

A BILL

FOR AN ACT TO PROVIDE FOR THE APPOINTMENT OF A REPORTER OF THE DECISIONS OF THE SUPREME COURT, AND TO PROVIDE FOR THE STEREOTYPING, PUBLISHING AND SALE OF THE SUPREME COURT REPORTS.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* The supreme court shall from time to time appoint, subject to removal, a competent person to report such decisions and opinions of said court as a majority of the court may deem important and expedient to be reported and published. Such reporter, before he enters upon the duties of his office, shall execute a bond, with two sufficient sureties, to the state of Iowa in the sum of two thousand dollars, to be approved by the executive council, conditioned for the faithful performance of his duties as such reporter.

SEC. 2. The supreme court reporter shall, as soon as practicable after such decisions of the supreme court as are ordered to be published are announced, furnish and deliver to the person, persons or corporation having the contract with the state for publishing the same, copies of such decisions, with a syllabus and brief abstract of the case, with suitable notes of the points decided, and shall also furnish an index for each volume. Each of said volumes shall contain not less than seven hundred and fifty, nor more than eight hundred pages, to be printed and bound in a good, substantial manner, and of the same style and quality as volume , of the Iowa reports, to be approved and accepted by the judges of the supreme court, or a majority of them.

SEC. 3. The copyrights of all the reports hereafter published shall vest in the secretary of state for the benefit of the people of this state; but this shall not be construed to prevent the contractor, by whom any volume is published, his representatives or assigns, from continuing the publication and sale of such volume so long as he or they shall, in all respects, comply with the requirements of this act in respect to the character, sale and price of such volume.

SEC. 4. The supreme court reporter shall have no pecuniary interest in such reports, but the same shall be published under the supervision of the reporter by contract, to be entered

3 into by the executive council with the person, persons or corporation, who shall agree to
4 publish and sell the same on the most advantageous terms to the people of this state, at a
5 price not to exceed two dollars per volume, of the size and quality as provided for in this act.
6 And if any such volume shall, in any way, or from any cause, contain more than eight hun-
7 dred pages, no increase or additional price shall be charged therefor.

SEC. 5. The executive council shall, commencing in the first week in April, and every
2 eight years thereafter, advertise in six different newspapers in different localities in this state
3 for the term of six weeks, that sealed proposals will be received at the office of the secretary
4 of state for printing, publishing and selling the said reports for the term of eight years next
5 thereafter, at a certain rate per volume to be stated in said proposals, not exceeding the maxi-
6 mum price fixed by this act, and in accordance with the provisions of this act.

SEC. 6. Each bidder shall deposit with the state treasurer the sum of one thousand dol-
2 lars before making his proposal, to be forfeited to the state in case he shall not make a con-
3 tract according to his proposals if accepted, and according to the requirements of this act,
4 and shall take a receipt of said treasurer and deposit the same with his proposals.

SEC. 7. The successful bidder shall enter into a contract that he will publish the reports
2 of the state of the quality, style and character in all respects as set out in section 2 of this
3 act; that he will publish and deliver to the secretary of state at the earliest practicable time,
4 and within sixty days after the delivery of the manuscripts for any one copy of reports to
5 the publishers, at the capitol, in Des Moines, five hundred copies, at the price of dol-
6 lars per volume; that he will stereotype the same, and at all times keep the same on sale in
7 the state of Iowa, to residents of this state, at the contract price, in suitable quantities, and
8 at such places as may be designated by the executive council; that he will furnish the state
9 any number of additional copies that may be required at the contract price, and procure
10 new stereotype plates whenever the original plates shall become defaced or destroyed, and
11 the said contract shall fully provide for the carrying into effect of all the provisions of this
12 act, and shall be made within ninety days after he is notified of the acceptance of his pro-
13 posal.

SEC. 8. The successful bidder shall, at the time of making his contract, execute and file
2 with the treasurer of state a bond, in the penal sum of ten thousand dollars, conditioned to
3 fulfill such contract in all particulars, with at least two sufficient sureties, residents of this
4 state, to be approved by the secretary of state. Such bond shall, by its terms, be the joint
5 and several obligations of the persons executing it. If the successful bidder shall fail to com-
6 plete his contract, or shall forfeit the same for any cause, the executive council shall relet

7 the contract as soon thereafter as practicable in the manner provided in this act: *provided*,
8 however, that such bidder, in lieu of sureties to such bond, may deposit therewith bonds of
9 the United States, payable to the bearer, amounting to not less than ten thousand dollars,
10 which said bonds shall be deemed and held to be forfeited to the state of Iowa in case of the
11 failure of such bidder to fulfill any of the conditions of his said bond by him to be per-
12 formed.

SEC. 9. The contract of the successful bidder required by this act shall contain, among
2 others, the following covenants on his part:

3 *First*—That he will not take out in his own name, nor procure to be taken out in the
4 name of any person other than the secretary of state of this state, a copyright upon any
5 volume published under such contract; and that, upon any breach of this covenant, he will
6 pay to the treasurer of this state the sum of one thousand dollars as liquidated damages.

7 *Second*—That in case it shall be determined in any action upon the bond of such con-
8 tractor that he has failed in any respect to comply with the provisions of this act or his con-
9 tract, the executive council may declare the contract forfeited; and that, upon such forfeiture
10 so declared, such contractor will, upon demand, transfer to the secretary of state of this state,
11 for the use of the state, the stereotyped plates of all volumes published under such contract,
12 or will pay to the treasurer of this state one thousand dollars for each such volume as liqui-
13 dated damages for a failure to make such transfer, and such failure shall be deemed a breach
14 of the conditions of such bond, and such liquidated damages may be recovered by action on
15 such bond.

SEC. 10. The annual salary of the supreme court reporter shall be two thousand two hun-
2 dred dollars.

SEC. 11. If the manuscript for one volume shall be in the hands of the printer for publi-
2 cation when this act takes effect, such volume may be completed and published under exist-
3 ing laws.

SEC. 12. Sections 154, 155, 156, 157, 158 and 160 of chapter 4, title III, of the Code, and all
2 acts and parts of acts conflicting with the provisions of this act, are hereby repealed: *pro-*
3 *vided*, that the passage of this act shall not be construed to vacate the office of supreme court
4 reporter, nor to authorize the appointment of a reporter as herein provided until the expira-
5 tion of the term of the present incumbent, or until a vacancy occurs, but in all other respects
6 the provisions of this act shall be in force from the time it takes effect as hereinafter provided.

SEC. 13. This act being deemed of immediate importance, shall take effect from and after
2 its publication in the *Iowa State Register* and the *State Journal*, newspapers published at Des
3 Moines, Iowa.