

SEC. 5. *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 Capital, newspapers published in the city of Des Moines, Iowa.

Approved March 28, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, March 30, 1907, and the Register and Leader, April 2, 1907.

W. C. HAYWARD.
Secretary of State.

CHAPTER 96.

CATTLE GUARDS AT PRIVATE CROSSINGS OF RAILWAYS.

H. F. 385.

AN ACT to amend section two thousand twenty-two (2022) of the code, relating to cattle guards at private crossings of railways.

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

SECTION 1. **Causeway—cattle guards—cross fences.** That section two thousand twenty-two (2022) of the code be amended by striking out all of said section after the word "repair", in the third line thereof and inserting in lieu thereof the following: "a sufficient causeway or other adequate means of crossing the same and one cattle-guard on each side thereof connected by cross fences to the right of way fence on each side of the right of way, at such reasonable place as may be designated by the owner."

Approved April 5, A. D. 1907.

CHAPTER 97.

INTERURBAN OR STREET RAILWAY OVER HIGHWAYS.

H. F. 421.

AN ACT to repeal section two thousand and twenty-six (2026) of the supplement to the code, and chapter eighty-seven (87) of the acts of the Thirty-first General Assembly, and to enact a substitute therefor, relating to street railways over highways.

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

SECTION 1. **Repealed—interurban or street railway over highways.** That section two thousand and twenty-six (2026) of the supplement to the code, and chapter eighty-seven (87) of the acts of the Thirty-first General Assembly be and the same are hereby repealed, and the following enacted in lieu thereof:

"Any interurban or street railway, may for the purpose of constructing or extending its line locate, build and operate its road by any power other than steam, over and along any portion of the public road, beyond the limits of any city or town, which is one hundred feet or more wide. It shall as soon as practicable put the road in as good repair as it was before its use for such railway. Boards of supervisors are authorized to accept for road purposes conveyances of land adjoining any such road or part thereof sufficient to increase the same to the width of one hundred feet; but in any county in which

such company desires to operate its line of railway over a road not less than sixty feet in width, for a distance not over two miles, beyond the limits of a city or town, the board of supervisors may grant the right to it to operate its line over said road, not exceeding two miles, under such rules and regulations as said board may prescribe, and may also from time to time make such further reasonable regulations as may be necessary. Where an interurban railway desires to operate its lines along or upon a public highway beyond the limits of any city or town, and in the opinion of the board of supervisors of the county in which such highway is located, it is impracticable or inexpedient to increase the width thereof to one hundred feet, such board of supervisors may permit such interurban railway company to construct and operate its railway along and upon such highway, under such restrictions and regulations as the board may deem advisable; but no such railway shall construct or operate its line along or upon such highway until a written statement of consent of two-thirds of the residents owning property abutting upon such highway shall have been obtained and filed with the auditor of the county in which the highway is located; but no such written consent signed by any abutting land owner shall be construed to waive any claim for damages he may have on account of the location and construction of such railway upon and along the highway in front of the premises unless expressly so stated therein, and no such written consent shall have the effect to deprive any other abutting land owner of his right to recover damages therefor. And in all cases the location, construction and operation of such interurban railway shall be subject to the provisions of section two thousand twenty-seven (2027) of the code."

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

Approved April 13, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, April 16, 1907.

W. C. HAYWARD,
Secretary of State.

CHAPTER 98.

AUTOMOBILE RAILWAYS.

H. F. 435.

AN ACT defining, regulating and conferring rights and powers upon automobile railways, additional to chapter four (4), title ten (X) of the code.

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

SECTION 1. **Automobile railway—statutes applicable.** Any system of railway operating cars within the state of Iowa over or upon any track other than steel or iron shall be known as an automobile railway, and shall be a work of internal improvement. The words "railway", "railway company", "railway corporation", "railroad", "railroad company" or "railroad corporation", as used in the code and acts of the General Assembly now in force or hereafter enacted, are hereby declared to apply to, and include, automobile railways, and all companies or corporations owning or operating such automobile railways, and all provisions of the code and acts of the General As-