

## CHAPTER 285

## COMMON CARRIERS

S. F. 607.

AN ACT to prohibit taking of fuel in transit without permission of the railroad commission; to provide for a hearing therefor; to exempt the state and public utilities therefrom, and to provide an optional settlement therefor, and to provide a penalty for the violation thereof.

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

SECTION 1. Appropriation of coal, coke or oil in transit—conditions. It shall be unlawful for any common carrier doing business in this state, or any director, officer, receiver, trustee, agent or employee, acting for or employed by such common carrier, to take, use, divert or appropriate, any coal, coke or oil received for shipment, without having obtained written consent of the state railroad commission as hereinafter provided.

SEC. 2. Application for permission to appropriate. Whenever it appears to a corporation operating a common carrier that it does not have a sufficient supply of fuel to adequately operate its motive power for thirty (30) days next ensuing, an application in writing, duly verified by its proper officer or employee in charge of motive power, setting forth the amount of fuel on hand, and the amount of fuel needed for that specific purpose, for the next thirty (30) days, and that said corporation does not have sufficient fuel in transit, or is unable to obtain a sufficient supply of fuel, and that unless permitted to take fuel in transit, the operation of its motive power will be materially lessened, and to be supplemented by such other facts and showing as may be required by said railroad commission, may in the discretion of such commission be permitted by written order to take and use such fuel in transit for the period, and in such amount, as shall by such commission be deemed reasonable or adequate.

SEC. 3. Modification or annulment of order. The railroad commission in its discretion may modify or annul any order or orders made, without notice or additional showings.

SEC. 4. State and public utilities exempt. That fuel consigned to the state of Iowa, or to a person, firm or corporation operating a public utility, shall not be included in any order made by the railroad commission.

SEC. 5. Notice to owner of application. The commission in its discretion may require notice to be served upon the owner of fuel sought to be taken by virtue hereof, the manner and form of such notice, and the time and place of the hearing, to be fixed by said commission.

SEC. 6. Notice of appropriation—right of owner. Whenever a common carrier is permitted to take fuel in transit by order of the railroad commission, it shall be the duty of the common carrier to promptly notify the owner of such taking and the owner thereof may, at his option, accept as payment therefor, the full value of such fuel, plus twenty per centum of such value, to be promptly paid by

7 such carrier; but if the owner does not so elect, nothing herein shall  
8 be construed to affect any other right or remedy.

1 **SEC. 7. Penalty.** Any common carrier subject to the provisions  
2 hereof, or any director or officer thereof, or any receiver, trustee,  
3 lessee, agent or employee, who alone, or with any other director,  
4 officer, receiver, trustee, lessee, agent or employee, shall wilfully  
5 take, use, divert or appropriate, any coal, coke or oil, or suffer or per-  
6 mit the same to be taken, shall be guilty of a misdemeanor, and upon  
7 conviction thereof, be fined not more than five thousand dollars, or  
8 less than five hundred dollars for each offense.

1 **SEC. 8. Publication clause.** This act, being deemed of immedi-  
2 ate importance, shall be in full force and effect from and after its  
3 publication as provided by law in the Des Moines Register and Des  
4 Moines Capital, newspapers published at Des Moines, Iowa.

Approved April 16, A. D. 1921.

I hereby certify that the foregoing act was published in the Des Moines Register  
and the Des Moines Capital April 20, 1921.

W. C. RAMSAY, *Secretary of State.*

## CHAPTER 286

### STATE PRINTING BOARD

#### SUPERINTENDENT OF PRINTING

#### STATE REPORTS AND DOCUMENTS

S. F. 781

AN ACT to create a state board of printing, to prescribe its powers and duties, to provide for the public printing, to regulate the contracts therefor, to create the office of superintendent of printing, to define his powers and duties, to provide for the preparation, filing and printing of state reports and other documents and papers, to provide for the distribution of such publications, to make an annual appropriation for said several purposes, and to repeal sections one hundred twenty-one (121), one hundred twenty-four (124), one hundred twenty-seven (127) to one hundred twenty-nine (129) inclusive, one hundred thirty (130), one hundred thirty-one (131), one hundred thirty-four (134), one hundred thirty-five (135) and one hundred forty-two (142) of the code; also to repeal sections one hundred eighteen (118) to one hundred twenty (120) inclusive, one hundred twenty-two (122), one hundred twenty-five (125), one hundred twenty-six (126), one hundred twenty-six-a (126-a) to one hundred twenty-six-d (126-d) inclusive, one hundred thirty-seven (137), one hundred thirty-seven-a (137-a), one hundred forty-four-b (144-b) to one hundred forty-four-d (144-d) inclusive, of the supplement to the code, 1913; also to amend section one hundred twenty-three (123), supplement to the code, 1913, (C. C. Sec. 297); also to repeal sections one hundred forty-four-e (144-e) to one hundred forty-four-o (144-o) inclusive, one hundred thirty-two-a (132-a) to one hundred thirty-two-d (132-d) inclusive, one hundred thirty-six (136), one hundred thirty-eight (138) and one hundred forty-one (141) of the supplemental supplement to the code, 1915; also to repeal chapters nine (9) and one hundred eighty-three (183), acts of the thirty-seventh general assembly; also to repeal chapter four hundred thirteen (413), acts of the thirty-eighth general assembly (C. C. sections 176 to 241 inclusive and 296).

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

1 **SECTION 1. State printing board.** A state printing board, here-  
2 inafter referred to as "the printing board", is hereby created. Said