

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-

sembly now in force or hereafter enacted affecting railways, railway companies, railway corporations, railroads, railroad companies or railroad corporations, are hereby declared to affect and apply in full force and effect to all automobile railways and to all automobile railway companies owning or operating such automobile railways.

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

Approved April 4, A. D. 1907.

I hereby certify that the foregoing act was published in the Des Moines Capital, April 5, 1907, and the Register and Leader, April 6, 1907.

W. C. HAYWARD,
Secretary of State.

CHAPTER 99.

CONDITIONAL SALE OR LEASE OF POWER HOUSE AND ELECTRICAL EQUIPMENT.

S. F. 340.

AN ACT amending section two thousand and fifty-one (2051) of the code, relating to the conditional sale or lease of railroad or street railway equipment or rolling stock, so as to provide for the conditional sale or lease of power house and electrical equipment of interurban or street railways or of electric light and power companies or of steam heating companies.

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

SECTION 1. **Power house and electrical equipment.** That section two thousand and fifty-one (2051) of the code be and the same is hereby amended by inserting after the word "stock" in the second line thereof the following words, "or power house, electric or other equipment of street or interurban railways or of electric light and power companies or of steam heating companies, such equipment including engines, boilers, generators, switch boards, transformers, motors and other machinery and appliances;" and by inserting after the word "engine" in the first line of the third sub-division of said section a comma and following said comma the words "stationary engine, boiler, switch board, transformer, motor, other piece of machinery or appliance".

Approved April 4, A. D. 1907.

CHAPTER 100.

FENCES CONSTRUCTED BY RAILROAD COMPANIES.

H. F. 63.

AN ACT to repeal section two thousand and fifty-seven (2057) of the code, relating to fences required to be constructed by railroad companies, and enacting a substitute therefor.

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

SECTION 1. **Repealed—fences required.** That section two thousand and fifty-seven (2057) of the code be and the same is hereby repealed, and the following enacted in lieu thereof: