showing its proposed line of road through said premises, and upon the approval of said location by said council, it shall issue a certificate to that effect, which certificate shall confer upon said railway company the right to acquire the said right of way, as provided in chapter IV (4) title X (10) of the code, but no such right of way shall be acquired without the approval of the said council. In the event of the approval of location as aforesaid, the council is authorized to negotiate for and agree upon the damages sustained by the state by reason of the taking of said right of way; but the said executive council shall, as one of the conditions require said railway company to establish and maintain at a point convenient to said school a suitable station, at which to receive and discharge passengers, and to construct a switch to the coal house at said school.

**SEC. 3. Deed.** Upon the payment by said company to the state treasurer of the compensation and value so fixed, the governor of Iowa shall execute and deliver to the said company a deed conveying to the said company, its successors or assigns, the said right of way.