

found necessary to extend the main ditch beyond the limits of such district as established, in order to secure proper outlet therefor, the board of supervisors shall have power to so extend such outlet and to use the general funds of the district for such purposes; and generally such board of supervisors shall have full power to treat with and to make fair and equitable agreements with any land owner, any other drainage district, ditching organization, corporation or association, within this state, whether the same may be acting under this or any other law, touching any work in which such district may be interested, or which may facilitate the flow of the waters from the lands within such district or the flow of waters from the lands lying above said district, through the ditches of such district. Where such drainage district shall find it necessary to acquire real estate for such outlet purposes the board of supervisors may proceed in the county where said real estate is located to condemn the same under the provisions of title ten (10) chapter four (4) of the code, and the amendments thereto, relating to the taking of private property for works of internal improvement.

Approved April 13, A. D. 1909.

CHAPTER 123.

WAYS TO LANDS WHICH HAVE NO OTHER MEANS OF ACCESS.

H. F. 433.

AN ACT to amend section two thousand twenty-eight (2028) as it appears in the supplement to the code, 1907, relating to ways to lands which have no other means of access.

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

SECTION 1. Where located. That section two thousand twenty-eight (2028) as the same appears in the supplement to the code, 1907, be and the same is hereby amended by inserting a comma after the word "division" in line five and after it the words "subdivision or forty".

Approved April 6, A. D. 1909.

CHAPTER 124.

LIABILITY OF CORPORATIONS OPERATING A RAILWAY FOR NEGLIGENCE OR WRONGS OF EMPLOYES.

S. F. 4.

AN ACT to amend the law as it appears in section twenty hundred and seventy-one (2071) of the supplement to the code, 1907, relating to the liability of corporations operating a railway for negligence or wrongs of employees.

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

SECTION 1. Contributory negligence. That the law as it appears in section twenty hundred and seventy-one (2071) of the supplement to the code, 1907, be amended by adding after the period at the end of said section the following:

"That in all actions hereafter brought against any such corporation to recover damages for the personal injury or death of any employe under or by virtue of any of the provisions of this section, the fact that the employe may have been guilty of contributory negligence shall not bar a recovery, but the damages shall be diminished by the jury in proportion to the amount of

negligence attributable to such employe; provided, that no such employe who may be injured or killed shall be held to have been guilty of contributory negligence in any case where the violation by such common carrier or corporation of any statute enacted for the safety of employes contributed to the injury or death of such employe; nor shall it be any defense to such action that the employe who was injured or killed assumed the risks of his employment."

Approved March 25, A. D. 1909.

CHAPTER 125.

INSTALLATION OF TELEPHONES AND THE POSTING OF NOTICES IN RAILWAY STATIONS.

H. F. 488.

AN ACT to repeal section two thousand seventy-seven-a (2077-a) of the supplement to the code, 1907, and to enact a substitute therefor relative to the installing of telephones and posting notices in railway stations.

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

SECTION 1. Repeal—telephone—bulletins. That section two thousand seventy-seven-a (2077-a) of the supplement to the code, 1907, is hereby repealed and the following enacted in lieu thereof:

"It shall be the duty of all railway companies on all lines of railways operated by them to install a telephone in each passenger or freight depot in any city or town where a telephone exchange is maintained for public service, said telephone to be connected with and for the use of the patrons of said exchange, and it shall be the further duty of all railway companies on all lines operated by them to keep posted in the waiting room of each passenger station, a bulletin plainly showing the time of arrival and departure at such station of all trains carrying passengers."

Approved April 16, A. D. 1909.

CHAPTER 126.

EQUIPMENT OF LOCOMOTIVES USED IN SWITCHING OR YARD SERVICE.

S. F. 304.

AN ACT requiring the proper equipment of locomotives used exclusively in switching or yard service; providing for the safety of employes engaged in their operation, and providing a penalty for failure to properly equip such switch engines. [Additional to chapter five (5) of title ten (X) of the code, relating to construction and operation of railways.]

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

SECTION 1. Headlights—foot boards—grab rails. That it shall be unlawful for any railway or terminal transfer company, or any corporation operating locomotives in switching or yard service, to operate, or permit the same to be operated, unless said locomotives are equipped with headlight on both front and rear of engine, when operated between sunset and sunrise, and all such engines shall be equipped with a footboard of substantially uniform height, width and length, securely fastened and firmly braced to the pilot beam in front of engine, and a similar footboard on rear of tank or tender of engines, upon which employes may stand or ride when their duties require them so