

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 That section two thousand seventy-seven-a (2077-a) of the supplement to the code, 1907, is hereby repealed and the following enacted in lieu thereof: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

to do, and that a substantial grab rail or rod be securely fastened upon said pilot beam at each end and in the center, at a convenient height for employes to reach and hold on to with their hands, said rod to extend across the full length of the said pilot beam, and also across the rear end beam of said tank or tender; provided that the provisions of this statute shall not apply to switching or yard service at stations or places where regular switch engines are not employed exclusively as switch engines, or during a period of not exceeding twelve (12) hours, when a switch engine is being cleaned or washed out, and also switching by work trains, and provided further that where regular switch engines are disabled by accident, or in need of repairs, or there is an unusual or unexpected amount of work, switching, under such conditions, with ordinary engines, for a period of not to exceed forty-eight hours, shall not be considered a violation of this statute.

SEC. 2. **Penalty.** Any person, railway company, terminal transfer or other corporation or company who violates any of the provisions of section one of this act shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than fifty dollars (\$50.00) or more than five hundred dollars (\$500.00) for any such violation, and each day that every such engine is operated shall constitute a separate and distinct violation of this act.

Approved April 2, A. D. 1909.

CHAPTER 127.

RAILROAD COMMISSIONERS.

S. F. 328.

AN ACT to amend the law as it appears in section two thousand one hundred and thirteen (2113) of the supplement to the code, 1907, enlarging the powers of the railroad commissioners.

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

SECTION 1. **Powers and duties.** That the law as it appears in section two thousand one hundred and thirteen (2113) of the supplement to the code, 1907, be amended by inserting after the comma, following the word "houses" in line twenty-three thereof, the following words and figures, "or the equipment thereof for the health and convenience of the public,".

SEC. 2. **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 Des Moines, Iowa.

Approved April 16, A. D. 1909.

I hereby certify that the foregoing act was published in the Register and Leader and Des Moines Capital April 20, A. D. 1909.

W. C. HAYWARD,
Secretary of State.

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