

7 bers, shall upon application, be admitted to do business in this state;
 8 and shall thereafter make all reports and be subject to taxation, exam-
 9 ination and supervision by the commissioner of insurance to the same
 10 extent and in the same manner as are domestic corporations organ-
 11 ized under the provisions of this act.

1 SEC. 8. **Acts in conflict.** All acts, or parts of acts, in conflict here-
 2 with shall be so construed as not to include corporations regulated by
 3 this act.

1 SEC. 9. **Publication clause.** This act being deemed of immediate
 2 importance shall be in full force and effect on and after its passage
 3 and publication in The Des Moines Register, and the Des Moines Capi-
 4 tal, newspapers published in the city of Des Moines, Iowa, all without
 5 expense to the state.

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register
 April 28, 1919 and in the Des Moines Capital April 30, 1919.

W. S. ALLEN, *Secretary of State.*

CHAPTER 287.

CONTAGIOUS AND INFECTIOUS DISEASES OF DOMESTIC ANIMALS.

H. F. 335.

AN ACT to provide for the control and suppression of dangerous, contagious and infec-
 tious diseases of domestic animals, and for the inspection of live stock imported into
 the state of Iowa for breeding, work or dairy purposes; also to provide for the payment
 of indemnity in co-operation with the federal government, and making an appropria-
 tion therefor.

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

SECTION 1. **Domestic animals — diseases — commission of animal**
 1 **health — duties.** That it shall be the duty of the Commission of
 2 Animal Health to protect the health of the domestic animals of the
 3 state; to determine and employ the most efficient and practical means
 4 for the prevention, suppression, control and eradication of dangerous,
 5 contagious or infectious diseases among the domestic animals; and
 6 for these purposes it is hereby authorized and empowered to estab-
 7 lish, maintain, enforce and regulate such quarantine and other meas-
 8 ures relating to the movements and care of animals and their
 9 products, the disinfection of suspected yards, buildings and articles
 10 and the destruction of animals, as it may deem necessary; and to
 11 adopt, from time to time, all such regulations as may be necessary
 12 and proper for carrying out the purposes of this act, provided that
 13 the Commission of Animal Health shall enact such rules and regula-
 14 tions only regarding interstate shipments of live stock as are in har-
 15 mony with the rules and regulations of the Federal Bureau of Animal
 16 Industry, except in case there shall be an outbreak of a malignant or

17 contagious disease in any locality, state or territory, in which event
18 the board shall have the right to place an embargo on such locality,
19 state or territory.

1 **SEC. 2. State veterinarian — salary and expenses.** The state
2 veterinarian, who shall be the secretary and executive officer of the
3 commission, shall receive an annual salary to be fixed by the com-
4 mission, not to exceed three thousand six hundred dollars (\$3,600)
5 per year, to be paid from the state treasury. He shall furthermore
6 receive actual traveling and hotel expenses necessarily incurred and
7 paid by him in the discharge of his duties, and such amount shall be
8 paid out of the funds appropriated for the work of the Commission of
9 Animal Health.

1 **SEC. 3. Diseases among domestic animals — control of — local**
2 **health boards to assist.** All local boards of health shall assist the
3 Commission of Animal Health in the prevention, suppression, control
4 and eradication of contagious and infectious diseases among domestic
5 animals, whenever requested so to do by the secretary or any member
6 thereof.

1 **SEC. 4. Commission of Animal Health — quarantine — rules and**
2 **regulations.** The Commission of Animal Health or its executive offi-
3 cer may quarantine or kill any domestic animal infected with any
4 such disease referred to in section 3. Said commission may regulate
5 or prohibit the arrival in and departure from the state of animals so
6 infected or exposed to any highly contagious disease, and in case of
7 violation of any such regulation or prohibition, may detain any animal
8 at its owner's cost. The Commission of Animal Health may regu-
9 late or prohibit the bringing of domestic animals into the state, which,
10 in its opinion, for any reason may injure the health of live stock
11 therein. All rules and regulations adopted by the commission under
12 authority of this act shall be recorded in its minutes, and one week's
13 published notice thereof shall be given by publication of said rules
14 and regulations of the commission in at least two daily papers with a
15 wide circulation published in Iowa, except in such cases as the commis-
sion may deem immediate action necessary.

1 **SEC. 5. Glanders — animals affected with — destruction — misde-**
2 **meanor — fine.** The commission shall have full authority to cause
3 the prompt destruction of any horses, mules or asses affected with
4 glanders. Every owner or person having care and control of a horse
5 or other animal having the glanders, who shall knowingly permit such
6 animal to run at large or be driven upon any highway, or who shall
7 sell or in any manner dispose of the same to any person, and every
8 keeper of a public barn, who shall knowingly permit any horse or
9 other animals having such disease to be stabled in such barn, shall
10 be guilty of a misdemeanor and be punished by a fine of not less than
11 twenty-five dollars (\$25) or not more than one hundred dollars (\$100)
12 or by imprisonment in the county jail for not less than ten or more
than thirty days.

1 **SEC. 6. Health officer, etc. — legal duty — obstructing of, a mis-**
2 **demeanor.** Every person, who shall wilfully oppose or obstruct a
3 health officer, physician or veterinarian charged with the enforcement
4 of the health laws in performing any legal duty, shall be guilty of a
misdemeanor.

SEC. 7. Animal with contagious disease — sale of, etc., punishable. Every owner or person having charge of any animal, knowing the same to have any infectious or contagious disease, who shall sell or barter the same for breeding or dairy purposes or knowingly permit such animal to run at large or come into contact with any other animal or animals of another person, shall be punished by imprisonment in the county jail for not less than ten nor more than thirty days, or by a fine of not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100), and the seller or owner of such animal under the conditions stated shall be liable to the purchaser to the extent of the purchase price.

SEC. 8. Examination of premises — duty of commission or agents. The Commission of Animal Health, or any member thereof, or any of their duly authorized agents, shall at all times have the right to enter any premises, farms, fields, pens, abattoirs, slaughterhouses, buildings, cars or vessels where any domestic animal is at the time, or has been quartered, or wherever the carcass of one may be, for the purpose of examining the animal carcass or premises in any way that may be necessary to determine whether they are or were the subjects of any contagious or infectious disease.

SEC. 9. Assistants — veterinarians — appointment — salaries — powers. The Commission of Animal Health is hereby empowered to appoint such assistants as may be required and fix the compensation thereof and to purchase such supplies and materials as may be necessary from the funds provided in this act. The commission is further empowered to appoint one or more veterinarians in each county as assistants and fix the compensation thereof which may be collected of and paid by the owner of the stock inspected by said veterinarians. Said veterinarians are hereby authorized to perform the work provided for in this act under the direction of the Commission of Animal Health and shall be furnished by said commission with the necessary supplies and materials to carry out the provisions of this act and the commission and assistants herein provided for are empowered to administer oaths or affirmations to any appraisers appointed under this act.

SEC. 10. Testing of herds for tuberculosis — procedure. That owners of herds who desire to have their herds examined and tested with a view to detecting the presence of tuberculosis, and with a further view of freeing their herds from such disease, may apply to the commission for testing and examination. A blank for such application shall be furnished by the commission and shall include such an agreement on the part of the person making the said application that he will conform to and abide by the rules and regulations laid down by said commission and follow the instructions of said commission designated to prevent the reinfection of the herd and to suppress the disease or prevent the spread thereof. Upon receiving such application, or if herds or animals are examined on the commission's own motion, the commission shall, as soon as practicable, cause such test or an examination to be made. If, after such an examination, tubercular animals are found therein, the said commission shall have authority to order such disposition of them as it considers most desirable and economical. Before being tested, such animals shall be appraised at their cash value for breeding, dairy or beef purposes by

19 a representative of the commission or a representative of the United
20 States Bureau of Animal Industry or both together with the owner.
21 If these cannot agree as to the amount of the appraisal, there shall be
22 appointed three competent and disinterested men, one appointed by
23 the commission, one by the owner, and the third by the first two, to
24 appraise such animals, which appraisal shall be final. The expense
25 of such appraisal shall be borne by the state. In the case of pure
26 bred cattle, the pedigree shall be proved by certificate of registry
27 from the herd books where registered. If it is deemed advisable to
28 slaughter an animal reacting to the tuberculin test, the owner shall
29 be paid from the funds of the state treasury not otherwise appropri-
30 ated, a sum equal to one-third of the difference between the proceeds
31 from the sale of the salvage, which the owner receives, and the
32 appraised breeding value of the animal, provided the state does not
33 pay to the owner a sum in excess of eighty dollars for any pure bred
34 animal and forty dollars for any grade. In all cases, it is provided
35 the animal has been owned at least six months, in the state, by the
36 applicant, prior to the condemnation thereof.

1 **SEC. 11. Quarantine, etc.** If, after examination, an animal is, in
2 the judgment of the officer or agent of the commission making the
3 examination, affected with tuberculosis, and if the commission deems
4 that a due regard for the public health warrants it, said commission
5 may enter into a written agreement with the owner subject to such
6 conditions as the commission may prescribe, for the separation and
7 quarantine of such diseased animal or animals. Subject to the regu-
8 lations of the commission, such diseased animal or animals may con-
9 tinue to be used for breeding purposes.

1 **SEC. 12. Voluntary application for herd test.** When the com-
2 mission deems that the conditions warrant it, said commission may
3 make provisions for accrediting such herds as have their approval.
4 When voluntary application has been made to the said commission
5 for the testing of either dairy or pure bred herds, as provided in this
6 act, the party making the application, after agreeing to the rules and
7 regulations of the commission, shall not be required to pay the
8 expenses of said test or examination.

1 **SEC. 13. Tuberculin — distribution and use — authorization.** The
2 commission shall have control of the sale, distribution and use of all
3 tuberculin used in the state, and shall formulate regulations for its
4 distribution and use. Only such persons as are authorized by the
5 commission and any regular practicing veterinary surgeon of the state
6 shall be entitled to administer tuberculin to any animal included under
7 this act.

1 **SEC. 14. Transportation of animals — specific diseases — certifi-**
2 **cate of health.** That it shall be unlawful for any person or trans-
3 portation company to bring into the state of Iowa, except to public
4 live stock markets within the state of Iowa, under the jurisdiction of
5 the Federal Bureau of Animal Industry, or to take from any such
6 live stock market in the state of Iowa any horses, mules, asses, cattle,
7 sheep or swine, for work, breeding or dairy purposes, unless such ani-
8 mals have been examined and found free from the following con-
9 tagious diseases: Glanders, farcy, tuberculosis, hog cholera, scabies,
maladie du coit. or any other contagious or infectious diseases, which

10 freedom from disease shall be established by a certificate of health
 11 signed by a veterinarian acting under the jurisdiction of the Federal
 12 Bureau of Animal Industry, or by a state veterinarian, or assistant
 13 state veterinarian, acting under the approval, order, or discretion of
 14 the commission. A copy of such certificate shall be attached to the
 15 bill of lading accompanying the shipment, and a copy thereof shall be
 16 mailed to the secretary of the Commission of Animal Health.

SEC. 15. Provisions of act — violation of — misdemeanor — pun-
 1 ishment. Any person, transportation company, corporation or agent
 2 thereof violating any of the provisions of this act, shall be guilty of a
 3 gross misdemeanor, and upon conviction thereof, shall be fined for
 4 each offense not less than five hundred dollars, nor more than one
 5 thousand dollars, or be imprisoned for not more than one year. Such
 6 transportation company, corporation or agent shall be liable in a civil
 7 action to any person injured for the full amount of damages that may
 8 result from the violation of this act. Action may be brought in any
 9 county in the state in which said animals are sold, offered for sale,
 10 or delivered to purchaser, or anywhere they may be detained in
 11 transit.

SEC. 16. Provisions as to tuberculosis — when not applicable.
 1 Provided, however, that no provision of this act pertaining to tubercu-
 2 losis shall be applicable to cattle to be kept or sold for feeding pur-
 3 poses only, nor to transportation of same.

SEC. 17. Annual appropriation. It is hereby declared that the
 1 carrying out of the provisions of this act is necessary for the public
 2 health and public welfare, and there is hereby appropriated out of any
 3 money in the state treasury, not otherwise appropriated, the sum of
 4 one hundred thousand dollars (\$100,000.00) annually, to become avail-
 5 able on the taking effect of this act.
 6

SEC. 18. Co-operation of commission and U. S. Department of
 1 Agriculture — infected cattle — indemnity. The commission is
 2 hereby authorized to co-operate with and arrange for such assistance
 3 from the United States Department of Agriculture in carrying out
 4 the provisions of this act as they may deem wise and just. No cattle
 5 infected with tuberculosis shall be killed without the owner's consent
 6 under the provisions of this act unless there shall be funds in the
 7 treasury, remaining from the aforesaid appropriation after all prior
 8 claims are paid.

SEC. 19. Provisions of act — violation — misdemeanor — penalty.
 1 Any person or persons violating any of the provisions of this act, or
 2 any of the rules and regulations adopted under the authority of this
 3 act, except as otherwise stated, shall be guilty of a misdemeanor and
 4 shall be punished by fine of not less than one hundred dollars (\$100.00)
 5 or not more than five hundred dollars (\$500.00), or by imprisonment
 6 in the county jail for not less than thirty days, nor more than six
 7 months.

SEC. 20. Specific sections and acts in conflict repealed. Sections
 1 two thousand five hundred thirty-three (2533), two thousand five
 2 hundred thirty-four (2534) and two thousand five hundred thirty-
 3 seven (2537), of the code, sections two thousand five hundred thirty
 4 (2530), two thousand five hundred thirty-three (2533), two thousand
 5

6 five hundred thirty-four (2534), two thousand five hundred thirty-
 7 six (2536), two thousand five hundred thirty-eight (2538), two thou-
 8 sand five hundred thirty-eight-d (2538-d), two thousand five hun-
 9 dred thirty-eight-q (2538-q) of the supplement to the code, 1913,
 10 and all other acts or parts of acts in conflict with this act are hereby
 11 repealed.

1 **SEC. 21. Publication clause.** This act, being deemed of immediate
 2 importance, shall take effect and be in force, from and after its passage
 3 and publication in the Cedar Rapids Republican and the Des Moines
 4 Capital, newspapers published at Cedar Rapids and Des Moines, Iowa,
 5 respectively.

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Cedar Rapids Republican
 April 26, 1919 and in the Des Moines Capital April 29, 1919.

W. S. ALLEN, *Secretary of State.*

CHAPTER 288.

POWERS OF CITIES RELATING TO WATERWORKS.

H. F. 526.

AN ACT to confer additional powers on cities now or hereafter having a population of
 one hundred thousand (100,000) inhabitants or over, including cities acting under the
 commission plan of government, relating to waterworks.

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

1 **SECTION 1. Waterworks — power of cities to own, lease, etc. —**
 2 **election, etc.** That all cities now or hereafter having a population of
 3 one hundred thousand (100,000) inhabitants or over, including cities
 4 acting under the commission plan of government, shall have the power
 5 to own, construct, erect, establish, acquire, purchase, maintain and
 6 operate a waterworks within their corporate limits, and extensions
 7 thereto for not more than ten miles beyond such limits, with all of
 8 the necessary appurtenances, real estate, buildings, galleries, mains,
 9 pipes, power plants, or systems, and lease as lessor or sell the same
 10 or any part thereof, and such city shall also have power to acquire,
 11 own and sell the negotiable bonds or other evidences of indebtedness
 12 of such waterworks; provided, however, no such waterworks shall be
 13 constructed or purchased, nor when once acquired be leased or sold
 14 until the construction, purchase, leasing or selling of such water-
 15 works shall have been approved by a majority of the legal voters of
 16 such city voting thereon at a general election, city election, or at a
 17 special election called for that purpose, and in no event shall such
 18 waterworks when once acquired be leased by such city, as lessor, for
 a period longer than twenty-five (25) years.

1 **SEC. 2. Franchises, contracts, etc. — powers of city.** In the exer-
 2 cise of any of the powers herein granted any such city is given the
 3 power to acquire, take and hold any or all necessary property of the