

CHAPTER 101.

WORKING OF HIGHWAYS.

S. F. 317.

AN ACT to repeal sections fifteen hundred seventy-b (1570-b) and fifteen hundred seventy-c (1570-c) of the supplement to the code, 1907, and to enact a substitute therefor relating to the working of highways and providing penalties for injury to such highways or the work done thereon.

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

SECTION 1. Repeal—roads dragged—compensation. That the law as it appears in sections fifteen hundred seventy-b (1570-b) and fifteen hundred seventy-c (1570-c) of the supplement to the code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof:

“The township trustees shall have all the main traveled roads, including mail routes, in their townships dragged at such time as in their judgment is most beneficial, and they shall contract at their April meeting to have a given piece of road dragged at a rate not to exceed fifty cents per mile for each mile traveled in dragging. In choice of persons to do the work or in making contracts to do such work, preference shall be given, other things being equal, to the occupants of the land abutting the road or adjacent thereto at the point where the work is to be done, but if more than one occupant, the trustees may decide to which preference shall be given. So far as possible such dragging shall be done following rainstorms when the earth on road surface is in the consistency of mortar or in condition to accomplish the best results. Nothing herein contained shall prohibit township trustees from causing other than main traveled roads in their townships to be dragged. No compensation shall be paid to any persons for dragging roads unless the same be authorized by the township trustees and in the manner directed by them and other work than dragging may be done when it can accomplish better results; not less than forty per cent of the road tax collected under the road levy made by the township trustees, on land abutting the road or adjacent thereto shall be worked on said road if needed on the same.

SEC. 2. Roads within corporate limits. It shall be the duty of the city council of cities and incorporated towns to cause the main traveled roads within the corporate limits leading into the city or town to be dragged and so far as practicable and possible, the provisions of this act shall be applicable.

SEC. 3. Contracts cancelled, when. The trustees may at any time, when their contract with the parties for dragging the road has not been properly complied with, or when the work is not done in a satisfactory manner, cancel said contract with the party or parties.

SEC. 4. Loose earth, weeds or sod. It shall be unlawful for any person or persons to leave after grading, loose earth, weeds, or sods in the highways in such a manner as to interfere with safe travel.

SEC. 5. Roads—how traveled after dragging. It shall be unlawful for any person or persons to drive, ride, or cause to be driven a vehicle of any description in or upon the south half of an east and west highway or east half of a north and south highway after the same has been dragged and before such portion of the highway shall have dried sufficiently to pack under a horse's feet, or frozen hard enough to carry, provided that nothing in this section shall apply in those instances where it is impossible to drive with safety on the west or north side of the road.

SEC. 6. Penalty. Any person violating any of the provisions of this act shall be guilty of a misdemeanor and shall on conviction thereof be fined not less than one dollar nor more than ten dollars for the first offense and for each offense thereafter shall be fined a sum not less than five dollars nor more than

twenty-five dollars and all fines collected by prosecutions under this act shall be paid into the road fund of the township where the offense was committed or damage done to the road."

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 Register and Leader and Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Approved March 29, A. D. 1909.

I hereby certify that the foregoing act was published in the Register and Leader and Des Moines Capital March 30, A. D. 1909.

W. C. HAYWARD,
Secretary of State.

CHAPTER 102.

TRACTION ENGINES ON PUBLIC ROADS.

H. F. 102.

AN ACT to repeal section fifteen hundred and seventy-one (1571) of the supplement to the code, 1907, and to enact a substitute in lieu thereof, relating to traction engines on the public roads.

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

SECTION 1. **Repeal—traction engine on public roads.** That section fifteen hundred and seventy-one (1571) of the supplement to the code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof:

"Whenever any traction engine is being propelled upon the public road, the whistle thereof shall not be blown, and the operator thereof shall exercise reasonable care and caution in the management of the same so as to avoid any accident that might occur from fright upon the part of any horse or other draft or domestic animal. Any person operating a traction engine upon the public highway shall, upon request, or signal by putting up the hand from the person riding or driving a restive horse or other draft or domestic animal, bring such traction engine immediately to a stop, and if traveling in the opposite direction, remain stationary so long as may be reasonable to allow such horse or animal to pass, and if traveling in the same direction, use reasonable caution while such horse or animal is passing and the operator or any other person employed by the owner of said traction engine shall render necessary assistance to the party having in charge said horse or other draft or domestic animal in so passing.

SEC. 2. **On bridges, crossings or culverts.** Until the first day of November, 1910, no traction engine shall cross any bridge, crossing or culvert in the public highway or street unless sound, strong planks not less than one foot wide and two inches thick be placed and kept continuously under the wheels. No traction engine having mud lugs or ice spurs attached to its wheels shall be moved over any bridge, culvert, or street crossing.

SEC. 3. **Penalty.** Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be fined not to exceed one hundred dollars or be imprisoned in the county jail not to exceed thirty days."

Approved March 25, A. D. 1909.