

rights, made by the board of railroad commissioners as provided herein, may, in its discretion, be extended, and said extension of time may be granted for the purpose of testing the legality thereof, upon application by any such aggrieved railroad, showing reasonable grounds therefor, and that said application is made in good faith and not for the purpose of delay. When any railroad shall fail upon appeal to secure a vacation of the order from which it has appealed, it may apply to the court in which said appeal is finally adjudicated for an order remitting the penalty which has accrued during the pendency of the appeal and upon a satisfactory showing that the order appealed from was unreasonable or unjust, or that the power of the board to make the same was doubtful and that said appeal has been prosecuted in good faith and not for the purposes of delay, such court may remit the penalty that has accrued during the pendency of the appeal."

Approved April 16, A. D. 1909.

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## CHAPTER 130.

### FREE PASSES BY COMMON CARRIERS.

S. F. 218.

AN ACT to amend the law as it appears in section twenty-one hundred fifty-seven-g (2157-g) of the supplement to the code, 1907, relating to free passes by common carriers.

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

SECTION 1. **What permitted.** That the law as it appears in section twenty-one hundred fifty-seven-g (2157-g) of the supplement to the code, 1907, is hereby amended by striking out the words "such members", in subdivision j thereof and substituting therefor the words "employees who die while in the service of such common carriers".

Approved March 25, A. D. 1909.

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## CHAPTER 131.

### THE MILITARY CODE OF IOWA.

H. F. 250.

AN ACT to repeal title eleven (XI) of the code and the law as it appears in title eleven (XI) of the supplement to the code, 1907, relating to the militia and enacting a substitute therefor to be known as "The Military Code of Iowa."

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

SECTION 1. **Repeal and re-enactment of military code.** That title eleven of the code of Iowa and the law as it appears in title eleven of the supplement to the code, 1907, is hereby repealed and the following enacted in lieu thereof to be officially designated and known as, "The Military Code of Iowa."

SEC. 2. **Militia, who constitutes—enumeration—exemption.** The military force of the state of Iowa shall consist of every able-bodied male citizen, and every able-bodied male of foreign birth, who has declared his intention to become a citizen, who is between the ages of 18 and 45 years, not exempt from such service under the laws of the United States, except honorably discharged soldiers, sailors and marines of the United States, who shall be exempt from military service in this state at their option. The assessor shall