

CHAPTER 73.

DESTRUCTION OF BALLOTS.

H. F. 439.

AN ACT to amend section eleven hundred forty-three (1143) of the code relating to destruction of ballots.

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

SECTION 1. Destruction of primary election ballots. That section eleven hundred forty-three (1143) of the code be, and the same is hereby amended, by inserting after the word "burning", in the eleventh line of the said section, the words "provided however that the ballots cast at a primary election shall, where no contest is pending, be destroyed ten days prior to the holding of the general election following the primary election at which said ballots were cast."

Approved April 15, A. D. 1909.

CHAPTER 74.

QUALIFICATION OF PUBLIC OFFICERS.

H. F. 73.

AN ACT to amend the law as it appears in section eleven hundred seventy-seven (1177) of the code relating to the qualifications of public officers.

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

SECTION 1. Date of qualification. That the law as it appears in section eleven hundred seventy-seven (1177) of the code be, and the same is hereby, amended by striking out in the fourth and fifth lines thereof the words, "first Monday in January following their election" and inserting in lieu thereof the words, "second secular day in January of the first year of the term for which such officers were elected".

Approved March 25, A. D. 1909.

CHAPTER 75.

OFFICERS' BONDS.

H. F. 162.

AN ACT to repeal section one thousand one hundred eighty-five (1185) of the code and to enact a substitute therefor; to repeal section one thousand one hundred eighty-eight (1188) of the code, and to enact a substitute therefor; to repeal section one thousand one hundred ninety-six (1196) of the code and to enact a substitute therefor, relating to officers' bonds.

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

SECTION 1. Repeal—bonds of county and municipal officers. That section one thousand one hundred eighty-five (1185) of the code be and the same is hereby repealed, and the following enacted in lieu thereof:

"The bonds of the following county officers, viz., treasurers, clerks of the district courts, county attorneys, recorders, coroners, surveyors, auditors, superintendents of schools, sheriffs, justices of the peace and constables, and city, town and township assessors, shall each be in a penal sum to be fixed by the board of supervisors; but those of treasurers, clerks of the district

courts, county auditors, sheriffs and county attorneys shall not be in a less sum than five thousand dollars (\$5,000) each; and those of justices and constables, not less than five hundred dollars each. The bonds of all municipal officers who are required to give bonds shall each be in such penal sum as may be provided by law or as the council shall from time to time prescribe by ordinance, provided that the bonds of mayors shall not be in less sum than five hundred dollars each. If any county treasurer shall elect to furnish a bond with any association or incorporation as surety as provided in this chapter the reasonable cost of such bond shall be paid by the county where the bond is filed."

SEC. 2. Repeal—form—approval. That section one thousand one hundred eighty-eight (1188) of the code be and the same is hereby repealed, and the following enacted in lieu thereof:

"All official bonds shall run to the state, and be for the use and benefit of any corporation, public or private, or person injured or sustaining loss, with a right of action in the name of the state for its or his use. Those given by state and district officers shall be approved by the governor; those of county officers, township clerk and assessor, by the board of supervisors; those of other township officers by the township clerk; and those of city and town officers by the mayor, or as may be provided by ordinance, except that the bond of the mayor shall be approved by the council. All bonds shall be approved or disapproved within five days after their presentation for that purpose, and endorsed, in case of approval, to that effect and filed, and, unless otherwise provided by law, kept in the office of the approving officer."

SEC. 3. Repeal—recording. That section one thousand one hundred ninety-six (1196) of the code be and the same is hereby repealed, and the following enacted in lieu thereof:

"The auditor of each county shall keep in his office a book, to be known as the record book of officers' bonds, and record in said book the official bonds of all county officers, including justices of the peace, township clerks, constables, assessors and mayors filed in his county; and also keep an index to said book, in which, under the title of each office, shall be entered the names of each principal and his sureties, and the date of the filing of the bond. All bonds when recorded shall be returned to the officers charged by law with the custody thereof."

Approved April 9, A. D. 1909.

CHAPTER 76.

OFFICERS HOLDING OVER.

S. F. 224.

AN ACT to amend section eleven hundred ninety-five (1195) of the code, relating to officers holding over for any reason.

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

SECTION 1. Qualification. That section eleven hundred ninety-five (1195) of the code be amended by striking out the following words, beginning in the fourth line thereof: "within the time to be fixed by the board or officer, who approve the bond of such officers. After the adjournment of the board of supervisors, such time shall be fixed by the county auditor in all cases where such board, if in session, would have fixed such time.", and substituting therefor, the following: "within the time provided by section twelve hundred seventy-five (1275) of the code".

Approved April 8, A. D. 1909.