

FOR TABLES OF CORRESPONDING SECTIONS, SEE
PAGE 715. THESE TABLES ARE IN LIEU OF
TABLES IN THE COMPILED CODE,
PAGE 2565

SUPPLEMENT
TO THE
COMPILED CODE
OF IOWA
1923

CONTAINING

**ALL LAWS OF A GENERAL AND
PERMANENT NATURE**

ENACTED BY

**THE THIRTY-NINTH AND THE FORTIETH GENERAL ASSEMBLIES
OF THE STATE OF IOWA**

PREPARED FOR PUBLICATION BY AND UNDER THE DIRECTION OF

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AND

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**UNDER AUTHORITY OF CHAPTER THREE HUNDRED THIRTY-THREE, ACTS OF THE THIRTY-
NINTH GENERAL ASSEMBLY, AND CHAPTER THREE HUNDRED THIRTY, ACTS
OF THE FORTIETH GENERAL ASSEMBLY**



EDITORS' PREFACE

This Supplement to the Compiled Code of 1919 entirely supplants and takes the place of the Supplement of 1921 to the Compiled Code which should no longer be used.

The general form and arrangement of the Compiled Code has been retained in this Supplement. A few changes have been made in chapter headings, but in each instance an explanatory note follows the changed heading.

The volume contains the following:

1. All acts of the Thirty-ninth and the Fortieth General Assemblies of a *general* and *permanent* nature.

2. A number of Compiled Code sections which have been reprinted to correct errors made in printing the Compiled Code, or to relocate the sections, or to divide the sections, or to change a cross reference which, owing to the insertion of new sections, was no longer correct.

3. A few sections which were inadvertently omitted from the Compiled Code and have been printed in the Supplement to supply the omission.

All of the Compiled Code sections which have been merely *reprinted* for one of the above purposes and have not been changed in any manner by the Thirty-ninth or the Fortieth General Assemblies, carry a footnote calling attention to this fact, so that the searcher will not be misled as to the appearance of the section in the Supplement. The sections which have been printed to supply an omission in the Compiled Code are followed by a note explaining the reason for their appearance in the Supplement.

As a general rule, the section numbers of the Compiled Code have not been changed. If a section has been merely amended by the Thirty-ninth or the Fortieth General Assemblies, it appears in the Supplement in its amended form under the same number as it appeared in the Compiled Code. This is also true of a Compiled Code section which has been repealed and *one* section enacted in place of the repealed section.

In case, however, a Compiled Code section has been repealed and more than *one* section enacted in place of the repealed section, then the Compiled Code number and the former catchwords of the section appear in the Supplement, followed by a bracketed note stating that the section has been repealed and a substitute enacted for the repealed section, which may be found under the new Supplement numbers designated in the note.

The same system has also been used in case two or more Compiled Code sections have been repealed and one or more sections enacted in place of the repealed sections. The Compiled Code numbers and the former catchwords of the sections are carried with notes indicating the new Supplement numbers under which the substitute may be found.

Every new number in the Supplement is a hyphenated number. For example: "683-a1, 683-a2, 683-a3, 683-a3a". This system has been found applicable to every situation in which it was found necessary to introduce new numbers, and it is uniform throughout the Supplement.

A few sections of the Compiled Code have been relocated. These new arrangements have been made either on account of some drastic change by the Thirty-ninth or the Fortieth General Assemblies in the character of the former sections, making their location in the Compiled Code illogical, or on account of the sections being originally misplaced in the Compiled Code. In every instance where a transfer has been made, explanatory notes appear in connection with the sections.

A few sections of the Compiled Code have been divided, without change of language, into short sections, thus rendering them more easily understood. In such cases, the divided parts of the old section have each been given a hyphenated number. Sections 6941 and 7391 are illustrations of sections which have been divided. In every case where a section has been divided in the Supplement, notes have been inserted explanatory of the division.

A new set of tables of corresponding sections will be found following the last title of the Supplement. These tables show the sections of the Compiled Code and of the Supplement which correspond in subject matter with the sections of the Code of 1897, Supplement of 1913, Supplemental Supplement of 1915, and the Acts of the Thirty-seventh, Thirty-eighth, Thirty-ninth, and Fortieth General Assemblies. These tables take the place of the tables of corresponding sections which appeared following the last title in the Compiled Code.

A brief index follows the tables of corresponding sections. The items in this index cover all sections of the Compiled Code which were amended or substituted by the Thirty-ninth or the Fortieth General Assemblies; also, all new legislation of a general or permanent nature enacted by the Thirty-ninth or the Fortieth General Assemblies; also, all sections which have been given new numbers because of a relocation or division thereof; also, the few sections which were omitted from the Compiled Code, but which have been printed in the Supplement to supply the omission. The sections which have been reprinted in the Supplement to correct an error or to change a cross reference are not covered in the index. For these, and for the matter in other sections which were enacted prior to the Thirty-ninth General Assembly, the searcher must rely upon the index in the Compiled Code.

The kind and courteous treatment received from the Joint Committee on Retrenchment and Reform of the Fortieth General Assembly, which has had general supervision of the work, is gratefully acknowledged.

U. G. WHITNEY
LILLIAN LEFFERT

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ABBREVIATIONS

C., '51.....	Code of 1851.
R., '60.....	Revision of 1860.
C., '73.....	Code of 1873.
C., '97.....	Code of 1897.
S., '13.....	Supplement 1913.
S. S., '15.....	Supplemental Supplement 1915.
G. A.	General Assembly.
C. C.	Compiled Code.
S. C. C.	Supplement to Compiled Code.
§ or Sec.	Section.
Ch.	Chapter.

SUPPLEMENT

TO THE

Compiled Code

OF IOWA

1923

As Authorized by Chapter Three Hundred Thirty-three, Acts of the
Thirty-ninth General Assembly, and Chapter Three Hundred
Thirty, Acts of the Fortieth General Assembly

TITLE I

SOVEREIGNTY AND JURISDICTION OF THE STATE, AND THE
LEGISLATIVE DEPARTMENT

CHAPTER 2

GENERAL ASSEMBLY

SECTION 28. Witnesses—attendance compulsory.

1 Whenever a committee of either house, or a joint committee of
2 both, is charged with an investigation requiring the personal attend-
3 ance of witnesses, any person may be compelled to appear before such
4 committee as a witness, by serving an order upon him, which service
5 shall be made in the manner required in case of a subpoena in a civil
6 action in the district court, such order stating the time and place he
7 is required to appear, signed by the presiding officer of the house
8 appointing the committee, and attested by its acting secretary or clerk;
9 or, in case of a joint committee, signed and attested by such officers of
10 either house.

[C., '73, § 17; C., '97, § 21; 38 G. A., ch. 79, § 1; 40 G. A., ch.
236, § 4.]

SEC. 39. Committee on retrenchment and reform.

[Repealed by 39 G. A., ch. 218, § 1, and the six following sections enacted in lieu thereof.]

SEC. 39-a1. Joint standing committee on retrenchment and reform.

1 The chairmen of the committees on ways and means, judiciary
2 and appropriations, of the senate and house, respectively, and two
3 members from the senate, to be appointed by the president of the
4 senate, and two members from the house, to be appointed by the
5 speaker of the house, at each regular session, shall constitute a stand-
6 ing committee on retrenchment and reform.

[C., '97, § 181; S., '13, § 181; 39 G. A., ch. 218, § 2.]

SEC. 39-a2. Appointive members.

1 Both of the appointive members in the senate and the house,
2 respectively, shall be named from the representatives of the minority
3 parties, if there be such; provided, however, that if there be but one
4 member of the minority party in either the senate or the house, the
5 representation on said committee in such house shall be one member
6 from the minority party.

[C., '97, § 181; S., '13, § 181; 39 G. A., ch. 218, § 3.]

SEC. 39-a3. Organization—meetings.

1 The committee shall organize by electing a chairman and a sec-
2 retary from its membership, and may meet at such times and places
3 as may be ordered by resolution or upon call of the chairman and
4 three other members of the committee.

[C., '97, § 181; S., '13, § 181; 39 G. A., ch. 218, § 4.]

SEC. 39-a4. Authority during recess.

1 The authority granted by law to the joint committee on retrench-
2 ment and reform shall continue after adjournment of the legislature
3 and until the succeeding legislature shall convene and organize, with
4 the same force and effect as is now granted by law to such committee
5 during the period the legislature is in session.

[C., '97, § 181; S., '13, § 181; 39 G. A., ch. 218, § 5.]

SEC. 39-a5. Record.

1 The committee shall make a record of its meetings and transac-
2 tions, which record shall be kept in the office of the secretary of state
3 and shall be open to public inspection.

[C., '97, § 181; S., '13, § 181; 39 G. A., ch. 218, § 6.]

SEC. 39-a6. Compensation and expenses.

1 For meetings of the committee other than those held during the
2 time the legislature is in session, each member of the committee shall
3 receive his actual traveling expenses and a per diem of ten dollars per
4 day for each day in attendance; itemized statements for such expenses
5 and per diem shall be presented to and audited by the state board of
6 audit, and paid from any funds in the state treasury not otherwise
7 appropriated.

[C., '97, § 181; S., '13, § 181; 39 G. A., ch. 218, § 7.]

CHAPTER 2-A

UNIFORM STATE LAWS

SECTION 41-a1. Commission on uniform state laws—vacancies.

1 The governor shall appoint three commissioners, each of whom
2 shall be a member of the bar of this state, in good standing, who shall
3 constitute and be known as the commission on uniform state laws,
4 and upon the death, resignation or refusal to serve of any of the
5 commissioners so appointed, the governor shall make an appointment
6 to fill the vacancy so caused, such new appointment to be for the unex-
7 pired balance of the term of the original appointee.

[39 G. A., ch. 201, § 1.]

SEC. 41-a2. Tenure—compensation—expenses.

1 Said commissioners shall hold office for a term of four years, and
2 until their successors are duly appointed, but nothing herein contained
3 shall be construed to render a commissioner who has faithfully per-
4 formed his duties ineligible for reappointment. No member of said
5 commission shall receive any compensation for his services as com-
6 missioner, but each commissioner shall be entitled to receive his actual
7 disbursements for expenses in performing the duties of his office.

[39 G. A., ch. 201, § 2.]

SEC. 41-a3. Organization.

1 The commissioners shall meet at the state capitol at least once in
2 two years and shall organize by the election of one of their number
3 as chairman and another as secretary, who shall hold their respective
4 offices for a term of two years and until their successors are elected
5 and qualified.

[39 G. A., ch. 201, § 3.]

SEC. 41-a4. Duties—reports.

1 It shall be the duty of each of said commissioners to attend the
2 meeting of the national conference of commissioners on uniform state
3 laws, or to arrange for the attendance of at least one of their number
4 at such national conference, and both in and out of such national con-
5 ference they shall do all in their power to promote uniformity in state
6 laws, upon all subjects where uniformity may be deemed desirable
7 and practicable; said commission shall report to the legislature at its
8 next session, and from time to time thereafter as said commission may
9 deem proper, an account of its transactions, and its advice and recom-
10 mendations for legislation. This report shall be printed for presenta-
11 tion to each legislature. It shall also be the duty of said commission
12 to bring about as far as practicable the uniform judicial interpretation
13 of all uniform laws and generally to devise and recommend such
14 additional legislation or other or further course of action as shall tend
15 to accomplish the purposes of this chapter.

[39 G. A., ch. 201, § 4.]

CHAPTER 3

STATUTES

SECTION 42. Amendatory and repealing acts—how drawn.

[Repealed by 40 G. A., ch. 223.]

SEC. 43. Applicable to future acts.

[This and the preceding section repealed by 40 G. A., ch. 223, and the nine following sections enacted in lieu thereof.]

SEC. 43-a1. Citation of compiled code and supplement.

1 The compilation of the laws of Iowa, prepared under the pro-
2 visions of chapter fifty of the acts of the thirty-eighth general
3 assembly, shall be known and cited as the "Compiled Code". The
4 volume prepared under the provisions of chapter three hundred thirty-
5 three of the acts of the thirty-ninth general assembly shall be known
6 and cited as the "Supplement to the Compiled Code".

[40 G. A., ch. 223, § 1.]

SEC. 43-a2. Citation of permanent code.

1 The permanent code to be published after the adjournment of
2 the fortieth general assembly shall be known and cited as "The Code".

[40 G. A., ch. 223, § 2.]

SEC. 43-a3. Citation of prior codes.

1 All prior codes and supplements shall be cited by the year in
2 which published.

[40 G. A., ch. 223, § 3.]

SEC. 43-a4. Citation of session laws.

1 The session laws of each general assembly shall be known and
2 cited as ".....General Assembly, Chapter.....,
3 Section....." (inserting the appropriate number).

[40 G. A., ch. 223, § 4.]

SEC. 43-a5. Citation of future supplements.

1 Any supplements to the code which may hereafter be issued under
2 authority of law, shall be known and cited as "Code Supplement,
3" (inserting the year of publication).

[40 G. A., ch. 223, § 5.]

SEC. 43-a6. Forms of bills.

1 Bills designed to amend, revise, codify or repeal any law which
2 appears in the compiled code, the supplement thereto, "The Code",
3 or any supplement thereto, or any session laws, shall refer as follows:

4 1. Those relating to sections of any code or supplement, to the
5 section, by number.

6 2. Those relating to any chapter of any code or supplement, to
7 such chapter and the number of the title in which it appears, by
8 number.

9 3. Those relating to any act of the general assembly not appear-
10 ing in any code or supplement, to the general assembly, the number
11 of the chapter, and section, by number.

12 4. All references shall be expressed in words followed by the
13 numerals in parentheses, and if omitted, the reporter of the supreme
14 court in preparing acts for publication in the session laws, shall supply
15 the same.

[C., '73, § 38; C., '97, § 41; S., '13, §§ 41-a, 41-b; 40 G. A.,
ch. 223, § 6.]

SEC. 43-a7. Length of sections.

1 Where practicable, sections of bills shall not exceed sixteen lines
2 in length and shall be germane to the title, chapter or section to
3 which they relate.

[40 G. A., ch. 223, § 7.]

SEC. 43-a8. Compiled code and supplement.

1 The compiled code and the supplement to the compiled code sub-
2 mitted to the general assembly as a part of the code commissioners'
3 report are adopted as an official code of Iowa, for convenience of ref-
4 erence in bills relating to the amendment, revision and codification of
5 the laws; but this section shall not be construed as changing the
6 meaning of any law.

7 A reference to the law of this state by title, chapter or section
8 of the compiled code or supplement to the compiled code, shall have
9 the same force and effect as a reference to such law by title, chapter
10 or section of the code, supplement to the code of 1913, supplemental
11 supplement of 1915, or the acts of the thirty-seventh, thirty-eighth,
12 and thirty-ninth general assemblies.

[40 G. A., ch. 223, § 8.]

SEC. 43-a9. Head notes and historical references.

1 Proper head notes may be placed at the beginning of a section
2 of a bill, and at the end of the section there may be placed a reference
3 to the section number of the compiled code, supplement to the com-
4 piled code, "The Code" or any supplement thereto, or any session law
5 from which the matter of the bill was taken, but neither said head
6 notes nor said historical references shall be considered as a part of the
7 law as enacted.

[40 G. A., ch. 223, § 9.]

SEC. 55-a1. Construction of statutes.

1 The rule of the common law, that statutes in derogation thereof
2 are to be strictly construed, has no application to this code. Its pro-
3 visions and all proceedings under it shall be liberally construed with
4 a view to promote its objects and assist the parties in obtaining justice.

[C., '51, § 2503; R., '60, § 2622; C., '73, § 2528; C., '97,
§ 3446.]

NOTE: This section appears in the compiled code as section 7077. Said section is omitted as section 7077 and is reprinted here in order that statutory rules of construction may appear in the same chapter.

CHAPTER 4

PUBLICATION OF SESSION LAWS

SECTION 56. Publication of session laws—duties of officers.

[Repealed by 40 G. A., ch. 224.]

SEC. 57. Original rolls.

[This and the preceding section repealed by 40 G. A., ch. 224, and the three following sections enacted in lieu thereof.]

SEC. 57-a1. Publication of session laws.

1 The reporter of the supreme court shall prepare the manuscript
2 copy of all laws, acts, joint resolutions, and memorials passed at each
3 session of the general assembly, and arrange the same in chapters
4 with comprehensive index. Each chapter shall show the number of
5 the house or senate file.

[C., '51, § 46; R., '60, §§ 62, 144; C., '73, § 35; C., '97, § 38;
37 G. A., ch. 5, § 1; 40 G. A., ch. 224, § 1.]

SEC. 57-a2. Original enrolled bills.

1 In the preparation of said volume, the reporter shall have the
2 right to the possession of the enrolled bills.

[37 G. A., ch. 5, § 2; 40 G. A., ch. 224, § 2.]

SEC. 57-a3. Style of printing.

1 Said laws, acts, resolutions and memorials shall be printed in the
2 same size, style, type, and appearance as the official edition of the code.
3 Each line of each section of each act shall be consecutively numbered
4 on the left hand margin thereof.

[C., '73, § 36; C., '97, § 39; 37 G. A., ch. 5, § 1; 40 G. A., ch.
224, § 3.]

SEC. 59. Certificate.

1 To each volume shall be attached the certificate of said reporter,
2 under his facsimile signature, that the acts, laws, joint resolutions,
3 and memorials therein contained have been prepared from the enrolled
4 bills in the office of the secretary of state, and are correct. Said
5 certificate shall be presumptively true.

[C., '51, § 47; R., '60, § 63; C., '73, § 35; C., '97, § 38; 37 G. A.,
ch. 5, § 4; 40 G. A., ch. 224, § 4.]

SEC. 60. Number authorized.

1 Six thousand copies of said volume shall be printed and sold at
2 such price as the executive council shall fix, but in no case at less than
3 cost.

[C., '73, §§ 37, 41; C., '97, §§ 40, 44; S., '13, § 44; 37 G. A.,
ch. 5, § 5; 38 G. A., ch. 14, § 1; 40 G. A., ch. 224, § 6.]

SEC. 61. Appropriation.

1 There is hereby appropriated, out of any funds in the state
2 treasury not otherwise appropriated, for the purpose of providing the

3 necessary clerical assistance in preparing said volume, the sum of one
 4 thousand two hundred dollars, or so much thereof as may be neces-
 5 sary, for each special or regular session, which amount shall be wholly
 6 available for each session immediately upon the legal organization of
 7 the general assembly.

[37 G. A., ch. 5, § 9; 40 G. A., ch. 224, § 5.]

CHAPTER 8

CONSTITUTIONAL AMENDMENTS AND PUBLIC MEASURES

SECTION 83. Publication—record kept.

[Repealed by 39 G. A., ch. 283.]

SEC. 84. Submission to vote—results declared—record.

[Repealed by 39 G. A., ch. 283.]

SEC. 85. Proclamation of submission.

[Repealed by 39 G. A., ch. 283.]

SEC. 86. Submission at special election.

[Repealed by 39 G. A., ch. 283.]

SEC. 87. Expense.

[This and the four preceding sections repealed by 39 G. A., ch. 283, and the nine following sections enacted in lieu thereof.]

SEC. 87-a1. Publication of proposed constitutional amendment.

1 Whenever any proposition to amend the constitution has passed
 2 the general assembly and been referred to the next succeeding legis-
 3 lature, the secretary of state shall cause the same to be published, once
 4 each week, in two newspapers of general circulation in each congres-
 5 sional district in the state, for the time required by the constitution.

[C., '97, § 55; S., '13, § 55; 39 G. A., ch. 283, § 1.]

SEC. 87-a2. Publication of proposed public measure.

1 Whenever any public measure has passed the general assembly
 2 which under the constitution must be published and submitted to a
 3 vote of the entire people of the state, the secretary of state shall cause
 4 the same to be published, once each week, in at least one newspaper
 5 of general circulation in each county in the state, for the time required
 6 by the constitution.

[39 G. A., ch. 283, § 2.]

SEC. 87-a3. Proof of publication—record—report to legislature.

1 Proof of the publication specified in the two preceding sections
 2 shall be made by the affidavits of the publishers of the newspapers
 3 designated by the secretary of state, and such affidavits, with the cer-
 4 tificate of the secretary of state of the selection of such newspapers
 5 shall be filed in his office, recorded in a book kept for that purpose, and

6 preserved by him, and in the case of constitutional amendments he
7 shall report to the following legislature his action in the premises.

[C., '97, § 55; S., '13, § 55; 39 G. A., ch. 283, § 3.]

SEC. 87-a4. Submission at general election.

1 Whenever a public measure has passed the general assembly
2 which under the constitution must be submitted to a vote of the entire
3 people of the state and no time is fixed by the constitution or legis-
4 lature for such submission, or whenever a proposition to amend the
5 constitution has been adopted by two succeeding general assemblies
6 and no time is fixed by the last general assembly adopting the same
7 for its submission to the people, said measure or amendment shall be
8 submitted to the people at the ensuing general election, in the manner
9 required by law.

[C., '97, § 56; 39 G. A., ch. 283, § 4.]

SEC. 87-a5. Submission at special election—proclamation—conduct of election.

1 The general assembly may provide for the submission of a con-
2 stitutional amendment to the people at a special election for that pur-
3 pose, at such time as it may prescribe, proclamation for which election
4 shall be made by the governor, and the same shall in all respects be
5 governed and conducted as prescribed by law for the submission of a
6 constitutional amendment at a general election.

[C., '97, § 58; 39 G. A., ch. 283, § 5.]

SEC. 87-a6. Secretary of state to certify copy of amendment or measure—sample ballot.

1 The secretary of state shall, not less than twenty days preceding
2 any election at which a constitutional amendment or public measure
3 is to be submitted to a vote of the entire people of the state, transmit
4 to the auditor of each county a certified copy of such amendment or
5 measure and a sample of the ballot to be used in such cases, prepared
6 in accordance with law.

[39 G. A., ch. 283, § 6.]

SEC. 87-a7. Governor to include proposed amendment in proclamation.

1 Whenever a proposition to amend the constitution is submitted
2 to a vote of the electors, the governor shall include such proposed
3 amendment in his election proclamation.

[C., '97, § 57; 39 G. A., ch. 283, § 7.]

SEC. 87-a8. Canvass of vote and returns—declaration of result—record.

1 The judges of election, county boards of canvassers, and other
2 election officials shall canvass the vote on any constitutional amend-
3 ment or public measure, and make return thereof, in the same manner
4 as required by law for the canvass and return of the vote for public
5 officers. The board of state canvassers shall canvass such returns,
6 declare the result, and enter the same of record, immediately following

7 and in connection with the proofs of publication of such amendment
8 or measure, in the book kept for that purpose by the secretary of state.
[C., '97, § 56; 39 G. A., ch. 283, § 8.]

SEC. 87-a9. Expenses.

1 Expenses incurred under the provisions of this chapter shall be
2 audited and allowed by the state board of audit, and paid out of any
3 money in the state treasury not otherwise appropriated.
[C., '97, § 59; 39 G. A., ch. 283, § 9.]

TITLE II

EXECUTIVE DEPARTMENT

CHAPTER 1

GOVERNOR

SECTION 93. Reward for arrest—when reward payable.

1 Whenever the governor is satisfied that a crime has been com-
 2 mitted within the state, punishable by death or by imprisonment in
 3 the penitentiary for a term of ten years or more, and the person com-
 4 mitting the same has not been arrested or has escaped from arrest, he
 5 may in his discretion, offer a reward not exceeding five hundred dollars
 6 for the arrest and delivery to the proper authorities of such persons,
 7 which reward, upon the certificate of the governor that the same has
 8 been earned, shall be audited and paid by the state; provided, that
 9 such reward shall be paid only upon the conviction of said person and
 10 affirmance thereof by the supreme court, if appealed thereto.

[R., '60, § 57; C., '73, § 58; C., '97, § 62; 39 G. A., ch. 250.]

SEC. 96. Salaries.

[Repealed by 39 G. A., ch. 209, § 1.]

SEC. 96-a1. Mothers' day.

1 The governor of this state is hereby authorized and requested
 2 to issue annually a proclamation calling upon our state officials to
 3 display the American flag on all state and school buildings, and the
 4 people of the state to display the flag at their homes, lodges, churches
 5 and places of business, on the second Sunday in May, known as
 6 mothers' day, as a public expression of reverence for the homes of our
 7 state, and to urge the celebration of mothers' day in said proclamation
 8 in such a way as will deepen home ties, and inspire better homes and
 9 closer union between the commonwealth, its homes, and their sons
 10 and daughters.

[40 G. A., ch. 388.]

CHAPTER 2

SECRETARY OF STATE

SECTION 100. Iowa official register.

[Repealed by 40 G. A., ch. 275, and section 101-a1 enacted in lieu thereof.]

SEC. 101. Distribution of register.

[Repealed by 40 G. A., ch. 275.]

SEC. 101-a1. Iowa official register.

1 The secretary of state shall, in odd-numbered years, compile for
 2 publication the Iowa official register which shall contain historical,
 3 political and other statistics of general value, but nothing of a partisan
 4 character.

[C., '97, § 70; S., '13, § 70; 40 G. A., ch. 275, § 1.]

SEC. 102. Fees.

1 The secretary of state shall collect all fees directed by law to be
 2 collected by him, including the following:

- 3 1. For certificate, with seal attached, two dollars.
- 4 2. For a copy of any law or record, upon the request of any
 5 private person or corporation, for every hundred words, twenty-five
 6 cents.

[C., '51, § 2524; R., '60, § 4133; C., '73, § 3756; C., '97, § 85;
39 G. A., ch. 80, § 1; 40 G. A., ch. 276, § 18.]**SEC. 103. Salary.**

[Repealed by 39 G. A., ch. 209, § 1.]

CHAPTER 3
LAND OFFICE**SECTION 117. Clerk for land department.**

[Repealed by 39 G. A., ch. 209, § 1.]

CHAPTER 4
AUDITOR OF STATE**SECTION 118-a1. Warrants for personal expense outside state.**

1 The auditor of state shall not draw warrants upon any state funds
 2 or other funds belonging to the public payable to any state officer,
 3 commissioner, member of a state board, association, society, organiza-
 4 tion or department except governor, attorney general, railroad com-
 5 missioners and commerce counsel and those under the supervision of
 6 the board of control or the board of education, in payment of any obli-
 7 gation or expense created in attending conventions or other public
 8 gatherings or conferences outside the limits of the state of Iowa, except
 9 that before such warrant shall be issued a copy of a certificate of
 10 authority issued by the secretary of the executive council showing
 11 that such person or persons were authorized by the executive council
 12 to create such expense shall have been filed in the office of the auditor
 13 of state.

[39 G. A., ch. 221.]

SEC. 132. State examiners for counties—qualifications.

1 The auditor of state shall appoint not less than four nor more
 2 than eight state examiners for counties, hereinafter referred to as
 3 “examiners”, who shall be suitable persons of recognized skill, famil-
 4 iar with the system of accounting used in county offices, and versed
 5 in the laws relating to county affairs, who shall, at all times, be sub-
 6 ject to the control and under the direction and supervision of the
 7 auditor of state.

8 Before entering upon the discharge of the duties of his office,
 9 each examiner shall give a bond in the penal sum of two thousand
 10 dollars conditioned as provided in section six hundred twelve of the
 11 compiled code, the same to be approved and filed as are the bonds of
 12 other state officers.

13 They shall hold office for a term of four years, and be subject to
 14 removal for cause by the auditor of state.

15 The auditor of state shall appoint such additional clerks and
 16 assistants as are needed, and shall fix a reasonable compensation
 17 therefor.

18 Before the compensation or expenses of any examiner, clerk or
 19 assistant, shall be paid, a detailed and itemized statement shall be
 20 prepared by said examiner, and duly verified, which verification shall
 21 aver that the account is just, reasonable, and wholly unpaid. Said
 22 claims shall be approved by the auditor of state and afterwards pre-
 23 sented and allowed by the state board of audit, and paid from any
 24 funds in the state treasury not otherwise appropriated.

25 As soon as an examination for any county has been completed,
 26 and the expenses thereof paid by the state, the auditor of state shall
 27 forthwith file with the auditor of the county so examined a claim for
 28 the full amount so paid by the state; which claim, when so filed, shall
 29 become a legal and valid claim against the county, payable from its
 30 general funds, as all other claims are paid.

[S., '13, § 100-a; 39 G. A., ch. 209, § 7.]

SEC. 135. Examiners of municipal accounts—compensation.

1 The auditor of state shall appoint one or more examiners of
 2 municipal accounts whose duty it shall be at least once in two years
 3 to examine into, audit and report upon the financial condition and
 4 transactions of all cities having a population of three thousand or more.

5 Said examiners shall have power to compel the attendance of
 6 witnesses and to administer oaths and shall have access to all books,
 7 papers or records essential in a thoroughgoing examination.

8 The examiner in charge of an investigation shall, on the conclu-
 9 sion thereof, file a written report of his findings with the mayor and
 10 council and with the auditor of state, including his criticisms of any
 11 faults found and his recommendations respecting improvements desir-
 12 able.

13 Any and all reports thus made and filed shall be open to public
 14 inspection.

15 The compensation of said examiners, together with their neces-
 16 sary expenses, shall be paid as other claims against the state from
 17 any funds in the state treasury not otherwise appropriated; there-
 18 upon the auditor of state shall file a claim for the full amount so

19 allowed with the auditor or clerk of the city or town examined, and
20 the council thereof shall provide for its payment.

[S., '13, § 1056-a11; 38 G. A., ch. 301, § 1; 39 G. A., ch. 209,
§ 6.]

SEC. 137. Salary of auditor.

[Repealed by 39 G. A., ch. 209, § 1.]

CHAPTER 5

TREASURER OF STATE

SECTION 138-a1. Daily balance sheet.

1 The treasurer of state shall so keep the books of his office that
2 at the close of each day's business the account of each fund will show
3 the balance or deficit therein, and show also the total amount of the
4 money in the state treasury, and should the books not be in balance,
5 the daily statement shall show the amount of the surplus or deficit
6 by which the books fail to balance.

[39 G. A., ch. 185, § 1.]

SEC. 150. Collections through depositories—interest on deposits.

1 The treasurer of state, on the receipt of any draft, check or cer-
2 tificate of deposit on account of state dues, may place the same in such
3 depository for collection, and it shall be the duty of such depository
4 to collect the same without delay, and charge no greater per cent for
5 such collection than the minimum per cent charged to other parties,
6 and notify the treasurer when collected. On the receipt of such notice,
7 the treasurer shall issue his receipt to the party entitled thereto, as
8 now required by law.

9 On the money remaining on deposit, such depository shall pay to
10 the treasurer of state, for the use of the state, interest at the rate of
11 two and one-half per cent per annum at such times as it shall be
12 agreed upon between said treasurer and the depository aforesaid, with
13 the approval of the executive council.

[C., '97, § 113; S., '13, § 113; 39 G. A., ch. 114, § 1.]

SEC. 152. Salary of treasurer.

[Repealed by 39 G. A., ch. 209, § 1.]

CHAPTER 6

ATTORNEY GENERAL

SECTION 164. Office—expenses.

1 The attorney general shall be provided with an office in the capi-
2 tol building, and whenever he is required by the duties of his office, or
3 by direction of the governor or general assembly, to attend any of the

4 courts of this state, or any of the federal courts, or transact other
5 business for the state, he shall receive his actual expenses when so
6 engaged elsewhere than at the seat of government.

[C., '73, § 3770; C., '97, § 211; S., '13, § 211; 39 G. A., ch.
209, § 13.]

CHAPTER 7

REPORTER OF THE SUPREME COURT AND CODE EDITOR

SECTION 166. Office—supplies—use of law library.

[Repealed by 40 G. A., ch. 225.]

SEC. 167. May take opinions.

[Repealed by 40 G. A., ch. 225.]

**SEC. 168. Preparation of reports—index—proof sheets—correc-
tions.**

[Repealed by 40 G. A., ch. 225.]

SEC. 169. Publication of reports—copies for state—payment.

[Repealed by 40 G. A., ch. 225.]

SEC. 170. Distribution of reports.

[Repealed by 40 G. A., ch. 225.]

SEC. 171. New edition of reports.

[Repealed by 40 G. A., ch. 225.]

SEC. 172. Copyrights secured—rights of contractor.

[Repealed by 40 G. A., ch. 225.]

**SEC. 173. Ex-officio editor code—duty to classify statutes—to fur-
nish copies.**

[Repealed by 40 G. A., ch. 225.]

**SEC. 173-a1. Code annotations — preparation — continuation —
printing—distribution.**

1 The supreme court reporter as code editor shall edit and prepare
2 for publication a book of annotations of the code to be printed in a
3 separate volume arranged in the same way as to divisions, titles, chap-
4 ters, and sections, as the edited code, containing the annotations of all
5 statutes construed by the supreme court of Iowa, and the federal
6 courts, which book of annotations shall continue to be edited by the
7 code editor up to date from time to time and printed, sold and dis-
8 tributed in the same manner as the code. Said first book of annota-
9 tions shall be completed on or before January first, nineteen hundred
10 twenty, unless the supreme court shall further extend the time for
11 good cause.

[38 G. A., ch. 50, § 6.]

NOTE: Above section omitted from compiled code, but as it contains some permanent law it is printed in this supplement to supply the omission.

SEC. 173-a2. Time for preparation—assistance to editor.

1 The time for preparing the book of annotations for the new code,
 2 as provided in the preceding section, is hereby extended until such
 3 time as the general assembly may complete its consideration of code
 4 revision and the final arrangement and section numbers of the new
 5 code have been determined so that the annotations may be published
 6 in accordance therewith. The code editor is authorized to employ
 7 necessary help to complete the preparation of the annotations and
 8 have the same ready for publication within the time provided in the
 9 next section, and payment for the same shall be made under the pro-
 10 visions and in the manner provided in section one hundred seventy-
 11 three-a five of this supplement.

[39 G. A., ch. 323, § 1.]

SEC. 173-a3. Arrangement — publication — extension of time — copyright.

1 The annotations authorized by the second preceding section shall
 2 be published under the title, chapter, and section numbers of the new
 3 code and immediately after the new code has been published, unless
 4 the supreme court for good cause shall further extend the time for
 5 preparation and publication. At the time of publication the code edi-
 6 tor shall copyright said book of annotations in the name of the state.

[39 G. A., ch. 323, § 2.]

SEC. 173-a4. Printing of code and annotations—continuation of editing.

1 The slugs, monotype or linotype matter shall be of the same style
 2 as the supplemental supplement, 1915, and they shall be preserved as
 3 the property of the state so that by correction of same from time to
 4 time the code and book of annotations may be successively printed as
 5 edited to date. That the code editor shall continue the editing of the
 6 code and book of annotations after each general assembly so that the
 7 code and annotations may be printed from time to time as ordered by
 8 the general assembly to meet all demands for the same.

9 The linotype slugs set for the supplemental supplement, 1915, and
 10 now owned by the state, shall be used for the code and book of anno-
 11 tations.

12 The printing of the code and book of annotations shall be from
 13 electrotypes plates and not from the linotype slugs direct, and the elec-
 14 trotypes plates need not be preserved. The type face used for the body
 15 of the code shall be ten point century expanded and the type face
 16 used for the body of the book of annotations shall be eight point num-
 17 ber two, fourteen and forty-one one-hundredths ems, or one hundred
 18 fifteen and twenty-eight one-hundredths points, to the lower case
 19 alphabet.

[38 G. A., ch. 50, § 7.]

NOTE: Above section omitted from compiled code, but as it contains some permanent law it is printed in this supplement to supply the omission.

SEC. 173-a5. Appropriation for code and annotation work.

1 There is hereby appropriated out of any money in the state treas-
 2 ury not otherwise appropriated such sum or sums as may be necessary
 3 to carry out the provisions of the four preceding sections.

[38 G. A., ch. 50, § 14.]

NOTE: Above section omitted from compiled code, but as it contains permanent law it is printed in this supplement to supply the omission.

SEC. 174. Duty of enrolling clerks.

[Repealed by 40 G. A., ch. 225.]

SEC. 175. Assistants—appropriation.

[This and sections 166 to 174, inclusive, repealed by 40 G. A., ch. 225, and the sixteen following sections enacted in lieu thereof.]

SEC. 175-a1. Appointment.

1 Within ninety days prior to the first secular day in January,
 2 nineteen hundred twenty-seven, and every four years thereafter the
 3 judges of the supreme court shall appoint a reporter of the supreme
 4 court who shall hold office for four years from said secular day and
 5 until his successor has been appointed, and has qualified. Vacancies
 6 shall be filled by said judges for the unexpired portion of the term.
 7 Chapter twenty-four of title four shall not apply to appointments
 8 under this section.

[C., '73, § 583; C., '97, § 1067; S., '13, §§ 207-a, 207-b; 40 G. A., ch. 225, § 1.]

SEC. 175-a2. Office.

1 The office of the reporter of the supreme court shall be at the seat
 2 of government. He shall devote his entire time to the duties of his
 3 office.

[C., '97, § 213; S. S., '15, § 224-a; 40 G. A., ch. 225, § 2.]

SEC. 175-a3. Access to opinions.

1 He shall, under the direction of the judges of the supreme court,
 2 have such access to the opinions of the court as will enable him to
 3 discharge his duties.

[R., '60, § 112; C., '73, § 154; C., '97, § 213; S. S., '15, § 224-b; 40 G. A., ch. 225, § 3.]

SEC. 175-a4. Syllabi—index—tables.

1 He shall promptly prepare syllabi for all opinions of the supreme
 2 court, and an index and proper tables for each volume of the reports.
 3 He shall have no pecuniary interest in the reports.

[R., '60, §§ 113, 115; C., '73, §§ 155, 156; C., '97, § 216; S. S., '15, § 224-c; 40 G. A., ch. 225, § 4.]

SEC. 175-a5. Publication of reports.

1 The reports of the supreme court shall be published under such
 2 contract as a majority of the judges of the supreme court may
 3 prescribe, or they may order said reports to be published by the state
 4 under contract entered into by the state printing board, but in case

5 of publication by the state, volume one hundred seventy-eight shall
6 be treated as the legal standard and shall be adhered to unless a
7 modification is agreed to by said judges or a majority thereof.

[C., '97, §§ 218-224; S. S., '15, § 224-d; 39 G. A., ch. 165, §§
1, 2; 40 G. A., ch. 225, § 5.]

SEC. 175-a6. Judges may resume jurisdiction.

1 If said reports be ordered published by the state, said judges
2 may, in case the results after trial are not satisfactory to them,
3 resume, at the termination of any existing contract, jurisdiction over
4 the publication of said reports.

[40 G. A., ch. 225, § 6.]

SEC. 175-a7. Purchase by state.

1 Said judges shall, when said reports are published under contract
2 entered into by them, certify to the secretary of state the number of
3 copies of each volume necessary to make free distribution authorized
4 by law, which number shall not exceed three hundred fifty. The
5 secretary of state shall at once, on behalf of the state, order said
6 number of the publisher and make distribution thereof as provided by
7 law. The purchase price of such volumes shall be paid from any
8 unappropriated funds in the state treasury.

[C., '97, §§ 218-224; S. S., '15, § 224-d; 39 G. A., ch. 165, §§
1, 2; 40 G. A., ch. 225, § 7.]

SEC. 175-a8. Sale by secretary of state.

1 Said reports, when published by the state, shall be in the custody
2 of the secretary of state, who shall sell the same at such price as may
3 be determined by the executive council.

[C., '97, §§ 218-224; S. S., '15, § 224-d; 39 G. A., ch. 165, §§
1, 2; 40 G. A., ch. 225, § 8.]

SEC. 175-a9. Distribution of reports.

1 The copies received by the secretary of state shall be distributed
2 by him as follows:

- | | | |
|----|--|-----------|
| 3 | 1. To library of congress..... | 2 copies |
| 4 | 2. To library supreme court United States..... | 2 copies |
| 5 | 3. To each supreme, district, superior, and | |
| 6 | municipal judge (not including police | |
| 7 | judges) | 1 copy |
| 8 | 4. To each United States district judge | |
| 9 | whose districts lie within this state..... | 1 copy |
| 10 | 5. To the clerk of the supreme court..... | 1 copy |
| 11 | 6. To the attorney general | 1 copy |
| 12 | 7. To the state library | 75 copies |
| 13 | 8. To each county | 1 copy |
| 14 | 9. To each county where district court is | |
| 15 | held in more than one place..... | 2 copies |
| 16 | 10. To supreme court reporter..... | 2 copies |
| 17 | 11. To law library state university..... | 50 copies |
| 18 | 12. To library state historical society..... | 5 copies |

- 19 13. To the library Iowa state college of agri-
20 culture and mechanic arts.....2 copies
[C., '73, § 159; C., '97, § 215; S. S., '15, § 224-e; 37 G. A., ch.
402, § 1; 40 G. A., ch. 2; 40 G. A., ch. 225, § 9.]

SEC. 175-a10. Exchange.

- 1 The volumes delivered to the state library shall be used for the
2 purpose of effecting exchange with other states, foreign countries and
3 provinces, for similar reports. All books received in such exchange
4 shall become a part of the state library.
[R., '60, § 119; C., '73, § 159; C., '97, § 215; S. S., '15, § 224-e;
40 G. A., ch. 225, § 10.]

SEC. 175-a11. New edition.

- 1 The supreme court may, when the public interest requires it,
2 order the publication of a new edition of any volume of its reports of
3 which the copyright is not owned by the state, and may require
4 compliance therewith within six months by an order entered of record.
5 Failure to comply with said order shall work a forfeiture of said copy-
6 right to the state.
[R., '60, § 120; C., '73, § 158; C., '97, § 214; S. S., '15, § 224-f;
40 G. A., ch. 225, § 11.]

SEC. 175-a12. Editor of code—duties.

- 1 The reporter of the supreme court shall be editor of the code
2 whose duties shall be:
3 1. To submit such recommendations as he deems proper to each
4 general assembly for the purpose of amending, revising and codifying
5 such portions of the law as may be conflicting, redundant, ambiguous,
6 or which require legislative action to make clear.
7 2. To edit and compile the code after each session of the general
8 assembly so that the same may be printed in an up-to-date manner
9 at any time ordered by the general assembly.
10 3. To edit and prepare for publication a series of annotations of
11 the statutes¹ of Iowa containing annotations of all such statutes¹ as
12 have been construed by the supreme court of this state or the federal
13 courts, and the same shall be printed in separate volumes arranged in
14 the same manner as the titles, chapters and sections of the code.
15 4. To re-edit and keep brought up to date the said annotations so
16 that the same may be reprinted at any time ordered by the general
17 assembly.
18 5. To issue, from time to time, at the direction of the supreme
19 court, a digest of the reported cases published in the current reports
20 of said court.

[S. S., '15, § 224-h; 38 G. A., ch. 50, §§ 6, 7; 39 G. A., ch.
323, § 2; 40 G. A., ch. 225, § 12.]

¹ "statutes" in enrolled bill.

SEC. 175-a13. Publication and distribution of annotations and digest.

- 1 The annotations and digests provided for in the preceding section
2 shall be printed and paid for in the same manner as other public

3 printing, and the executive council shall provide for the sale and
4 distribution of the same.

[38 G. A., ch. 50, § 6; 40 G. A., ch. 225, § 13.]

SEC. 175-a14. Copies of enrolled bills.

1 The enrolling clerks of the house and senate shall prepare a clear
2 and distinct carbon copy of each enrolled bill or resolution at the time
3 of preparing the original, and immediately deliver said copy to the
4 reporter of the supreme court.

[S. S., '15, § 224-i; 37 G. A., ch. 5, § 11; 37 G. A., ch. 20, § 1;
40 G. A., ch. 225, § 14.]

SEC. 175-a15. Copyrights.

1 All supreme court reports, books of annotations, and digests here-
2 after published shall be copyrighted in the name of the state of Iowa;
3 but this shall not be construed to prevent the contractor by whom
4 any volume of the reports of the supreme court is published, his repre-
5 sentatives, or assigns, from continuing the exclusive publication and
6 sale of such volume so long as he or they shall, in all respects, comply
7 with the requirements of their contract.

[C., '97, § 217; S. S., '15, § 224-g; 39 G. A., ch. 323, § 2; 40
G. A., ch. 225, § 15.]

SEC. 175-a16. Assistants—appropriation.

1 The reporter of the supreme court may, by and with the consent
2 of the supreme court, employ the necessary assistants and clerical
3 help at such compensation as may be fixed by the supreme court, in
4 addition to those otherwise provided by law, and there is hereby annu-
5 ally appropriated out of any money in the state treasury not otherwise
6 appropriated the sum of five thousand dollars to be used for the
7 purpose of carrying out the provisions of this section.

[C., '97, § 224; S. S., '15, § 224-m; 39 G. A., ch. 209, § 14; 39
G. A., ch. 323, § 1; 40 G. A., ch. 225, § 16.]

CHAPTER 8

DOCUMENT EDITOR

SECTION 176. Document editor—appointment—approval by senate.

[Repealed by 39 G. A., ch. 286, § 79.]

SEC. 177. Place of office—office supplies.

[Repealed by 39 G. A., ch. 286, § 79.]

SEC. 178. Salary—oath—bond.

[Repealed by 39 G. A., ch. 209, § 9; 39 G. A., ch. 286, § 79.]

SEC. 179. Duties.

[Repealed by 39 G. A., ch. 286, § 79.]

- SEC. 180.** Heads of departments to furnish manuscript—editor to revise—notice—approval of governor.
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 181.** Editor to supervise printing—number of documents issued—indexing journals.
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 182.** Documents to be delivered to editor.
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 183.** Biennial reports.
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 184.** Document department transferred to document editor.
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 185.** Distribution of documents.
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 186.** Executive council may furnish assistance.
[Repealed by 39 G. A., ch. 209, § 1; 39 G. A., ch. 286, § 79.]
- SEC. 187.** Classified indexes—duty of document editor—appropriation.
[Repealed by 39 G. A., ch. 286, § 79.]

CHAPTER 9

STATE BOARD OF PRINTING AND BINDING

- SECTION 188.** Board of public printing and binding—duties—scope of contract.
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 189.** Document editor—duties—qualifications.
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 190.** Department heads to file estimates.
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 191.** Classifications.
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 192.** Regulations governing classifications.
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 193.** Paper and stock—bids.
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 194.** Bids—advertisement—submission.
[Repealed by 39 G. A., ch. 286, § 79.]

- SEC. 195. **Blank schedules—specifications—deposit—bond.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 196. **Contract—default—forfeiture.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 197. **Execution of contract—union wages.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 198. **Proofs—correction—final delivery.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 199. **Bills—verification—payment.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 200. **Time limit—penalty.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 201. **Copy to be in duplicate.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 202. **Maximum schedule of rates.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 203. **Complaints.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 204. **Extra copies.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 205. **Emergency work.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 206. **Custody of records.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 207. **Annual reports.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 208. **Bids per page—duplication of charges.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 209. **State may furnish stock.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 210. **Stock on hand.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 211. **Apportioning work to institution for deaf and dumb.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 212. **Award to state institutions.**
[Repealed by 39 G. A., ch. 286, § 79.]

CHAPTER 10

PUBLIC PRINTING AND BINDING

- SECTION 213. How work to be delivered.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 214. Printing—how ordered and delivered.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 215. Secretary of state to examine and certify work.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 216. What to be printed—style of work.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 217. Reports—number of copies to be printed.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 218. Distribution of reports and documents—by and to whom.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 219. Secretary of state to act as custodian.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 220. Classified and catalogued—distribution.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 221. Report—reserve list—biennial report.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 222. Daily legislative proceedings to be printed.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 223. Corrections.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 224. Stitching and distribution.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 225. Journals to be printed and bound.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 226. Distribution by secretary of state.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 227. Public distribution—sale—extra copies ordered.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 228. Only corrected copies ordered—price for printing and binding.**
[Repealed by 39 G. A., ch. 286, § 79.]

- SEC. 229. Title page—how printed.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 230. Admission to United States mail—application—subscription price.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 231. Size of type, and how set, for public printing.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 232. Paper-receipt book and samples of work to be kept.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 233. Report of academy of sciences—distribution.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 234. Proceedings of state teachers' association—distribution.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 235. Illustration of publications—how paid.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 236. Prices for state printing.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 237. Compensation of binder.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 238. "Sheep" construed.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 239. List of useless documents or laws.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 240. Committee to determine.**
[Repealed by 39 G. A., ch. 286, § 79.]
- SEC. 241. Disposition by executive council.**
[This and the sixty-five preceding sections repealed by 39 G. A., ch. 286, § 79, and sections 241-a1 to 241-a77, inclusive, enacted in lieu thereof.]

CHAPTER 10-A

STATE PRINTING BOARD

SECTION 241-a1. State printing board.

- 1 A state printing board, hereinafter referred to as "the printing
2 board", is hereby created. Said board shall be composed of the secre-
3 tary of state, auditor of state, attorney general and of two appointive
4 members to be appointed by the governor.

[37 G. A., ch. 183, § 1; 39 G. A., ch. 286, § 1.]

SEC. 241-a2. Appointive members—qualifications.

1 The appointive members of said board shall be residents of this
 2 state, of good moral character, and shall have had at least five years'
 3 actual experience in the printing trade.

[39 G. A., ch. 286, § 2.]

SEC. 241-a3. Financial interest prohibited.

1 No member of said board shall be financially interested, directly
 2 or indirectly, in any plant or business in which work is performed,
 3 under the provisions of this and the two following chapters of this
 4 title, for the state, nor shall he be so interested in any contract let
 5 under said chapters.

[39 G. A., ch. 286, § 3.]

SEC. 241-a4. Term of office.

1 The term of each appointive member shall commence on the first
 2 day of July of the year of appointment, and shall be for two years,
 3 except that appointees to fill vacancies shall serve from the date of
 4 appointment and qualification and for the unexpired term.

[39 G. A., ch. 286, § 4.]

SEC. 241-a5. Compensation.

1 The appointive members shall receive a compensation of ten dol-
 2 lars and actual expenses for each day actually employed hereunder in
 3 the business of the state.

[39 G. A., ch. 286, § 6.]

SEC. 241-a6. Duties.

1 The printing board shall:

2 1. Let contracts, except as provided in section two hundred
 3 forty-one-a twenty-eight of this supplement, for all printing for all
 4 state offices, departments, boards and commissions when the cost of
 5 such printing is payable out of any taxes, fees, licenses or funds col-
 6 lected for state purposes.

7 2. Direct the manner, form, style and quantity of all public
 8 printing when such matters are not otherwise expressly prescribed
 9 by law.

10 3. Employ and discharge all assistants necessary to enable the
 11 board to perform its duties and determine the compensation of such
 12 assistants when not otherwise determined by law.

13 4. Prescribe rules, not inconsistent with law, for the conduct of
 14 its business.

15 5. Keep a full and detailed record of all its meetings, actions and
 16 proceedings.

17 6. Hear and determine all complaints which may be made to it
 18 with reference to any official action of the superintendent of printing.

19 7. Make biennial reports to the governor as to the cost of the
 20 public printing for each department during the preceding fiscal term,
 21 with recommendations of any retrenchments that can be made therein.

22 8. Perform all other duties required by law.

[37 G. A., ch. 183, §§ 1, 16; 39 G. A., ch. 286, § 7.]

SEC. 241-a7. Printing defined.

1 The term "printing" as used in this and the two following chap-
2 ters of this title shall include "binding" and may include material,
3 processes, or operations necessary to produce a finished printed
4 product.

[39 G. A., ch. 286, § 8.]

SEC. 241-a8. Printing for state institution.

1 The power of the printing board to let contracts shall not embrace
2 printing for any state institution when such institution, through its
3 governing board, is able and desires to do such printing in its own
4 printing plant.

[37 G. A., ch. 183, §§ 24, 25; 39 G. A., ch. 286, § 9.]

SEC. 241-a9. Contracts with state institution.

1 The printing board may without advertising for bids, enter into
2 contracts or make provision for doing any of the work coming under
3 the provisions of this and the two following chapters of this title at
4 any school or institution under the ownership or control of the state.
5 In all such cases, the work shall be done under conditions substantially
6 the same as though provided for in the case of contracts with indi-
7 viduals and the same standard of quality or product shall be required.

[37 G. A., ch. 183, §§ 24, 25; 39 G. A., ch. 286, § 10.]

SEC. 241-a10. Specifications and rules.

1 The printing board shall, from time to time, adopt and print
2 specifications and rules covering all matters relating to printing that
3 are the subject of contracts, which specifications and rules shall con-
4 tain, among other things, the following:

5 1. Provisions for the grouping of the work to be done or material
6 furnished, so far as the same can be made the subject of general con-
7 tracts, into classes according to the character or use thereof, or with
8 relation to the department for which intended, or in any manner most
9 convenient for securing bids and entering into contracts. All or any
10 part of the printing needed for any department, board or commission
11 may be placed in a class by itself.

12 2. Estimates of the probable amount of work to be done, or
13 material to be purchased, under each class or item, during the period
14 of the proposed contracts.

15 3. Provisions for furnishing and keeping on file samples of work
16 or stock, and other things necessary to assure compliance with the
17 contracts.

18 4. Fixed standards for books and booklets, and for other print-
19 ing so far as practicable, and for stock and material.

20 5. A schedule of maximum rates or prices, so far as the same
21 can be made applicable, with provision that bids not within the maxi-
22 mum (each class being computed as a unit), may be rejected.

23 6. Details as to the delivery of stock to the state and placing the
24 same in possession of contractors, and for delivery of the finished
25 product and for a complete accounting for stock and reasonable allow-
26 ance for waste where it is unavoidable.

27 7. A rule as to part payment for work in process of completion,
28 or material in process of delivery, in proportion to the part completed
29 or delivered.

30 8. General regulations necessary to assure prompt and satisfac-
31 tory compliance with the proposed contracts, the submission of
32 samples, the delivery of the product (which may be at the expense of
33 the state), the preparation and filing of bills, and such general matters
34 as will assure to the state the utmost economy and efficiency.

[37 G. A., ch. 183, §§ 4, 5, 8; 39 G. A., ch. 286, § 11.]

SEC. 241-a11. Advertisements for bids—publication.

1 The secretary of the board shall, from time to time as directed
2 by the board, advertise for bids for the doing of the public printing.
3 Such advertisements shall be published once each week for three con-
4 secutive weeks in seven newspapers in seven different cities of the
5 state, one of which newspapers shall be published in Des Moines.

[37 G. A., ch. 183, § 7; 39 G. A., ch. 286, § 12.]

SEC. 241-a12. Advertisements—requirements.

1 Said advertisements shall state where and how specifications and
2 other necessary information may be obtained, the time during which
3 the board will receive bids, and the day, hour and place when bids will
4 be publicly opened and contracts awarded.

[37 G. A., ch. 183, § 7; 39 G. A., ch. 286, § 13.]

SEC. 241-a13. Information furnished.

1 The secretary of the board shall supply prospective bidders and
2 others on request with the specifications and rules of the board, blank
3 forms for bids, samples of printing so far as possible, and all other
4 information pertaining to the subject.

[37 G. A., ch. 183, § 8; 39 G. A., ch. 286, § 14.]

SEC. 241-a14. Specifications to be public.

1 The specifications shall be kept on file in the office of the secre-
2 tary, open to public inspection, together with samples, so far as pos-
3 sible, of the work to be done or the material to be furnished.

[37 G. A., ch. 183, § 8; 39 G. A., ch. 286, § 15.]

SEC. 241-a15. Form of bids.

1 Bids must be:

2 1. In writing and only on the blanks furnished with the speci-
3 fications.

4 2. Signed by the bidder.

5 3. Submitted in sealed envelopes which shall be properly
6 indorsed.

7 4. In the hands of the secretary of the board by the time fixed
8 in the advertisements for bids.

[37 G. A., ch. 183, § 7; 39 G. A., ch. 286, § 16.]

SEC. 241-a16. Deposit with bid.

1 Each bidder must deposit with the board at the time he files his
2 bid, a certified check payable to the state treasurer for an amount to

3 be fixed in the specifications, either covering all classes or items, or
 4 separate checks for each bid in case he makes more than one bid.
 5 Checks deposited by unsuccessful bidders, and by successful bidders
 6 when they have entered into the contract, shall be returned to them.

[37 G. A., ch. 183, § 8; 39 G. A., ch. 286, § 17.]

SEC. 241-a17. Opening of bids—award of contracts.

1 All bids shall be publicly opened and read and the contracts let
 2 at the time and place fixed therefor, or on such adjourned day or days
 3 as may be named by the board, of which adjournment all parties shall
 4 take notice. In the award of contracts, due consideration shall be
 5 given not only to the price bid, but to the mechanical and other equip-
 6 ment, and financial responsibility of the bidder, and his ability and
 7 experience in the performance of like or similar contracts.

[37 G. A., ch. 186, § 7; 39 G. A., ch. 286, § 18.]

SEC. 241-a18. Rejection of bids—procedure.

1 The board shall have the right to reject any or all bids, and in
 2 case of rejection or because of failure of a bidder to enter into a con-
 3 tract, the board may advertise for and secure new bids.

[37 G. A., ch. 183, § 6; 39 G. A., ch. 286, § 19.]

SEC. 241-a19. Combination of bidders.

1 When the board is satisfied that bidders have presented bids pur-
 2 suant to an agreement, understanding or combination to prevent free
 3 competition, it shall reject all of them and readvertise for bids as in
 4 the first instance.

[39 G. A., ch. 286, § 20.]

SEC. 241-a20. Acceptance of bid.

1 Each accepted bid shall have indorsed thereon, over the signature
 2 of the printing board or of a majority thereof, the word "accepted"
 3 with the date of such acceptance, which indorsement shall constitute
 4 immediate notice to the bidder of the fact of acceptance.

[39 G. A., ch. 286, § 21.]

SEC. 241-a21. Duration of contract.

1 Contracts for printing and for work and material relating thereto
 2 shall be for a period not exceeding three years.

[39 G. A., ch. 286, § 22; 40 G. A., ch. 275, § 18.]

SEC. 241-a22. Duty to enter into contract—forfeiture.

1 Each successful bidder must within ten days after the award,
 2 enter into a contract in accordance with his bid, and unless this is
 3 done, or the delay is for reasons satisfactory to the board, the certified
 4 check submitted with the bid shall be forfeited to the state. The
 5 specifications on which the bid is made shall constitute a part of the
 6 contract.

[37 G. A., ch. 183, § 9; 39 G. A., ch. 286, § 23.]

SEC. 241-a23. Contract provisions.

- 1 Such contracts shall, among other provisions, provide:
- 2 1. That the contractor shall complete all unfinished portions of
- 3 jobs or orders in hand at the expiration of the contract.
- 4 2. That the contract may be canceled, or other agreed penalty
- 5 imposed, for failure to perform the terms thereof in a manner satis-
- 6 factory to the printing board.
- 7 3. That the contractor may be released on such conditions as
- 8 may be agreed on, in case of injury to his plant by fire, or other provi-
- 9 dential contingency.
- 10 4. That, in order to avoid delay and inconvenience in the depart-
- 11 ments, and unnecessary transportation charges to the state, deliveries
- 12 of printing for the various state officials, departments, boards and
- 13 commissions shall be made in such manner as the printing board, after
- 14 consultation with the various departments, shall order.

[39 G. A., ch. 286, § 24.]

SEC. 241-a24. Bond.

- 1 A bond for the faithful performance of the contract shall be
- 2 required in connection with each contract, in an amount to be fixed
- 3 by the printing board, which bond shall be filed with and approved
- 4 by the board.

[37 G. A., ch. 183, § 8; 39 G. A., ch. 286, § 25.]

SEC. 241-a25. Written orders for printing.

- 1 No printing shall be performed under any contract except on
- 2 written orders therefor, on detailed forms prescribed by the printing
- 3 board, and duly signed by the secretary of the board or by some person
- 4 authorized by the board. Every order shall designate the contract
- 5 under which the order is given, the class of the required printing, the
- 6 definite quantity and kind thereof, and be issued in duplicate with a
- 7 stub copy preserved. A separate series of stubs and duplicates shall
- 8 be used for each class of printing.

[39 G. A., ch. 286, § 26.]

SEC. 241-a26. Assistants outside Des Moines.

- 1 The printing board may, at the various points in the state, out-
- 2 side the city of Des Moines, at which state institutions or departments
- 3 are located, appoint assistants and empower such assistants to issue
- 4 orders in the name of the printing board, orders for printing. Such assist-
- 5 ants shall be furnished with a copy of the contract under which the
- 6 orders are to be given, necessary blank order books and proper instruc-
- 7 tions as to their procedure. Such assistants on issuing an order shall
- 8 immediately forward the original thereof to the printing board.

[39 G. A., ch. 286, § 27.]

SEC. 241-a27. Acceptance of printing—penalty.

- 1 No printing shall be accepted as in compliance with the contract
- 2 when such printing is not of the grade of workmanship which is usually
- 3 employed by first-class printers on printing of such class, nor when
- 4 such printing is not of the full quality contracted for. If immediate
- 5 necessity and lack of time to procure printing elsewhere compel the

6 use of defective printing furnished by a contractor, it shall be accepted
7 without approval, and one-half of the contract price thereof shall be
8 deducted as liquidated damages for such breach of contract.

[37 G. A., ch. 183, §§ 10, 11, 13; 39 G. A., ch. 286, § 28.]

SEC. 241-a28. Contracts by institutional heads.

1 The printing board may authorize the managing board, or head,
2 or chief executive officer of any institution or department of the state
3 located outside the city of Des Moines to secure, under the specifica-
4 tions of the board, competitive bids for printing needed by such insti-
5 tution or department, and submit such bids to the printing board. If
6 said board approves any of said bids, such authorized board, head or
7 officer may contract for such printing with such bidder, but such con-
8 tract shall not be valid until a duplicate copy thereof is filed with and
9 approved by the printing board.

[39 G. A., ch. 286, § 29.]

SEC. 241-a29. Emergency contracts.

1 The board may at any time award a special contract or may
2 authorize its assistants as designated in section two hundred forty-
3 one-a twenty-six of this supplement to award a special contract for
4 any work or material coming within the provisions of this and the
5 two following chapters of this title but not included in contracts
6 already in existence, or which cannot properly be made the subject of
7 a general contract, if the amount of each such contract shall not exceed
8 the amount of five hundred dollars, and if special bids have been duly
9 solicited by the said board from persons or firms engaged in the kind
10 of work under consideration who have indicated a desire to bid on
11 the class of work to be done.

[37 G. A., ch. 183, § 18; 39 G. A., ch. 286, § 30; 40 G. A., ch.
275, § 19.]

SEC. 241-a30. Disposal of stock—purchase of paper.

[This section repealed by 40 G. A., ch. 275, and the two following
sections enacted in lieu thereof.]

SEC. 241-a30a. Paper.

1 The board may contract for paper as part of the printing or may
2 purchase paper and furnish the same to the contractor. All paper
3 purchased for use of the state shall, when practicable, have a distin-
4 guishing mark or water line by which it can be identified.

[R., '60, § 2170; C., '73, § 121; C., '97, § 165; S., '13, § 165;
37 G. A., ch. 183, § 23; 39 G. A., ch. 286, § 31; 40 G. A.
ch. 275, § 2.]

SEC. 241-a30b. Paper account.

1 The board shall keep an accurate account with anyone doing
2 printing for the state, and charge him with the value of all paper
3 drawn, and credit him with all paper used on behalf of the state, and
4 compel an accounting for all paper not so used.

[C., '97, § 169; 40 G. A., ch. 275, § 3.]

SEC. 241-a31. Account with each department.

1 The printing board shall keep an account with each separate
2 officer, board, department and commission of the state to which print-
3 ing is furnished by the state, and in such manner as to show in detail
4 at all times what printing has been so furnished, and the cost thereof.

[39 G. A., ch. 286, § 32.]

SEC. 241-a32. Appropriation.

1 There is hereby annually appropriated out of any unappropriated
2 funds in the state treasury a sum sufficient to pay all obligations
3 incurred under this and the two following chapters of this title.

[39 G. A., ch. 286, § 33.]

SEC. 241-a33. Bills—each department debited.

1 All bills for printing shall be paid from the funds herein appro-
2 priated. On the payment of a warrant for printing, if the official,
3 board, department or commission for which the printing was furnished
4 has a contingent or support or other fund in the state treasury from
5 which said warrant would be paid were it not for this section, the
6 treasurer of state shall at once charge said fund with the amount of
7 the cost of said printing. If such official, board, department or com-
8 mission has no such fund in the state treasury but has such fund in
9 his or its own possession, the treasurer of state shall at once notify
10 such official, board, department or commission of the amount so paid
11 by him for such printing, and said official, board, department or com-
12 mission shall at once reimburse the treasurer of state from his or its
13 contingent or support fund for such payment, which reimbursement
14 shall be credited to the unappropriated funds of the state.

[37 G. A., ch. 183, § 12; 39 G. A., ch. 286, § 34.]

SEC. 241-a34. Superintendent to separate items.

1 Should the amount of a warrant for printing include printing for
2 more than one officer, board, department or commission, the secretary
3 of the board of printing shall at once furnish the treasurer with a
4 statement of the correct amounts chargeable under the preceding sec-
5 tion to each officer, board, department or commission.

[39 G. A., ch. 286, § 35.]

SEC. 241-a35. Vouchers—form—audit.

1 All bills accruing under contracts for printing shall be filed with
2 the printing board. They shall be in duplicate, or in larger numbers
3 if ordered by the board, verified and itemized with full details neces-
4 sary for computation according to the terms of the contract and orders
5 given in relation thereto or according to law, and shall be accompanied
6 by samples of the work or materials when practicable and when so
7 ordered by the board. All such bills shall be examined and approved
8 by the printing board and the duplicate vouchers passed to the state
9 board of audit. All bills approved by the board shall be indorsed
10 accordingly before presentation to the state board of audit.

[37 G. A., ch. 183, § 12; 39 G. A., ch. 286, § 36.]

SEC. 241-a35a. Disposal of plates and slugs.

1 Plates and slugs from which former editions of the codes and
 2 supplements to the codes have been printed shall, when no longer
 3 needed, be sold by the state printing board and the proceeds deposited
 4 with the state treasurer to the credit of the general fund.

[40 G. A., ch. 275, § 21.]

CHAPTER 10-B
SUPERINTENDENT OF PRINTING**SECTION 241-a36. Superintendent of printing — appointment — duties—bond.**

1 The printing board shall, by a majority vote, appoint some person
 2 having the same qualifications as the appointive members of the board,
 3 who shall be officially known as superintendent of printing, and be
 4 ex officio secretary and general executive officer of the board. Said
 5 superintendent shall qualify and give bond in the sum of five thousand
 6 dollars for the faithful discharge of the duties of his office. Said
 7 superintendent shall serve during the pleasure of the board.

[S. S., '15, § 144-e; 38 G. A., ch. 413; 39 G. A., ch. 286, § 37.]

SEC. 241-a37. Financial interest prohibited.

1 The superintendent of printing shall not be financially interested,
 2 directly or indirectly, in any plant or business in which work is per-
 3 formed under the provisions of chapters ten-a to ten-c, inclusive, of
 4 this title, for the state, nor shall he be so interested in any contract
 5 let under said chapters.

[39 G. A., ch. 286, § 38.]

SEC. 241-a38. Duties.

1 The superintendent of printing shall:
 2 1. Have an office at the seat of government and devote his entire
 3 time to the duties of his position.
 4 2. Have charge of the office equipment and supplies of the print-
 5 ing board and of the stock, if any, required in connection with printing
 6 contracts.
 7 3. Have general supervision, under the direction of said board,
 8 of all matters pertaining to the enforcement of the contracts of the
 9 printing board.
 10 4. Keep a detailed record of all meetings and proceedings of the
 11 printing board and of the award of contracts by said board.
 12 5. Prepare, under the directions of said board, the specifications
 13 and advertisements for printing.
 14 6. Have control and direction of the document department.
 15 7. Perform such other duties as are necessary, or incident to
 16 his position, or which may be ordered by the printing board, or
 17 required by law.

[S. S., '15, §§ 144-h, 144-i, 144-j; 39 G. A., ch. 286, § 39.]

SEC. 241-a39. Manuscript—filing—editing—general directions.

1 The manuscript of every report or document, or for any book,
2 booklet, bulletin or anything to be printed, or a copy thereof, shall be
3 transmitted to the superintendent of printing at the time it is filed
4 or as soon as it is ready for printing, with all photographs, drawings,
5 maps, engravings, charts or other material properly a part thereof.
6 He shall edit, revise, condense and arrange the same for printing,
7 simplify where practicable the typographical arrangement, and, when
8 not otherwise covered, give all necessary instructions for the type,
9 illustrations, headings, titles, paper, cover, binding and other similar
10 details. The authority here given to edit, revise, condense and elim-
11 inate portions of manuscript shall apply notwithstanding any pro-
12 visions elsewhere. Where tables or other matters are once printed
13 it shall be sufficient thereafter to refer to the same without repeating
14 them.

[S. S., '15, § 144-i; 39 G. A., ch. 286, § 40.]

SEC. 241-a40. Cooperation with department heads.

1 It shall be the duty of the said superintendent to advise with the
2 officials and heads of departments as to the preparation of manuscript
3 or copy for any printed matter, so the same may be handled in the
4 most economical manner in the editing and printing. Officials or
5 employees shall conform so far as practicable to all regulations of the
6 superintendent for the improvement of the reports or other publica-
7 tions, or for decreasing the expense of preparation, printing or dis-
8 tribution.

[S. S., '15, § 144-i; 39 G. A., ch. 286, § 41.]

SEC. 241-a41. Appeals to board.

1 In case of a disagreement between the superintendent and the
2 head of any department as to the editing of manuscript, an appeal
3 may be taken to the printing board which shall have authority to
4 determine the matter in controversy.

[S. S., '15, § 144-i; 39 G. A., ch. 286, § 42.]

SEC. 241-a42. Record relative to documents.

1 The superintendent shall keep a record of the number of each
2 report or document ordered printed, the number received and the num-
3 ber and manner of distribution.

[S. S., '15, § 144-j; 39 G. A., ch. 286, § 43.]

SEC. 241-a43. Reserve supply of documents.

1 The superintendent shall designate, subject to the approval of the
2 printing board, the number of copies of reports and publications to
3 be held in reserve, and copies thus held in reserve shall be distributed
4 only upon the written request of the head of the department, approved
5 by the superintendent, and ordered by the printing board.

[S. S., '15, § 144-j; 39 G. A., ch. 286, § 44.]

SEC. 241-a44. Condemnation of unused documents.

1 The superintendent shall from time to time make report to the
2 printing board of any documents in his custody deemed not needed
3 and which have been printed five years or more, and if such report
4 has the written approval of the head of the department from which the
5 documents were issued, the printing board may condemn and order
6 such documents sold, and the proceeds turned into the unappropriated
7 funds of the state.

[S. S., '15, § 144-l; 39 G. A., ch. 286, § 45.]

SEC. 241-a45. Custody of documents and storage rooms.

1 The superintendent shall receive and have the custody of the Iowa
2 documents, reports, and all other printed matter and make and super-
3 vise the distribution of the same in such manner as will be most eco-
4 nomical and useful to the public. He shall have charge of the state
5 storage building or rooms, in which he shall keep the reports and docu-
6 ments.

[S. S., '15, §§ 144-m, 144-n; 39 G. A., ch. 286, § 46.]

SEC. 241-a46. Information as to documents.

1 The superintendent shall advise the public of the publication of
2 reports and documents and of the nature of the material therein, and
3 give information as to the publications that are for free distribution
4 and how to obtain them.

[S. S., '15, §§ 144-j, 144-n; 39 G. A., ch. 286, § 47.]

SEC. 241-a47. Mailing lists.

1 The superintendent shall require from officials or heads of depart-
2 ments mailing lists, or addressed labels or envelopes, for use in dis-
3 tribution of reports and documents. He shall revise such lists, elim-
4 inating duplications and adding thereto libraries, institutions, public
5 officials and persons having actual use for the material. He shall
6 arrange such lists so as to reduce to the minimum the postage or other
7 cost for delivery.

[S. S., '15, § 144-n; 39 G. A., ch. 286, § 48.]

SEC. 241-a48. Departments furnished with copies.

1 The superintendent shall furnish the various officials and depart-
2 ments with copies of their reports needed for office use or to be dis-
3 tributed to persons calling for the same.

[S. S., '15, § 144-n; 39 G. A., ch. 286, § 49.]

SEC. 241-a49. Distribution to assembly members.

1 The Iowa documents, the official reports, the completed journals
2 of the general assembly, the miscellaneous documents, other publica-
3 tions, and at least thirty copies of the official register, shall be sent
4 to each of the members of the general assembly, and, so far as they
5 are available, additional copies upon their request.

[S. S., '15, § 144-n; 39 G. A., ch. 286, § 50.]

SEC. 241-a50. Distribution to libraries.

1 The Iowa documents, the completed journals of the general assem-
 2 bly and the official register shall be sent to each free public library in
 3 Iowa, the state library, the library commission, libraries at state insti-
 4 tutions and college libraries.

[S. S., '15, §§ 144-m, 144-n; 39 G. A., ch. 286, § 51.]

SEC. 241-a51. Distribution to newspapers.

1 The journals of the general assembly and the official register shall
 2 be sent to each newspaper of general circulation in Iowa, and editors
 3 of newspapers in Iowa shall be entitled to other publications on request
 4 when they are available.

[S. S., '15, §§ 144-m, 144-n; 39 G. A., ch. 286, § 52.]

SEC. 241-a52. Congressional library.

1 Two copies of each publication shall be sent to the library of
 2 congress.

[C., '97, § 126; S., '13, § 126; S. S., '15, §§ 144-m, 144-n; 39
 G. A., ch. 286, § 53.]

SEC. 241-a53. County auditors.

1 The Iowa documents, the completed journals of the general assem-
 2 bly and the official register shall be sent to each county auditor, who
 3 shall be required to keep the same at all times available for the inspec-
 4 tion of the public.

[C., '97, § 126; S., '13, § 126; S. S., '15, §§ 144-m, 144-n; 39
 G. A., ch. 286, § 54.]

SEC. 241-a54. County superintendent.

1 The official register shall be distributed, in addition to the fore-
 2 going provisions, to the school libraries, through the county superin-
 3 tendent of schools to whom they shall be sent in bulk, and who shall
 4 direct their distribution each in his own county.

[C., '97, § 71; S., '13, § 71; 39 G. A., ch. 286, § 55.]

SEC. 241-a55. General distribution.

[This section repealed by 40 G. A., ch. 275, and section 241-a55b,
 of this supplement, enacted in lieu thereof.]

SEC. 241-a55a. Distribution of biennial report of expenditures.

1 The biennial report of expenditures shall be distributed as
 2 follows:
 3 1. To each member of the general assembly.....15 copies
 4 2. To each state officer, member of board or
 5 commission1 copy
 6 3. To each public, free and college library in
 7 the state1 copy
 8 4. To state library10 copies
 9 5. To state historical department5 copies
 10 6. To each county auditor, treasurer and
 11 clerk of the district court.....1 copy
 12 7. To each newspaper in the state.....1 copy

13 The remaining copies in excess of the reserve list shall be other-
14 wise distributed as provided by law.

[S., '13, § 163-b; 40 G. A., ch. 275, § 16.]

SEC. 241-a55b. General distribution.

1 The superintendent may send additional copies of publications to
2 other state officials, individuals, institutions, libraries, or societies that
3 may make request therefor.

[39 G. A., ch. 286, § 56; 40 G. A., ch. 275, § 17.]

SEC. 241-a56. Geological reports.

1 The reports and bulletins of the geological survey shall be placed
2 at the disposal of the state geologist.

[C., '97, § 126; S., '13, § 126; 39 G. A., ch. 286, § 57.]

SEC. 241-a57. Codes, supplements and session laws.

1 The codes, supplements and session laws shall be turned over to
2 the secretary of state for distribution.

[C., '97, § 131; S., '13, § 126-a; S. S., '15, §§ 132-a, 144-m;
39 G. A., ch. 286, § 58.]

SEC. 241-a58. Daily legislative journals and bills.

1 The daily journals of the general assembly and the printed bills
2 shall be sent by the superintendent of printing by mail to subscribers
3 therefor. The journals of both houses for any one session shall be
4 sent on payment of two dollars, and the bills on payment of five dollars.
5 The said superintendent shall cause to be printed a sufficient number
6 of copies to fill orders received and reported to him.

[C., '97, §§ 127, 130; S. S., '15, §§ 132-b, 132-c, 132-d; 39
G. A., ch. 286, § 59.]

SEC. 241-a59. Cumulative legislative bulletin.

1 The superintendent of printing shall, throughout each legislative
2 session, and commencing with the close of the fourth week thereof,
3 compile and cause to be printed, each alternate week, a cumulative
4 bulletin of bills and joint resolutions, which bulletin shall contain a
5 brief history of each bill, and detailed information as to the status of
6 legislation, and shall be conveniently indexed. The last issue of each
7 bulletin shall be brought down to the time of final adjournment and
8 shall be promptly furnished to all members of the general assembly
9 and to such others as the superintendent may determine.

[37 G. A., ch. 9, § 2; 39 G. A., ch. 286, § 60; 40 G. A., ch. 275,
§ 22.]

SEC. 241-a60. Enrolling clerks to keep records for superintendent.

1 The enrolling clerks of the senate and house shall, under the direc-
2 tions of the secretary of the senate and house, respectively, keep a
3 daily cumulative record of the information required in the preceding
4 section and in such manner that the same may be promptly furnished
5 to the superintendent at the close of each week.

[39 G. A., ch. 286, § 61.]

CHAPTER 10-C

OFFICIAL REPORTS AND DOCUMENTS

SECTION 241-a61. Official reports—preparation.

1 State officials, boards, commissions and heads of departments
 2 shall prepare and file written official reports, in simple language and
 3 in the most concise form consistent with clearness and comprehensive-
 4 ness of matter required by law, or by the governor. Before filing any
 5 report its author shall carefully edit the same and strike therefrom all
 6 minutes of proceedings, and all correspondence, petitions, orders and
 7 other matter which can be briefly stated, or which is not important
 8 information concerning public affairs and shall consolidate so far as
 9 practicable, all statistical tables. Any report failing to comply sub-
 10 stantially with this section shall be returned to its author for correc-
 11 tion, and until made so to comply shall not be printed. This section
 12 shall not be construed as depriving the superintendent of printing of
 13 the right to edit and revise said report.

[39 G. A., ch. 286, § 62.]

SEC. 241-a62. Biennial reports.

[Repealed by 40 G. A., ch. 275.]

SEC. 241-a63. Annual reports.

[Repealed by 40 G. A., ch. 275.]

SEC. 241-a64. Time of filing reports.

[This and the two preceding sections and section 241-a66, repealed
 by 40 G. A., ch. 275, and the eleven following sections enacted in lieu
 thereof.]

SEC. 241-a64a. Official reports made to governor.

1 All official reports shall be made to the governor unless otherwise
 2 provided.

3 Reports after being filed with the governor and considered by
 4 him shall be delivered to the superintendent of printing.

[40 G. A., ch. 275, §§ 4, 14.]

SEC. 241-a64b. Biennial reports—time covered and date of filing.

1 Reports of the following officials and departments shall cover the
 2 biennial period ending June thirtieth in each even-numbered year, and
 3 shall be filed as soon as practicable after the end of the reporting
 4 period:

- 5 1. Secretary of state relative to corporations.
- 6 2. Auditor of state on fiscal condition of state.
- 7 3. Auditor of state on biennial expenditures.
- 8 4. Treasurer of state as to state of the treasury.
- 9 5. Superintendent of public instruction.
- 10 6. Board of control.
- 11 7. Board of education.
- 12 8. Board of health and safety.
- 13 9. Board of parole.

- 14 10. Live stock sanitary board.
 15 11. Printing board.
 16 12. Industrial commissioner.
 17 13. Commissioner of labor.
 18 14. Curators of historical society.
 19 15. Curator of historical, memorial, and art department.
 20 16. State librarian.
 21 17. Library commission.
 22 18. Custodian of public buildings and grounds.
 23 19. Fish and game warden.
 24 20. Adjutant general.

[C., '73, § 125; C., '97, § 122; S., '13, § 122; 39 G. A., ch. 286, § 63; 39 G. A., ch. 286, § 65; 40 G. A., ch. 275, § 5.]

SEC. 241-a64c. Annual reports—time covered and date of filing.

- 1 Reports of the following officials and departments shall cover
 2 the year ending December thirty-first of each year, and shall be filed
 3 as soon as practicable after said date:
 4 1. Commissioner of insurance.
 5 2. Weather and crop service.
 6 3. Apiarist.
 7 4. Horticultural society.
 8 5. State geologist.
 9 6. Fire marshal.
 10 7. Board of accountancy.
 11 8. Board of examining engineers.
 12 9. Inspector of passenger boats.

[39 G. A., ch. 286, § 64; 40 G. A., ch. 275, § 6.]

SEC. 241-a64d. Governor.

- 1 The biennial report of the governor to the general assembly on
 2 reprieves, commutations, pardons, and remission of fines and forfeit-
 3 ures shall cover the two years ending with December thirty-first
 4 immediately preceding the convening of the general assembly in
 5 regular session and shall be filed as soon as practicable after said date.

[39 G. A., ch. 286, § 63; 40 G. A., ch. 275, § 7.]

SEC. 241-a64e. Attorney general.

- 1 The biennial report of the attorney general shall cover the period
 2 of his regular term and shall be filed as soon as practicable after the
 3 expiration of said term and not later than February first.

[39 G. A., ch. 286, § 67; 40 G. A., ch. 275, § 8.]

SEC. 241-a64f. Auditor of state on municipal finances.

- 1 The annual report of the auditor of state on municipal finances
 2 shall cover the year ending March thirty-first preceding the filing of
 3 the report, and shall be filed as soon as possible after said date and
 4 not later than September first.

[39 G. A., ch. 286, § 67; 40 G. A., ch. 275, § 9.]

SEC. 241-a64g. Superintendent of banking.

1 The annual report of the superintendent of banking shall cover
 2 the year ending June thirtieth of each year, and shall be filed as soon
 3 as practicable after said date and not later than September first.

[39 G. A., ch. 286, § 64; 40 G. A., ch. 275, § 10.]

SEC. 241-a64h. Highway commission.

1 The annual report of the state highway commission shall cover
 2 the year ending December thirty-first and shall be filed not later than
 3 **January** fifteenth of each year, provided the summary report of county
 4 highway engineers may be filed on a date not later than February
 5 first.

[39 G. A., ch. 286, § 64; 40 G. A., ch. 275, § 11.]

SEC. 241-a64i. Board of railroad commissioners.

1 The annual report of the board of railroad commissioners shall,
 2 as to all statistical data, cover the year ending December thirty-first
 3 preceding the filing of the report, and the proceedings of the board to
 4 date of filing the report each year. Said report shall be filed on or
 5 before December first.

[39 G. A., ch. 286, § 64; 40 G. A., ch. 275, § 12.]

SEC. 241-a64j. Mine inspectors.

1 The report of the mine inspectors shall cover the biennial period
 2 ending December thirty-first of each odd-numbered year, and shall be
 3 filed on or before August fifteenth following the end of said reporting
 4 period.

[C., '97, § 2483; S., '13, § 2483; 40 G. A., ch. 275, § 12-a1.]

SEC. 241-a64k. Delay in filing report.

1 Should the governor deem the delay in filing a report to be unrea-
 2 sonable he shall take such steps as will correct the delinquency.

[39 G. A., ch. 286, § 66; 40 G. A., ch. 275, § 12-a2.]

SEC. 241-a65. Governor may grant extension.

1 The governor shall have authority to grant an extension of time
 2 for the completion of any report or any portion thereof, but in the
 3 case of any delay deemed by him to be unnecessary or unreasonable
 4 he shall enforce the provisions of the preceding section¹ as to time of
 5 filing and take whatever steps may be necessary to have the delayed
 6 report prepared for filing.

[39 G. A., ch. 286, § 66.]

¹The term "preceding section" as employed in this section, and referring to section 241-a64, seems to have a very indefinite application since the repeal of said section 241-a64.

SEC. 241-a66. Report of attorney general, commissioner of insurance and auditor.

[This section and sections 241-a62 to 241-a64, inclusive, repealed by 40 G. A., ch. 275, and sections 241-a64a to 241-a64k, inclusive, enacted in lieu thereof.]

SEC. 241-a67. Number of copies—general style.

1 The annual and biennial reports shall be published, printed and
 2 bound in such number as the board of printing may order, not exceed-
 3 ing the number otherwise specified in this chapter. The officials and
 4 heads of departments shall furnish the printing board with informa-
 5 tion necessary to determine the number of copies to be printed. They
 6 shall be printed on good paper, in legible type with pages substantially
 7 six inches by nine inches in size. They may be divided for binding
 8 where one portion should receive larger distribution than another, or
 9 be issued in parts or sections for greater convenience.

[C., '73, § 130; C., '97, § 125; S., '13, § 125; 39 G. A., ch.
 286, § 68.]

SEC. 241-a68. Iowa documents.

1 At the time of printing the official reports there shall also be
 2 printed from the same type or plates an edition of five hundred copies
 3 to be grouped together and bound in volumes of convenient size to be
 4 known as the Iowa documents, of which there shall be one edition for
 5 each biennial period. Each volume as thus grouped shall contain a
 6 table of contents of all the volumes. There shall be included in the
 7 Iowa documents, in addition to the official reports, the inaugural
 8 address and the message and budget of the governor.

[39 G. A., ch. 286, § 69; 40 G. A., ch. 275, § 20.]

SEC. 241-a69. Daily legislative journals.

1 The record of the transactions of the senate and house shall be
 2 published in a daily journal, printed in number as authorized by the
 3 general assembly or directed by the superintendent of printing. The
 4 completed journals shall be published in book form, with index and
 5 record of bills, in an edition of not less than one thousand in library
 6 binding and not less than one thousand in paper covers. There shall
 7 also be printed for the general assembly or the members thereof such
 8 other material necessary for the transaction of legislative business.

[C., '97, §§ 127, 130; S. S., '15, §§ 132-b, 132-d; 39 G. A.,
 ch. 286, § 70.]

SEC. 241-a70. Reports of legislative proceedings.

1 The reports of the legislative proceedings shall be delivered by the
 2 secretary of the senate and the chief clerk of the house to the superin-
 3 tendent of printing promptly upon completion, and he shall cause such
 4 reports to be printed in accordance with the contracts covering the
 5 same. He shall require that proof copies of the daily journal be fur-
 6 nished the next legislative day after date and shall promptly deliver
 7 them to the sergeants-at-arms of each house. The corrections and
 8 changes made therein by the general assembly shall be made before the
 9 printing of the corrected or completed journal.

[39 G. A., ch. 286, § 71.]

SEC. 241-a71. Corrected journals.

1 The journal, as corrected by order of the general assembly, shall
 2 be printed promptly and be delivered by the superintendent to the
 3 sergeants-at-arms of each house. An index, record and history of

4 bills, and list of bills passed, shall be prepared by the superintendent
5 of printing for the completed edition of the journal.

[39 G. A., ch. 286, § 72.]

SEC. 241-a72. Legislative bills.

1 The bills introduced in the general assembly shall be printed on
2 good paper with pages approximately eight inches by ten inches in
3 size with type not less than ten point in size, the lines spaced with
4 pica slugs, each printed line to be one line of the original bill as intro-
5 duced, and the lines of each section to be separately numbered. The
6 number of copies of each bill to be printed unless otherwise ordered
7 shall be fixed by the superintendent according to the needs of the gen-
8 eral assembly, and to supply subscribers therefor.

[37 G. A., ch. 9, § 1; 39 G. A., ch. 286, § 73.]

SEC. 241-a73. Legalizing acts of local nature.

1 A bill which seeks to legalize the acts of any official or board or
2 other official body, in regard to any matter not of public nature, shall
3 not be considered until it is printed as a bill and distributed to mem-
4 bers of the general assembly, and the printing shall be without expense
5 to the state. The superintendent of printing shall not order any such
6 bill printed until he has received a deposit to cover the cost thereof at
7 the rate of not less than two dollars per page, and shall exclude from
8 the journals all such bills.

[39 G. A., ch. 286, § 74.]

SEC. 241-a74. Miscellaneous documents.

1 There shall be published, printed and bound uniform with the
2 official reports unless otherwise provided and for the periods indicated,
3 the following miscellaneous documents, each of which shall be com-
4 piled by the head or secretary of the department or association having
5 charge thereof:

- 6 1. Iowa year book of agriculture, annually.
- 7 2. Iowa official register, biennially.
- 8 3. Assessments by executive council relative to public utilities,
9 annually.
- 10 4. Census, when taken and compiled.
- 11 5. Proceedings of Iowa state dairy association, annually.
- 12 6. Proceedings of state teachers' association, annually.
- 13 7. Proceedings of Iowa academy of science, annually.
- 14 8. Proceedings of pioneer lawmakers' association, biennially.

[39 G. A., ch. 286, § 75; 40 G. A., ch. 275, § 13.]

SEC. 241-a75. Other necessary publications.

1 There shall be published other miscellaneous documents, reports,
2 bulletins, books and booklets that are needed for the use of the various
3 officials and departments of state, or are of value for the information
4 of the general assembly or the public, in form and number most useful
5 and convenient, to be determined by the printing board.

[39 G. A., ch. 286, § 76.]

SEC. 241-a76. Governor may fix filing date.

1 The governor shall have the right to fix a date for the completion
 2 of or filing of any copy or manuscript for any miscellaneous document
 3 or other publication, or for any portion of the manuscript, and to
 4 compel compliance with such orders the same as in the case of the
 5 official reports. The superintendent of printing shall report to the
 6 governor any failure to furnish manuscript or other delay affecting
 7 any publication.

[39 G. A., ch. 286, § 77.]

SEC. 241-a77. Title pages—complimentary insertions prohibited.

1 The superintendent of printing shall provide the necessary print-
 2 er's copy for a suitable title page for each publication requiring such
 3 title which shall contain the name of the author, but no such title shall
 4 have written or printed thereon or attached thereto the words "Com-
 5 pliments of" followed by the name of the author, nor any other words
 6 of similar import.

[39 G. A., ch. 286, § 78.]

CHAPTER 11
CUSTODIAN OF PUBLIC BUILDINGS**SECTION 242. Duties specified.**

[Repealed by 39 G. A., ch. 108.]

SEC. 243. May employ and discharge assistants—actions for injuries.

[Repealed by 39 G. A., ch. 108.]

SEC. 244. Number and compensation of employees—report—pay.

[Repealed by 39 G. A., ch. 108; 39 G. A., ch. 209, § 1.]

SEC. 245. Record to be kept—contents—report.

[Repealed by 39 G. A., ch. 108.]

SEC. 246. Contents of report.

[Repealed by 39 G. A., ch. 108.]

SEC. 247. No interest in contracts.

[This and the five preceding sections repealed by 39 G. A., ch. 108, and sections 247-a1 to 247-a4, inclusive, enacted in lieu thereof.]

SEC. 247-a1. Appointment—tenure—bond.

1 The executive council shall appoint a custodian of public buildings
 2 and grounds who shall hold office during the pleasure of said council.
 3 Said custodian shall give bond for such amount as the executive coun-
 4 cil may fix, premium to be paid by the state out of any funds in the
 5 state treasury not otherwise appropriated.

[C., '73, § 120; C., '97, § 147; S. S., '15, § 147; 39 G. A., ch. 108, § 1.]

SEC. 247-a2. Duties.

1 It shall be the duty of the custodian, except as otherwise provided
2 by law:

3 1. To have charge of, preserve and adequately protect the state
4 capitol and grounds, and all other state grounds and buildings at the
5 seat of government, and all property connected therewith or used
6 therein or thereon.

7 2. To see that all parts and apartments of said buildings are
8 properly ventilated and kept clean and in order.

9 3. To see that all visitors, at proper hours, are properly escorted
10 over said grounds and through said buildings, free of expense.

11 4. To have, at all times, charge of and supervision over the
12 police, janitors, and other employees of his department in and about
13 the capitol and other state buildings at the seat of government.

14 5. To institute, in the name of the state, and with the advice
15 and consent of the attorney general, civil and criminal proceedings
16 against any person for injury or threatened injury to any public prop-
17 erty under his control, or for committing or threatening to commit a
18 nuisance therein or thereon.

19 6. To keep in his office a complete record containing an itemized
20 account of all state property, including furniture and equipment,
21 under his care and control, and plans and surveys of the public
22 grounds, buildings, and underground constructions at the seat of gov-
23 ernment.

24 7. To perform all other duties required by law or order of the
25 executive council.

[C., '73, § 120; C., '97, §§ 147, 148, 150; S., '13, § 150; S. S.,
'15, § 147; 39 G. A., ch. 108, § 2.]

SEC. 247-a3. Biennial report.

1 The custodian shall, at the time provided by law, make a verified
2 report which shall cover all transactions for the preceding biennial
3 period and show in detail:

4 1. All expenditures made on account of the department of public
5 buildings and property.

6 2. The condition of all real and personal property of the state
7 under his care or control, together with a report of any loss or destruc-
8 tion, or injury to any such property, with the causes thereof.

9 3. The measures necessary for the care and preservation of the
10 property under his control.

11 4. Any recommendations as to methods which would tend to
12 render the public service more efficient and economical.

13 5. Any other matter ordered by the governor.

[C., '97, § 151; S., '13, § 151; 39 G. A., ch. 108, § 3; 40 G. A.,
ch. 275, § 15.]

SEC. 247-a4. Interest in contracts—violations—penalty.

1 The custodian shall not have any pecuniary interest, directly or
2 indirectly, in any contract for supplies furnished to the state, or in any
3 business enterprise involving any expenditure by the state; and a
4 violation of the provisions of this section shall be deemed a misde-

5 meanor, and on conviction thereof he shall be fined in any sum not
6 exceeding one thousand dollars, and be removed from office.

[C., '97, § 153; 39 G. A., ch. 108, § 4.]

CHAPTER 12

EXECUTIVE COUNCIL

SECTION 248. How constituted.

1 The governor, secretary, auditor, treasurer of state, and secretary
2 of agriculture shall constitute the executive council, and any three of
3 them shall constitute a quorum. No deputy of either of such officers
4 shall act in said council for his principal.

[R., '60, § 993; C., '73, § 111; C., '97, § 155; 40 G. A., ch.
3, § 1.]

SEC. 257. Assignment of rooms at statehouse.

[Repealed by 39 G. A., ch. 134.]

SEC. 262. Supplies and postage—to whom furnished.

1 The executive council shall take charge of all property purchased
2 under the provisions of this chapter, and shall keep a full, accurate,
3 complete and itemized account of all such property, with the cost and
4 disposition thereof. The council shall supply the governor, secre-
5 tary, auditor, treasurer, secretary of agriculture, judges of the
6 supreme court and clerk thereof, attorney general, supreme court
7 reporter, superintendent of public instruction, railroad commissioners,
8 adjutant general, the dairy and food commissioner, the historical
9 department, the mine inspectors, the labor commissioner, the horti-
10 cultural department, traveling library and Iowa library commission,
11 the educational board of examiners and other officers entitled thereto
12 by law, the general assembly, its committees, and the clerks, secre-
13 taries and special and standing committees of either house thereof,
14 with all such articles required for the public use, and necessary to
15 enable them to perform the duties imposed upon them by law. Postage
16 shall not be furnished to the general assembly, its officers, employees,
17 or to any committee of either branch thereof. Supplies, including
18 postage and stationery, shall be furnished to the officers and persons
19 entitled thereto by law, only in the manner provided in this chapter.

[R., '60, § 2170; C., '73, § 122; C., '97, § 168; S., '13, § 168;
40 G. A., ch. 3, § 2.]

SEC. 270. Annual examination.

[Repealed by 39 G. A., ch. 209, § 1.]

SEC. 271. Compensation of examiner.

[Repealed by 39 G. A., ch. 209, § 1.]

SEC. 275. How published—distribution.

[Repealed by 40 G. A., ch. 275, and section 241-a55a, of this sup-
plement, enacted in lieu thereof.]

CHAPTER 13

STATE BOARD OF AUDIT

SECTION 276. State board of audit—how constituted—duties.

1 There is hereby created the state board of audit, to consist of the
 2 attorney general or one of his authorized assistants to be designated
 3 by him for this service, the secretary of the executive council and the
 4 auditor of state, who shall be ex officio secretary of the board, and
 5 who shall make a record of all claims approved in a record kept for
 6 that purpose and also in the claim register.

[S. S., '15, § 170-r; 39 G. A., ch. 226.]

SEC. 282-a1. Unallowable claims—duty of attorney general.

1 All persons having claims against the state of Iowa not allowable
 2 under the laws for any cause shall file a verified, itemized statement
 3 thereof with the attorney general of the state of Iowa, whereupon the
 4 said attorney general shall make a full and complete investigation of
 5 the facts on which such claim is founded; shall reduce to writing such
 6 evidence as may be submitted to him, take affidavits, or otherwise
 7 preserve such evidence as may be submitted by the claimant and it
 8 shall be the further duty of the attorney general to fully investigate
 9 all of the facts surrounding such claim and on which the same is
 10 founded and procure such evidence on his own motion as may be
 11 necessary to ascertain the truth concerning any such claim.

[40 G. A., ch. 1, § 1.]

SEC. 282-a2. Report by attorney general.

1 The attorney general shall, immediately upon the appointment
 2 of the claims committee of the house and senate at each session of
 3 the legislature, submit to said claims committee, in writing, all of the
 4 evidence obtained by him upon every claim as provided for in the
 5 preceding section.

[40 G. A., ch. 1, § 2.]

SEC. 282-a3. Payment forbidden.

1 In addition to the filing of a claim by any claimant as provided
 2 for in section two hundred eighty-two-a one, of this supplement, no
 3 such claim shall be allowed by any officer, board, or commission, with-
 4 out an enactment providing therefor shall have been legally passed by
 5 both houses of the general assembly and signed by the governor, mak-
 6 ing an appropriation for such claim in whole or in part.

[40 G. A., ch. 1, § 3.]

SEC. 282-a4. Investigation by general assembly.

1 Nothing in the three preceding sections shall be construed as
 2 prohibiting or restricting the claims committee of either house of the
 3 general assembly, or jointly, from making any further investigation
 4 as to the correctness of any claim as in its opinion may be deemed
 5 right and proper.

[40 G. A., ch. 1, § 4.]

CHAPTER 14

CENSUS

SECTION 283. Executive council to provide blank forms—schedules.

[Repealed by 40 G. A., ch. 226.]

SEC. 284. Assessor to fill and return blanks—census in cities of first class — enumerators — compensation — checking clerks — refusal to answer—procedure.

[Repealed by 40 G. A., ch. 226.]

SEC. 285. When assessor fails.

[Repealed by 40 G. A., ch. 226.]

SEC. 286. Returns to be forwarded—provision for failure.

[Repealed by 40 G. A., ch. 226.]

SEC. 287. Abstracts to be made and recorded.

[Repealed by 40 G. A., ch. 226.]

SEC. 288. Stenographers and accountants.

[Repealed by 40 G. A., ch. 226.]

SEC. 289. Publication of census.

[Repealed by 40 G. A., ch. 226.]

SEC. 290. Census publication to be evidence.

[Repealed by 40 G. A., ch. 226.]

SEC. 291. Cooperation with United States census bureau.

[Repealed by 40 G. A., ch. 226.]

SEC. 292. Report of national census for state — publication — evidence.

[This and the nine preceding sections repealed by 40 G. A., ch. 226, and the twenty-one following sections enacted in lieu thereof.]

SEC. 292-a1. Forms.

1 The executive council shall cause blank forms to be prepared and
2 printed for the purpose of taking the census in the year nineteen
3 hundred twenty-five and every ten years thereafter.

[C., '51, §§ 614-617; R., '60, §§ 991-994; C., '73, §§ 112-115;
C., '97, § 171; S. S., '15, § 171; 40 G. A., ch. 226, § 1.]

SEC. 292-a2. Population.

1 The forms relating to population shall comprehend, for each
2 person, the name, age, color, sex, conjugal condition, place of birth,
3 place of birth of parents, whether alien or naturalized, number of
4 years in the United States and in Iowa, occupation, months unem-
5 ployed, literacy, school attendance, and ownership of farms and
6 homes.

[C., '51, §§ 614-617; R., '60, §§ 991-994; C., '73, §§ 112-115;
C., '97, § 171; S. S., '15, § 171; 40 G. A., ch. 226, § 2.]

SEC. 292-a3. Agriculture.

1 The forms relating to agriculture shall comprehend for each
 2 farm the name and color of occupant, whether native born, alien, or
 3 naturalized, tenure, acreage of farm, value of farm and improvements,
 4 acreage, quantity, and value of different products for the year ending
 5 December thirty-first next preceding the enumeration, and number
 6 and value of live stock.

[R., '60, § 992; C., '73, § 114; S. S., '15, § 171; 40 G. A., ch. 226, § 3.]

SEC. 292-a4. Form of inquiries.

1 The council may exercise its discretion as to the form, number
 2 and division of the inquiries necessary to secure said information.

[S. S., '15, § 171; 40 G. A., ch. 226, § 4.]

SEC. 292-a5. Soldiers and sailors.

1 The forms relating to residents of this state who are, or have
 2 been, in the military or naval service of the United States, shall com-
 3 prehend for each person, his name, company, regiment, or other
 4 branch of such service, and present place of residence.

[C., '51, § 615; R., '60, § 992; C., '73, § 114; S. S., '15, § 171; 40 G. A., ch. 226, § 5.]

SEC. 292-a6. Delivery of blanks.

1 Said blanks must be delivered to the several county auditors and
 2 by the latter to the several assessors, on or before the first Monday
 3 in January of the census year.

[C., '51, § 617; R., '60, § 995; C., '73, § 112; C., '97, § 171; S. S. '15, § 171; 40 G. A., ch. 226, § 6.]

SEC. 292-a7. Duty of assessor.

1 Each assessor shall, in each census year, take such census, in his
 2 district, by making accurate entries on such blanks of all matters of
 3 information thereon required, and shall return the same to the county
 4 auditor on or before June first of the census year.

[C., '51, § 618; R., '60, § 992; C., '73, § 114; C., '97, § 172; S. S., '15, § 172; 40 G. A., ch. 226, § 7.]

SEC. 292-a8. City supervisor and assistants.

1 In all cities having a population of over fifteen thousand the
 2 assessor shall, in addition to other duties, act as supervisor of the
 3 census, and may, for each two thousand population as shown by the
 4 last preceding federal census, appoint one enumerator, who shall
 5 qualify in the same manner as assessors and be subject to the same
 6 provisions in so far as they relate to the census. The assessor in such
 7 cities may also appoint not more than three clerks to check the daily
 8 work of the enumerators. The compensation of said enumerators and
 9 clerks shall not exceed three dollars and fifty cents per day for each
 10 eight hours' actual work. No enumerator shall be employed for longer
 11 than sixty days, and no clerk for longer than thirty days. Said enum-
 12 erators and clerks shall be chosen on competitive civil service examina-

13 tion (the rules, blanks and questions for which to be prescribed by the
14 executive council), and shall be removable only for cause.

[S. S., '15, § 172; 40 G. A., ch. 226, § 8.]

SEC. 292-a9. False returns.

1 Any assessor, enumerator or clerk who makes any false return
2 shall forfeit the right to all compensation accrued and be immediately
3 discharged.

[S. S., '15, § 172; 40 G. A., ch. 226, § 9.]

SEC. 292-a10. Refusal to give information.

1 Any person who shall refuse to make answers to any question
2 appearing on the blank, and who persists in such refusal after being
3 informed that the law requires such answer, shall be arrested on infor-
4 mation filed by the assessor or enumerator.

[S. S., '15, § 172; 40 G. A., ch. 226, § 10.]

SEC. 292-a11. Penalty.

1 If the one so refusing, on being brought before the magistrate,
2 answers the required questions, he shall be discharged on payment of
3 the costs. If the accused be tried and found guilty he shall be fined
4 not less than five dollars nor more than one hundred dollars and
5 ordered committed to the county jail until said fine is paid, but not
6 to exceed thirty days. Each such refusal to answer shall be deemed
7 a separate offense.

[S. S., '15, § 172; 40 G. A., ch. 226, § 11.]

SEC. 292-a12. Failure to perform duty.

1 The county auditor shall appoint some suitable person to take
2 the census, as provided by law, at as early a date as practicable and at
3 the expense of the county whenever any assessor fails to take such
4 census in a satisfactory manner by June first of the census year.

[R., '60, § 997; C., '73, § 117; C., '97, § 173; S. S., '15, § 173;
40 G. A., ch. 226, § 12.]

SEC. 292-a13. Returns of census.

1 The county auditor shall forward the returns of the census to the
2 executive council at the earliest possible date and not later than July
3 first. Should said census be not made, or the returns be not received
4 by July fifteenth, the council may, at the expense of the county, cause
5 such census to be made in the district where such failure occurs, or
6 cause the returns to be brought up. Said returns shall be filed and
7 preserved in the office of the secretary of state.

[R., '60, §§ 992, 996, 998; C., '73, §§ 114, 116, 118; C., '97,
§ 174; S. S., '15, § 174; 40 G. A., ch. 226, § 13.]

SEC. 292-a14. Abstracts of census.

1 The executive council shall cause abstracts or compilations of
2 said census to be prepared and recorded by the secretary of state, and
3 said council may add thereto such other statistics in reference to the
4 banking, railroads, insurance, manufactures, education and other mat-
5 ters of public interest as it may deem advisable. Said secretary shall

6 attach to said record a certificate, dated and signed by him, to the
7 effect that said record constitutes a true compilation of said census.
[C., '51, § 619; R., '60, § 996; C., '73, § 116; C., '97, §§ 175,
176; S., '13, §§ 175, 176; 40 G. A., ch. 226, § 14.]

SEC. 292-a15. Assistants.

1 All assistants employed in the preparation of said abstracts and
2 compilation shall be selected on their merits, after competitive exam-
3 ination, and shall be subject to removal at the pleasure of the council.
[S. S., '15, § 175-a; 40 G. A., ch. 226, § 15.]

SEC. 292-a16. Publication of census.

1 Said council shall cause said compiled census and certificate to
2 be published in a book to be known as the "Census of Iowa".
[C., '51, § 619; R., '60, § 996; C., '73, § 116; C., '97, § 176;
S., '13, § 176; 40 G. A., ch. 226, § 16.]

SEC. 292-a17. Federal and state cooperation.

1 The executive council is authorized, so far as practicable, to
2 cooperate with the census bureau of the United States in the gather-
3 ing, compilation, and publication of census statistics.
[S., '13, § 177-a; 40 G. A., ch. 226, § 17.]

SEC. 292-a18. Federal census.

1 The secretary of state shall, whenever a general census is taken
2 by the federal government, procure from the supervisor of such
3 census, or other proper federal official, a copy of such part of said
4 census as gives the population of the state of Iowa by counties, by
5 cities, and by towns, and file the same in his office and attach thereto,
6 dated and signed by him, a certificate that the same is the census
7 report furnished to him by said federal official.
[S., '13, § 177-c; 40 G. A., ch. 226, § 18.]

SEC. 292-a19. Publication.

1 He shall at once cause such census report and certificate to be
2 published once in each of two daily newspapers of the state and of
3 general circulation, and from and after the date of such publication
4 said census shall be in full force and effect throughout the state. On
5 payment of a fee of two dollars he shall furnish a certified copy of the
6 whole or any part of such census report.
[S., '13, § 177-c; 40 G. A., ch. 226, § 19.]

SEC. 292-a20. Publication in official register.

1 The secretary of state shall publish said federal census report
2 and certificate aforesaid in full in each copy of the Iowa official register
3 until a census is taken by the state.
[S., '13, § 177-c; 40 G. A., ch. 226, § 20.]

SEC. 292-a21. Evidence—population.

1 Said certified census records in the office of the secretary of state,
2 and said authorized publications, including the certificates attached
3 thereto, shall be competent evidence of all matters therein contained.

4 Whenever the population of any county, city or town is referred to in
 5 any law of this state, it shall be determined by the last certified, or
 6 certified and published, official census, whether the same be a state or
 7 national census, unless otherwise provided. If there be a difference
 8 between the original certified record in the office of the secretary of
 9 state, and the published census, the former shall prevail.

[C., '97, § 177; S., '13, §§ 177, 177-c; 40 G. A., ch. 226, § 21.]

CHAPTER 15

DEPUTIES OF STATE OFFICERS

SECTION 293. Deputy secretary of state—bond—duties.

1 The secretary of state may appoint, in writing, any person, except
 2 one holding a state office, as deputy, for whose acts he shall be respon-
 3 sible, and from whom he shall require bonds, which appointment and
 4 bond must be approved by the officer having the approval of the prin-
 5 cipal's bond, and such appointment may be revoked in the same man-
 6 ner; both the appointment and revocation to be filed with and kept
 7 by such officer. The deputy shall qualify by taking the oath of the
 8 principal, to be indorsed upon and filed with the certificate of appoint-
 9 ment, and when so qualified he shall, in the absence or disability of the
 10 secretary, perform all the duties of the secretary pertaining to his
 11 office.

[C., '51, §§ 411-413, 416; R., '60, §§ 642-644, 647; C., '73,
 §§ 766-768, 770, 3756; C., '97, § 87; S., '13, § 87; 39 G.
 A., ch. 209, § 2.]

SEC. 294. Deputy auditor of state—bond—duties.

1 The auditor of state may appoint, in writing, any person, except
 2 one holding a state office, as deputy, for whose acts he shall be held
 3 responsible, and from whom he shall require bond, which appointment
 4 and bond must be approved by the officer having the approval of the
 5 principal's bond, and such appointment may be revoked in the same
 6 manner; both the appointment and revocation to be filed and kept in
 7 the office of the secretary of state. The deputy shall qualify by taking
 8 the oath of the principal, to be indorsed upon and filed with the cer-
 9 tificate of appointment, and when so qualified he shall, in the absence
 10 or disability of the auditor, perform all the duties of the auditor per-
 11 taining to his office.

[C., '51, §§ 411-413, 416; R., '60, §§ 642-644, 647; C., '73,
 §§ 766-768, 770, 3757; C., '97, § 99; S., '13, § 99; 39 G.
 A., ch. 209, § 5.]

SEC. 295. Deputy treasurer—bond—duties.

1 The treasurer of state may appoint, in writing, any person, except
 2 one holding a state office, as deputy, for whose acts he shall be held
 3 responsible, and from whom he shall require bond, which appointment
 4 and bond must be approved by the officer having the approval of the

5 principal's bond, and such appointment may be revoked in the same
 6 manner; both the appointment and revocation to be filed and kept in
 7 the office of the secretary of state. The deputy shall qualify by taking
 8 the oath of the principal, to be indorsed upon and filed with the cer-
 9 tificate of appointment, and when so qualified, he shall, in the absence
 10 or disability of the treasurer, perform all of the duties of the treasurer
 11 pertaining to his office.

[C., '51, §§ 411-413, 416; R., '60, §§ 642-644, 647; C., '73,
 §§ 766-768, 770, 3758; C., '97, § 116; S., '13, § 116; 39
 G. A., ch. 209, § 8.]

CHAPTER 16

REPORTS OF OFFICERS

SECTION 296. Biennial reports of officers—when made.

[Repealed by 39 G. A., ch. 286, § 79.]

SEC. 297. Biennial fiscal term.

1 The biennial fiscal term of the state ends on the thirtieth day of
 2 June in each odd-numbered year, and the succeeding fiscal term begins
 3 on the day following.

4 The maximum amount named as appropriations made for the
 5 support of inmates or for pay of officers or teachers or for any other
 6 purpose whatever connected with the operating of any state institu-
 7 tion under the control of the board of control of state institutions shall
 8 be available until used for the purpose for which said appropriation
 9 was made, and no part of the same shall be by the auditor of state
 10 or treasurer of state charged off as an unexpended balance unless said
 11 officers shall be notified in writing by said board that said balance so
 12 unexpended will not be needed.

[C., '73, § 129; C., '97, § 123; S., '13, § 123; 39 G. A., ch. 286,
 § 79.]

TITLE III

MILITARY CODE AND RELATED MATTERS

CHAPTER 1

MILITARY CODE

SECTION 313-a1. Waterworks at Camp Dodge.

1 The adjutant general is authorized to enter into an agreement
2 with the secretary of war to operate the water plant at Camp Dodge
3 for the use and benefit of the United States, its successors and assigns,
4 upon such terms and conditions as shall be approved by the governor,
5 provided that such operation shall be at a profit to the state of Iowa.
[39 G. A., ch. 327, § 2.]

SEC. 314. Salaries—assistants.

[Repealed by 39 G. A., ch. 209, § 1.]

SEC. 315. Salary.

[Repealed by 39 G. A., ch. 209, § 1.]

SEC. 316. Call by president—term of service—other troops—draft—discharge from federal service.

1 Whenever the United States is invaded or in danger of invasion
2 from any foreign nation, or of rebellion against the authority of the
3 government of the United States, or the president is unable, with the
4 regular forces at his command, to execute the laws of the Union, it
5 shall be lawful for the president to call forth such number of the
6 national guard of Iowa as he may deem necessary to assist in repelling
7 such invasion, suppressing such rebellion or to assist in enabling him
8 to execute such laws, and to issue his orders for that purpose, through
9 the governor, to such officers of the national guard of Iowa as he may
10 think proper; and the president may specify, in his call, the period for
11 which such service is required, and the guard so called forth shall con-
12 tinue to serve during the term so specified, either within or without
13 the territory of the United States, unless sooner relieved by order of
14 the president; provided that no commissioned officer or enlisted man of
15 the guard shall be held to service beyond the term of his existing com-
16 mission or enlistment. Whenever the president shall require, in any
17 of the designated instances, more troops than can be supplied by the
18 guard of the state, the governor shall, in his discretion, organize forth-
19 with such other national guard forces as he may deem necessary, or
20 order into the service of the United States so many of the unorganized
21 militia of the state as is required, designating the same by draft if a
22 sufficient number do not volunteer, and shall commission officers
23 therefor.

24 Officers and enlisted men drafted into federal service through the
 25 guard shall upon discharge from such service continue to serve the
 26 balance of their enlistment period the same as though it had not been
 27 interrupted by such draft.

[C., '97, § 2169; S., '13, § 2215-f18; 39 G. A., ch. 163, § 1.]

**SEC. 320. Compensation—transportation, subsistence and quarters—
 injured men—hospital service—loss of property—appropriation.**

1 The guard, when in active service of the state upon the call of
 2 the governor, and when paraded for drill, encampment, target prac-
 3 tice, school of instruction, or other duty under orders of the governor,
 4 shall be paid the following compensation for time actually on duty;
 5 each commissioned officer shall receive for such service the pay of
 6 his grade in the United States army, without allowances, increase or
 7 additions on account of length of service, and without subsistence or
 8 other allowances other than transportation and quarters, except as
 9 herein otherwise provided; each enlisted man shall be furnished
 10 transportation, subsistence and quarters, and in addition thereto the
 11 pay of his grade in the United States army. Officers and enlisted men
 12 of the guard incapacitated by injury or illness caused by participation
 13 in encampments, maneuvers or other outdoor exercises which extend
 14 beyond the period of time covered by the order directing the duty to
 15 be performed, shall receive from the state, upon approval of the claim
 16 by the governor, the pay of their respective grade and medical service
 17 during the period of time that the disability prevents their resuming
 18 their civil occupation; enlisted men shall also receive hospital service,
 19 if needed, and subsistence. When in actual service of the state, pur-
 20 suant to the order of the governor, the compensation and expenses of
 21 the guard and claims of the members thereof for injury or illness
 22 incurred in line of duty, shall be paid out of any funds in the state
 23 treasury, not otherwise appropriated, upon warrants drawn by the
 24 auditor of state; the claims for such service shall be audited and
 25 allowed by the governor. Should any part of the compensation above
 26 provided, be paid by the United States, there shall be paid from the
 27 state treasury only that part thereof not paid by the United States.
 28 When on active duty on rifle practice, range competition, or schools
 29 of instruction, officers shall receive such compensation or allowances
 30 as the governor shall designate in orders with reference thereto.
 31 Compensation, subject to payment by the state of Iowa, to the officers
 32 and enlisted men of the guard for military service, shall be subject
 33 to stoppage of payment for loss or damage to public property issued
 34 them for military uses.

[C., '51, § 625; R., '60, § 1006; C., '73, § 1051; C., '97, §§ 2189,
 2212, 2213; S., '13, § 2215-f23; 39 G. A., ch. 163, § 3.]

SEC. 321. Annual allowance for office expense.

[Repealed by 39 G. A., ch. 163, § 4.]

SEC. 322. Armory rent—storage facilities.

[This and the preceding section repealed by 39 G. A., ch. 163,
 § 4, and the following section enacted in lieu thereof.]

SEC. 322-a1. Armory board—tenure—duties—payment of allowances.

1 The governor shall appoint an armory board which shall consist
2 of the adjutant general and four other officers from the active, reserve,
3 or retired commissioned personnel of the guard. The board shall meet
4 at such times and places as are ordered by the governor. The four
5 officers so appointed shall serve at the pleasure of the governor.

6 The board shall for each unit of the guard fix the rent allowances
7 to be paid by the state for other than state-owned armories and shall
8 acquire, contract, erect, purchase, sell, maintain, repair, and alter state-
9 owned armories subject to the laws made and provided therefor.

10 The board shall fix the amount to be paid to commanding officers
11 of each division, brigade, regiment, battalion, squadron, battery, troop,
12 company or other units of the guard for headquarters expenses and
13 shall provide by regulations how the same shall be disbursed by such
14 commanding officers. The actions of the armory board shall be sub-
15 ject to the approval of the governor.

16 The allowances made by the armory board shall, when approved
17 by the governor, be paid from the funds appropriated for the support
18 and maintenance of the guard.

[C., '97, §§ 2203, 2204, 2214; S. S., '15, §§ 2215-f24, 2215-f25;
37 G. A., ch. 314, § 9; 38 G. A., ch. 362; 39 G. A., ch.
163, § 4.]

SEC. 323. Rifle ranges—appropriation.

1 The governor may designate the location of four regimental rifle
2 ranges, and the expenditure of the sum of five thousand dollars or so
3 much thereof as may be necessary, is hereby allowed for the acquisi-
4 tion and construction of each of such ranges.

5 The sum of six hundred dollars or so much thereof as is necessary,
6 is hereby allowed annually for the rental and maintenance of each of
7 said ranges.

8 The sum of three hundred dollars or so much thereof as is neces-
9 sary is hereby allowed to each battery, troop, company or other unit
10 of the guard for the procurement, construction and maintenance of a
11 rifle range. The payments herein provided to be made when sufficient
12 funds are available beyond other requirements of this chapter and
13 when approved by the governor.

[S., '13, § 2215-f26; 39 G. A., ch. 163, § 6.]

SEC. 324. Allowance for drill—expenditure.

1 Each battery, troop, company or other unit of the guard showing
2 attendance and actual drill of those present for one and one-half hours
3 each week shall be allowed semiannually for miscellaneous military
4 purposes, the sum of four dollars per capita, based on the average
5 enlisted strength during such semiannual period, but when the average
6 attendance during any semiannual period falls below fifty per cent of
7 the average enlisted strength in that period, then and in that event,
8 such organization shall forfeit all right or claim to any such allowance.
9 The semiannual period herein referred to shall begin January first
10 and July first. The governor shall prescribe regulations governing
11 the payment by the state and the expenditure by the unit of this allow-

12 ance and when the allowances by the state have been approved by him
 13 they shall be paid from the funds appropriated for the support and
 14 maintenance of the guard.

[S. S., '15, § 2215-f27; 39 G. A., ch. 163, § 7.]

SEC. 331. Service badges.

1 The adjutant general from the available funds at his disposal
 2 shall procure and issue to the officers and men of the guard entitled
 3 thereto, service badges according to the design and pattern thereof
 4 as may be determined upon by the adjutant general and kept on file
 5 at the office of the adjutant general. Members of the guard who by
 6 order of the president serve in federal forces during a national emer-
 7 gency shall be entitled to count the period of such federal service
 8 toward the procurement of a service badge.

[S., '13, § 2215-f34; 39 G. A., ch. 163, § 8.]

**SEC. 335. Building and camp ground improvements—salvage—
 improvement fund.**

1 The governor is authorized to expend from the funds appro-
 2 priated for the support and maintenance of the guard such amounts
 3 as may be necessary in the purchase of additional land, erection of
 4 buildings and other improvements on the permanent camp grounds
 5 and rifle ranges purchased by the state for the use of the guard, or
 6 purchased by the United States for the use of the guard of this state,
 7 when in his judgment such buildings and improvements will be for
 8 the permanent good of the guard.

9 Funds derived from the sale of salvage from the permanent camp
 10 grounds and rifle ranges of the guard shall be deposited with the treas-
 11 urer of state to the credit of a fund to be known as the permanent
 12 improvement fund and such fund shall only be expended for the
 13 improvement of the permanent camp grounds and rifle ranges of the
 14 guard upon order of the executive council of the state of Iowa.

[S., '13, § 2215-f41; 37 G. A., ch. 314, § 14; 39 G. A., ch. 163,
 § 5; 39 G. A., ch. 327, § 1.]

SEC. 336. Guard support fund.

1 There is appropriated out of any moneys in the treasury not
 2 otherwise appropriated the sum of two hundred sixty-five thousand
 3 dollars per annum, or so much thereof as may be necessary, for the
 4 support of the guard under the provisions of this chapter not applying
 5 to active service, which shall be drawn by a warrant, drawn by the
 6 auditor of state on the state treasurer, upon the certificate of the
 7 adjutant general approved by the governor and checked by the state
 8 board of audit, showing for what purpose each draft is to be or has
 9 been used, and no indebtedness shall be created in excess of such annual
 10 appropriation.

[C., '97, § 2214; S. S., '15, § 2215-f42; 37 G. A., ch. 314, § 15;
 39 G. A., ch. 171, § 2.]

SEC. 336-a1. Camp Dodge maintenance fund.

1 There is hereby annually appropriated out of any funds in the
 2 state treasury not otherwise appropriated the sum of ten thousand

3 dollars, or so much thereof as may be necessary, for the maintenance
 4 of Camp Dodge. Expenditures from said appropriation shall be cer-
 5 tified by the adjutant general and approved by the governor, and
 6 proper vouchers therefor shall be filed with the state board of audit
 7 before warrants are issued by the auditor of state. No indebtedness
 8 shall be created in excess of such annual appropriation.

[40 G. A., ch. 5.]

CHAPTER 1-A

STATE BANNER

SECTION 337-a1. Specifications of state banner.

1 The banner designed by the Iowa society of the daughters of the
 2 American revolution and presented to the state of Iowa, which banner
 3 consists of three vertical stripes of blue, white and red, the blue stripe
 4 being nearest the staff and the white stripe being in the center, and
 5 upon the central white stripe being depicted a spreading eagle bearing
 6 in its beak blue streamers on which is inscribed, in white letters, the
 7 state motto, "Our liberties we prize and our rights we will maintain"
 8 and with the word "Iowa" in red letters below such streamers, as
 9 such design now appears on the banner in the office of the governor
 10 of the state of Iowa, is hereby adopted as a distinctive state banner,
 11 for use on all occasions where a distinctive state symbol in the way of
 12 a banner may be fittingly displayed.

[39 G. A., ch. 78, § 1.]

SEC. 337-a2. Use of state banner.

1 Such design may be used as a distinctive state banner and may
 2 as such be displayed on all proper occasions where the state is officially
 3 represented as distinct from other states, either at home or abroad, or
 4 wherever it may be proper to distinguish the citizens of Iowa from
 5 the citizens of other states, such display in all cases to be subservient
 6 to and along with the display of the national emblem and, when dis-
 7 played with the latter, to be placed beneath the stars and stripes.

[39 G. A., ch. 78, § 2.]

CHAPTER 3

PENSIONS

SECTION 341. Northern border brigade—Spirit Lake relief expedition.

1 The survivors of the northern border brigade, as shown by the
 2 roster of Iowa soldiers, volume six, pages one hundred eighty-one to
 3 two hundred seven, inclusive, or their widows, shall receive a monthly
 4 pension of twenty dollars, during the lifetime of each such survivor,
 5 or his widow and widows of the members of Spirit Lake expedition
 6 of eighteen hundred fifty-seven, to be paid from the state treasury on

7 the proper voucher being made, and out of funds not otherwise appro-
8 priated; provided that in cases where the said survivors are now
9 receiving pensions from the federal government this section shall not
10 apply.

[37 G. A., ch. 164; 39 G. A., ch. 225.]

SEC. 341-a1. Spirit Lake relief expedition of 1857.

1 The survivors of the Spirit Lake relief expedition of eighteen
2 hundred fifty-seven, as shown by the roster of Iowa soldiers, volume
3 six, pages nine hundred twenty-two to nine hundred thirty-seven,
4 inclusive, shall receive a monthly pension of twenty dollars per month,
5 during the lifetime of each such survivor, to be paid from the state
6 treasury on the proper voucher being made, and out of funds not
7 otherwise appropriated.

[35 G. A., ch. 348, § 1.]

NOTE: Chapter 348, acts of the 35 G. A. was omitted from the supplement to the code, 1913, and therefore did not appear in the compiled code. It is here printed to supply the omission.

SEC. 341-a2. Mitchell's cavalry.

1 The survivors of the frontier guards of Mitchell's cavalry as
2 shown by the original muster roll and pay rolls of a military company
3 organized and commanded by John Mitchell under the authority of a
4 commission dated July fourth, eighteen hundred sixty-one, signed by
5 Governor Samuel J. Kirkwood and identified as "John Mitchell's Com-
6 pany of Iowa Volunteers," all of which commission, pay roll, and
7 return thereon, is on file in the official archives of Iowa in the historical
8 department of Iowa, and the surviving widows of deceased members
9 thereof, shall receive a pension of two hundred and forty dollars on
10 the first day of June, nineteen hundred twenty-three, and twenty
11 dollars per month thereafter during the lifetime of each such sur-
12 vivor, to be paid from the state treasury on the proper voucher being
13 made, and out of funds not otherwise appropriated; provided that in
14 cases where the said survivors are now receiving a pension from the
15 federal government, this section shall not apply.

[40 G. A., ch. 6, § 1.]

TITLE IV

ELECTIONS AND OFFICERS

CHAPTER 2

NOMINATIONS BY PRIMARY ELECTION

SECTION 368. Nomination papers—candidates—affidavit.

1 No candidate for an elective county office shall have his name
 2 printed upon the official primary ballot of his party unless at least
 3 thirty days prior to the day fixed for holding the primary election a
 4 nomination paper shall have been filed in his behalf in the office of the
 5 county auditor; and no candidate for nomination for an elective state
 6 office, or for representative in the congress of the United States, or
 7 member of the general assembly, shall have his name printed upon the
 8 official primary ballot of his party unless at least forty days prior to
 9 such primary election a nomination paper shall have been filed in his
 10 behalf in the office of the secretary of state; and no member of a polit-
 11 ical party desiring or intending to be a candidate for the office of
 12 senator in the congress of the United States, or a candidate for the
 13 office of elector of the president and the vice president of the United
 14 States, shall have his name printed upon the official primary ballot of
 15 his party in any election precinct unless at least forty days prior to
 16 such primary election a nomination paper shall have been filed in his
 17 behalf in the office of the secretary of state. A candidate for an office
 18 to be filled by the voters of any subdivision of a county, or a candi-
 19 date for party committeeman, shall not be required to file any nom-
 20 ination paper or papers. All nomination papers shall be in substan-
 21 tially the following form:

22 "I, the undersigned, a qualified elector of
 23 county, and state of Iowa, and a member of the
 24 party, hereby nominate
 25 of county, state of Iowa, who has affili-
 26 ated with and is a member of the
 27 party, as a candidate for the office of to be voted for at
 28 the primary election to be held in June, 19.....", and shall consist of
 29 sheets of uniform size about eight and one-half by thirteen inches.
 30 No signatures shall be counted unless they are on sheets each having
 31 such form written or printed at the top thereof. Each signer of a
 32 nomination paper shall sign but one such nomination paper for the
 33 same office, except where more than one officer is to be elected to the
 34 same office, in which case he may sign as many nomination papers as
 35 there are officers to be elected, and only one candidate shall be peti-
 36 tioned for or nominated in the same nomination paper. Each signer
 37 of a nomination paper shall add his residence with street and number,
 38 if any, and the date of signing. For all nominations, all signers of
 39 each separate part of a nomination paper shall reside in the same

40 county. When more than one sheet is used for any nomination paper,
 41 the sheets shall be laid one upon the other and neatly, evenly, and
 42 securely fastened together before filing, and shall be considered as one
 43 nomination paper only. A nomination paper, when filed, shall not
 44 be withdrawn nor added to, nor any signature thereon revoked. The
 45 affidavit of a qualified elector shall be appended to each such nomina-
 46 tion paper, or papers, if more than one for any candidate, stating
 47 that he is personally acquainted with all the persons who have signed
 48 the same; that he knows them to be electors of that county and be-
 49 lieves them to be affiliated with the party named therein; that he
 50 knows that they signed the same with full knowledge of the contents
 51 thereof; that their respective residences are truly stated therein; and
 52 that each signer signed the same on the date stated opposite his name,
 53 but such affidavit shall not be made by the candidate. Each and every
 54 candidate shall make and file his affidavit stating that he is eligible
 55 to the office for the township, county, district or state in which he is
 56 and will be a bona fide candidate for nomination for said office, and
 57 shall file such affidavit with the said nomination paper or papers,
 58 when such paper or papers are required. If no such paper or papers
 59 are required, then he shall file such affidavit alone, or there shall be
 60 filed a nomination paper signed by ten qualified voters of any sub-
 61 division of a county, with the county auditor, at least twenty days
 62 prior to such primary election, and the filing of such affidavit or such
 63 nomination paper shall entitle such candidate to have his name printed
 64 on the official primary ballot of his party. Such affidavit shall be in
 65 form and substance as follows:

66 "I,, being duly sworn, say that I reside at
 67 street, (city or town) of county of
 68 in the state of Iowa; that I am eligible to the office for
 69 which I am a candidate, and that the political party with which I
 70 affiliate is the party; that I am a candidate for nomina-
 71 tion to the office of to be made at the primary election
 72 to be held in June, 19....., and hereby request that my name be printed
 73 upon the official primary ballot as provided by law, as a candidate of
 74 the party. I furthermore declare that if I am nomi-
 75 inated and elected I will qualify as such officer.

76 [Signed].....
 77 Subscribed and sworn to (or affirmed) before me.....
 78 by on this day of, 19.....
 79,

80 The nomination papers above required shall be signed as follows:

81 1. If for a state office, United States senator, or elector at large,
 82 by at least one per centum of the voters of the party (as shown by the
 83 returns of the last general election) of such candidates, in each of at
 84 least ten counties of the state, and in the aggregate not less than one-
 85 half of one per centum of the total vote of his party in the state, as
 86 shown by the last general election.

87 2. If for a representative in congress, district elector, or senator
 88 in the general assembly in districts composed of more than one county,
 89 by at least two per centum of the voters of his party, as shown by the
 90 last general election, in at least one-half of the counties of the district,
 91 and in the aggregate not less than one per centum of the total vote
 92 of his party in such district, as shown by the last general election.

93 3. If for an office to be filled by the voters of the county, by at
 94 least two per centum of the party vote in the county, as shown by the
 95 last general election.

96 In each of the above cases, the vote to be taken for the purpose of
 97 computing the percentage shall be the vote cast for the head of the
 98 ticket.

99 All nomination papers shall be destroyed at the same time and in
 100 the manner in which the primary election ballots are destroyed.

[S., '13, § 1087-a10; 39 G. A., ch. 75.]

SEC. 388. County convention—delegates—committeemen.

1 In each county there shall be held in each year in which a gen-
 2 eral election in November is to take place a county convention of each
 3 political party. Said county convention shall be composed of dele-
 4 gates elected at the last preceding primary election, and shall be held
 5 on the fourth Saturday following the primary election, convening at
 6 eleven o'clock a. m. The number of delegates from each voting pre-
 7 cinct shall be determined by a ratio adopted by the respective party
 8 county central committees, and shall be thus determined and a state-
 9 ment designating the number from each voting precinct in the county
 10 filed in the office of the county auditor at least thirty days before the
 11 primary election; if not so done, the auditor shall fix the number.
 12 The requisite number of names of candidates of his choice for dele-
 13 gates to the county convention to which each precinct is entitled shall
 14 be written, or pasted with uniform white pasters, on the blank lines
 15 upon the ballot by the voter while in the booth, or by someone
 16 designated by a voter unable to write, after the ballots are received
 17 and before they are deposited, and the requisite number of persons
 18 from each precinct who receive the highest number of votes shall be
 19 the delegates from the precinct to the county convention. The term of
 20 office of such delegates shall begin on the day following the final can-
 21 vass of the votes by the board of supervisors, and shall continue for
 22 two years and until their successors are elected.

23 One man and one woman shall be elected as members of the
 24 county central committee for each political party from each precinct.
 25 The term of office of each of them shall begin on the day of the county
 26 convention and immediately following the adjournment thereof, and
 27 shall continue for two years and until his or her successor is elected
 28 and qualified, unless such committeeman or committeewoman shall be
 29 removed by the county central committee for inattention to the duties
 30 of the position, incompetency, or failure to support the ticket nomin-
 31 ated by the party which elected him or her to such position. The
 32 county central committee elected in the primary election shall organ-
 33 ize on the day of the convention and immediately following the same.
 34 Vacancies in such committee may be filled by majority vote of the
 35 committee, but no two members thereof from the same precinct shall
 36 be of the same sex.

37 Returns shall be made by the judges of election respecting dele-
 38 gates and members of the county central committee in the same
 39 manner as for other offices, except that the judges of election shall
 40 canvass the returns as to delegates and members of the county central
 41 committee, and certify the result to the auditor with the returns. The
 42 auditor shall, immediately after the final count and canvass of the
 43 votes and returns by the board of supervisors, notify the delegates

44 and members of the county central committee who have thus been
45 elected, of their election, and of the time and place of holding the
46 county convention, and shall, on the second Thursday following the
47 primary election, deliver a certified list thereof to the chairmen of the
48 respective party central committees for the county. When the dele-
49 gates, or a majority thereof, or when delegates representing a major-
50 ity of the precincts, thus elected, shall have assembled in the county
51 convention at the time herein prescribed and at the county seat, the
52 convention shall be called to order by the chairman of the county
53 central committee, who shall present the certified list of delegates and
54 members of the county central committee, and a list of the offices for
55 which no nomination was made at the primary election, by reason of
56 the failure of any candidate for any such office to receive thirty-five
57 per centum of all votes cast by such party therefor. If any precinct
58 shall not be fully represented the delegates present from such precinct
59 shall cast the full vote thereof, but there shall be no proxies. The
60 said county convention shall make nominations of candidates for the
61 party for any office to be filled by the voters of a county when no can-
62 didate for such office has been nominated at the preceding primary
63 election by reason of the failure of any candidate for any such office
64 to receive thirty-five per centum of all votes cast by such party there-
65 for, as shown by the canvass of the returns provided for in section
66 three hundred eighty of the compiled code, and shall select delegates
67 to the next ensuing state and district conventions of that year upon
68 such ratio of representation as may be determined by the party
69 organization for the state, district or districts of the state, as the case
70 may be, but no delegates shall be so selected to any of the district
71 conventions referred to in section three hundred eighty-nine of the
72 compiled code, unless a call therefor has been issued as therein pro-
73 vided. The said county convention shall also elect a member of the
74 party central committee for the senatorial and congressional districts
75 composed of more than one county. But in no case shall the county
76 convention make a nomination for an office for which no person was
77 voted for in the primary election of such party.

[S., '13, § 1087-a25; 40 G. A., ch. 7, § 1.]

SEC. 390. State convention—state central committee.

1 A state convention of each political party, composed of delegates
2 chosen in the manner herein provided, shall be held not earlier than
3 the first Wednesday and not later than the fifth Wednesday following
4 the county convention, in the year nineteen hundred eight, and bien-
5 nially thereafter, convening at such time and place as may be deter-
6 mined upon by the party organization. The convention shall be called
7 to order by the chairman of the state central committee, who shall
8 thereupon present a list of delegates, as certified by the various county
9 conventions, and effect a temporary organization. If any county shall
10 not be fully represented, the delegates present from such county shall
11 cast the full vote thereof, but there shall be no proxies. Such conven-
12 tion when permanently organized shall formulate and adopt the state
13 platform of the party it represents, and shall make nominations of can-
14 didates for the party for any state office to be filled by the voters of
15 the entire state, including the office of senator in the congress of the
16 United States, when no candidate for such office has been nominated
17 at the preceding primary election, by reason of the failure of any can-
18 didate for any such office to receive thirty-five per centum of all votes

19 cast by such party therefor, as shown by the canvass of the returns
 20 provided for in section three hundred eighty-four of the compiled code.
 21 It shall also elect a state central committee consisting of one man and
 22 of one woman from each congressional district and transact such other
 23 business as may properly be brought before it. The state central
 24 committee elected at said state convention may organize at pleasure
 25 for political work as is usual and customary with such committees
 26 and shall continue to act until succeeded by another committee duly
 27 elected. But in no case shall the state convention of a party make a
 28 nomination for an office for which no person was voted for in
 29 the primary election of such party.

[S., '13, § 1087-a27; 40 G. A., ch. 7, § 2.]

SEC. 395. Special elections.

1 This act [32 G. A., ch. 51] shall not apply to special elections to
 2 fill vacancies.

[S., '13, § 1087-a30.]

NOTE: No change made in the above section by the 39th G. A. or the 40th
 G. A. but reprinted to correct error in printing of compiled code.

CHAPTER 3

NOMINATIONS BY CONVENTION OR PETITION

SECTION 400. Withdrawals.

1 Any candidate named by either of the methods authorized in this
 2 chapter may withdraw his nomination by a written request, signed
 3 and acknowledged by him before any officer empowered to take the
 4 acknowledgment of deeds, and filed in the office of the secretary of
 5 state thirty days, or the proper auditor twenty or clerk twelve days
 6 before the day of election, and no name so withdrawn shall be printed
 7 upon the ballot. In case of a special election to fill vacancies in office,
 8 such withdrawal papers shall be filed with the secretary of state six-
 9 teen days, and with the proper auditor or clerk twelve days, before
 10 the day of such special election.

[C., '97, § 1101; S. S., '15, § 1101; 38 G. A., ch. 100, § 1; 39
 G. A., ch. 105.]

CHAPTER 5

REGISTRATION OF VOTERS

SECTION 411. Registration.

1 The registers shall meet on the second Thursday prior to any
 2 general, city, or special election, at the usual voting place in the pre-
 3 cinct in which they have been appointed, and shall hold continuous
 4 sessions for two consecutive days, from eight o'clock in the forenoon
 5 until nine o'clock in the afternoon, and, in presidential years, such
 6 sessions shall be held for three days. Any person claiming to be a

5 and correct the registry book of voters, adding thereto, consecutively
 6 numbering them, the names of all applying for registration who on
 7 election day will be entitled to vote in that precinct, and by striking
 8 therefrom the name of anyone not entitled to vote thereat. The reg-
 9 isters shall revise and correct the alphabetical list in their possession
 10 to correspond therewith. When thus revised and corrected, it shall
 11 be certified and copied by the registers, who shall deliver, or cause
 12 to be delivered, such list and copy to the judges of the election of the
 13 proper precinct, and which delivery shall be made on election day,
 14 and before the opening of the polls.

15 Such alphabetical lists may be divided by the registers into not
 16 exceeding three separately bound parts.

17 The copy thus delivered shall be preserved by the judges, and
 18 returned with the vote from that precinct, and the original to the
 19 clerk. At the opening of the polls and before any ballot shall be
 20 received, the judges of the election shall appoint one of their number,
 21 or one of the clerks, to check the name of each voter whose name is
 22 on the alphabetical lists, to whom a ballot is delivered.

[C., '73, §§ 599, 600; C., '97, § 1080; 40 G. A., ch. 8.]

CHAPTER 6

METHOD OF CONDUCTING ELECTIONS

SECTION 432. Ballot—presidential electors—United States senator —district judge—constitutional amendments.

1 The names of all candidates to be voted for in such election
 2 precinct, except electors of president and vice president of the United
 3 States, shall be printed on one ballot, all nominations of any political
 4 party or group of petitioners being placed under the party name or
 5 title of such party or group, as designated by them in their certificates
 6 of nomination or petitions, or if none be designated, then under some
 7 suitable title, and the ballot shall contain no other names; provided,
 8 however, that the candidates for electors of president and vice
 9 president of any political party or group of petitioners shall not be
 10 placed on the ballot, but in the years in which they are elected the
 11 names of candidates for president and vice president, respectively, of
 12 such parties or group of petitioners shall be placed on the ballot simi-
 13 larly as the names of candidates for United States senators are placed
 14 thereon under their respective party, petition or adopted titles for
 15 each political party or group of petitioners nominating a set of candi-
 16 dates for electors, and upon the left-hand margin of each separate
 17 column of the ballot, immediately opposite the names of said candi-
 18 dates for president and vice president, a single square shall be printed
 19 in front of a bracket inclosing the names of the said candidates for
 20 president and vice president, and the votes for which candidates shall
 21 be counted and certified to by the election judges in the same manner
 22 as the votes for other candidates.

23 At all general elections next preceding the expiration of the term
 24 of office of United States senator in the congress of the United States
 25 there shall be placed upon the official ballot in the proper place the
 26 names of candidates for all parties or group of petitioners for the

27 office of United States senator that have been nominated by law and
 28 the votes for which candidates shall be counted and certified to by the
 29 election judges in the same manner as votes for other candidates.

30 Each list of candidates for the several parties and groups of peti-
 31 tioners shall be placed in a separate column on the ballot, in such order
 32 as the authorities charged with the printing of the ballots shall decide,
 33 except as otherwise provided, and be called a ticket. But the name of
 34 no candidate shall appear upon the ballot in more than one place for
 35 the same office, whether nominated by convention, primary, caucus or
 36 petition, except as hereinafter provided.

37 Where two or more conventions, primaries or caucuses, or any
 38 two of them, may nominate the same candidate for any office, the
 39 name of such candidate shall be printed under the name of the
 40 party first filing nomination papers bearing such name, unless the
 41 candidate himself shall, in writing duly verified, request the officer
 42 with whom the nomination papers are filed to cause the name to
 43 be printed upon some other ticket; provided that, in any judicial
 44 district of the state in which the bar association, or a convention
 45 of attorneys of the district nominates or recommends candidate
 46 or candidates for the office of district judge, and such candidates
 47 are also nominated or indorsed by any political party, in preparing
 48 the ballots for the general election, the names of such candidate
 49 or candidates shall be printed as candidate or candidates for each
 50 party by whom they are nominated, whether by primary, conven-
 51 tion or petition. Each of the columns containing the list of candi-
 52 dates, including the party name, shall be separated by a distance
 53 line.

54 Said ballot shall be substantially in the following form:

55	<input type="radio"/> REPUBLICAN	<input type="radio"/> DEMOCRATIC	<input type="radio"/> PROHIBITION	<input type="radio"/> UNION LABOR
56	<input type="checkbox"/> For President,	☐ For President,	☐ For President,	☐ For President,
57	A..... B.....,	N..... O.....,	A..... B.....,	N..... O.....,
58	of Ohio.	of Virginia.	of Maine.	of Idaho.
59	<input type="checkbox"/> For Vice Pres-	☐ For Vice Pres-	☐ For Vice Pres-	☐ For Vice Pres-
60	ident,	ident,	ident,	ident,
61	C..... D.....,	P..... Q.....,	C..... D.....,	P..... Q.....,
62	of New York.	of Indiana.	of Illinois.	of Ohio.
63	For United	For United	For United	For United
64	States	States	States	States
65	Senator,	Senator,	Senator,	Senator,
66	<input type="checkbox"/> E..... F.....,	<input type="checkbox"/> R..... S.....,	<input type="checkbox"/> E..... F.....,	<input type="checkbox"/> R..... S.....,
67	of.....County.	of.....County.	of.....County.	of.....County.
68	For Governor,	For Governor,	For Governor,	For Governor,
69	<input type="checkbox"/> G..... H.....,	<input type="checkbox"/> T..... U.....,	<input type="checkbox"/> G..... H.....,	<input type="checkbox"/> T..... U.....,
70	of.....County.	of.....County.	of.....County.	of.....County.
71	For Lieutenant	For Lieutenant	For Lieutenant	For Lieutenant
72	Governor,	Governor,	Governor,	Governor,
73	<input type="checkbox"/> I..... J.....,	<input type="checkbox"/> V..... W.....,	<input type="checkbox"/> I..... J.....,	<input type="checkbox"/> V..... W.....,
74	of.....County.	of.....County.	of.....County.	of.....County.
75	For Judge of	For Judge of	For Judge of	For Judge of
76	Supreme Court,	Supreme Court,	Supreme Court,	Supreme Court,
77	<input type="checkbox"/> L..... M.....,	<input type="checkbox"/> X..... Y.....,	<input type="checkbox"/> L..... M.....,	<input type="checkbox"/> X..... Y.....,
78	of.....County.	of.....County.	of.....County.	of.....County.

79 When a constitutional amendment or other public measure is to
 80 be voted upon by the electors, it shall be printed in full upon a separate ballot, preceded by the words, "Shall the following amendment
 81 to the constitution (or public measure) be adopted?" and upon the
 82 right-hand margin, opposite these words, two spaces shall be left, one
 83 for votes favoring such amendment or public measure, and the other
 84 for votes opposing the same. In one of these spaces the word "Yes"
 85 or other word required by law shall be printed; in the other, the word
 86 "No" or other word required, and to the right of each space a square
 87 shall be printed to receive the voting cross, all of which shall be substantially in the following form:

89 "Shall the following amendment to the constitution (or public
 90 measure) be adopted?"

92 (Here insert in full the proposed constitutional amend-

Yes.	
No.	

 93 ment or public measure).

94 The elector shall designate his vote by a cross mark, thus, X,
 95 placed in the proper square. At the top of such ballots shall be printed
 96 the following words, inclosed in brackets: [Notice to voters. For
 97 an affirmative vote upon any question submitted upon this ballot make
 98 a cross [x] mark in the square after the word "Yes". For a negative
 99 vote make a similar mark in the square following the word "No".]
 100 If more than one constitutional amendment or public measure is to
 101 be voted upon, they shall be printed upon the same ballot, one below
 102 the other, with one inch space between each constitutional amend-
 103 ment or public measure that is to be submitted. All of such ballots
 104 for the same polling place shall be of the same size, similarly printed,
 105 upon yellow colored paper. On the back of each such ballot shall
 106 be printed appropriate words, showing that such ballot relates to a
 107 constitutional or other question to be submitted to the electors, so
 108 as to distinguish the said ballots from the official ballot for candidates for office, and a facsimile of the signature of the auditor or other officer who has caused the ballot to be printed. Such ballots shall be indorsed and given to each voter by the judges of election, as provided in section four hundred forty-four of the compiled code, and shall be subject to all other laws governing ballots for candidates, so far as the same shall be applicable.

[C., '51, § 256; R., '60, § 491; C., '73, § 616; C., '97, § 1106;
 S., '13, § 1106; 38 G. A., ch. 86, § 2; 38 G. A., ch. 353,
 § 2; 39 G. A., ch. 19.]

SEC. 451. Voting by women.

[Repealed by 40 G. A., ch. 9, § 1.]

CHAPTER 7-A

DOUBLE ELECTION BOARDS

SECTION 499-a1. Counting board.

1 In all election precincts in Iowa where three hundred or more
 2 votes were cast in the last preceding general election, the board of
 3 supervisors may appoint for each primary and general election three

4 additional judges and two additional clerks to be known as the election
5 counting board. Each of such appointees shall be of good moral
6 character, well informed, able to read, write and speak the English
7 language, shall be a voter in the election precinct in which he is to serve
8 and entitled to vote therein.

[39 G. A., ch. 60, § 1.]

SEC. 499-a2. Receiving board—selection of counting board.

1 The judges and clerks of election as provided in existing law
2 shall be known as the receiving board and it shall be their duty to
3 supervise the casting of ballots at said election, and the judges and
4 clerks provided for in the preceding section shall be known as the
5 counting board.

6 The counting board shall be chosen from the two political parties
7 casting the highest number of votes at the last general election. Not
8 more than two judges nor more than one clerk shall belong to the same
9 political organization, provided that two of such judges shall be chosen
10 from the political party casting the highest number of votes at the
11 last preceding general election. The receiving board shall perform
12 all the functions of judges and clerks of election as now provided by
13 law except as to counting and certifying the vote as by this chapter
14 provided.

[39 G. A., ch. 60, § 2.]

SEC. 499-a3. Oath.

1 All judges and clerks shall take an oath as now provided in
2 existing law for judges of election and in addition to such oath the
3 counting board shall take the following oath:

4 "I.....do swear (or affirm) that I
5 will duly attend to the ensuing election during the continuance thereof
6 as a member of the counting board; that I will not, prior to the closing
7 of the polls, communicate in any manner, directly or indirectly, by
8 word or sign, the progress of the counting, nor the result so far as
9 ascertained, nor any information whatsoever in relation thereto; that
10 I will make and return a perfect return of the said election, and will
11 in all things truly, impartially and faithfully perform my duty respect-
12 ing the same to the best of my judgment and ability; that I am not
13 directly or indirectly interested in any bet or wager on the result of
14 this election".

15 This oath shall be administered by the clerk of the receiving
16 board who is hereby empowered to administer such oath.

[39 G. A., ch. 60, § 7.]

SEC. 499-a4. Duties of counting and receiving boards.

1 The counting board shall proceed to their respective voting places
2 to which they have been appointed at one o'clock p. m., on election day,
3 and shall take charge of the ballot box containing the ballots already
4 cast in that precinct. It shall retire to a partitioned space or room
5 provided for that purpose and there proceed to count and tabulate the
6 ballots as it shall find them deposited in the ballot box. The receiv-
7 ing board shall continue to receive the votes of electors in the other
8 box provided, until such time as the counting board shall have finished

9 counting and tabulating the ballots cast in the first ballot box. The
 10 two boards shall then exchange the first box for the second box and so
 11 continue until they have counted and tabulated all the votes cast on
 12 that election day. When the hour arrives for closing the polls, the
 13 receiving board shall certify to all matters pertaining to casting of
 14 ballots and shall then unite with the counting board in the counting of
 15 ballots. The judges shall then divide the ballots not counted and each
 16 group of judges and clerks shall proceed to canvass their portion of
 17 the same. When the canvass has been completed the judges and clerks
 18 shall report the result of their canvass which report shall be incor-
 19 porated in the returns provided by law.

[39 G. A., ch. 60, § 3.]

SEC. 499-a5. Ballot boxes.

1 It shall be the duty of the board of supervisors to provide the
 2 judges of election with such ballot boxes and other election supplies as
 3 may be required, to be furnished in duplicate to accomplish the purpose
 4 of this chapter.

[39 G. A., ch. 60, § 4.]

SEC. 499-a6. Manner of counting ballots.

1 Whenever the counting board receives from the receiving board
 2 the ballot box they shall also be furnished a statement from the receiv-
 3 ing board giving the number of votes as shown by the poll books up
 4 to that time, which shall equal the number of votes in the ballot box.
 5 The counting board shall on opening the ballot box first count the
 6 ballots therein. If the number of ballots found in the ballot box
 7 exceeds the number as shown by the statement received from the
 8 receiving board the counting judges shall proceed to examine the offi-
 9 cial indorsement of said ballots, and, if any ballots are found that do
 10 not bear proper official indorsement, said ballots shall be kept separate
 11 and a record of such ballots shall be made and returned under the head
 12 of excess ballots. The counting board shall then proceed to count the
 13 ballots as now provided by law.

[39 G. A., ch. 60, § 5.]

SEC. 499-a7. Secrecy of ballot during count.

1 The space or room occupied by the counting board shall be policed
 2 in such manner as to prevent any person, or persons, from gaining
 3 information regarding the progress of the count before the polls are
 4 closed.

[39 G. A., ch. 60, § 6.]

SEC. 499-a8. Presence of persons during count.

1 No person, or persons, shall be admitted into the space or room
 2 where such ballots are being counted until the polls are closed except
 3 the counting board.

[39 G. A., ch. 60, § 9.]

SEC. 499-a9. Counting quarters—guarding ballots.

1 Boards of supervisors shall provide suitable places for the count-
2 ing of ballots, but when it becomes necessary to remove the ballot box
3 from one room to another, or from one building to another, and at all
4 times when they are in possession of the counting board, they shall be
5 under constant observation of at least two counting judges.

[39 G. A., ch. 60, § 10.]

SEC. 499-a10. Certification of count—return of books and ballots.

1 Both boards shall certify to all matters pertaining to counting and
2 canvassing of votes and shall return poll books and ballots to the
3 county auditor as provided by law.

[39 G. A., ch. 60, § 15.]

SEC. 499-a11. Special ballot box for assessor.

1 When the precinct includes a town, or a part thereof, together
2 with territory outside the limits of such town, the township trustees
3 shall prepare a separate ballot box to receive the vote for township
4 assessor, which shall be on separate ballots, and only the ballots of
5 persons living outside the limits of such town shall be placed in said
6 ballot box.

[39 G. A., ch. 60, § 11.]

SEC. 499-a12. Compensation of officials.

1 Compensation for counting judges and clerks shall be the same
2 as now provided by law for clerks and judges of election.

[39 G. A., ch. 60, § 13.]

SEC. 499-a13. Applicability of law.

1 This chapter shall apply to all general and primary elections, but
2 shall not apply to school elections or town elections, or where voting
3 machines are used.

[39 G. A., ch. 60, §§ 12, 14.]

SEC. 499-a14. Violations—penalty.

1 Any judge or clerk violating the provisions of this chapter shall
2 be guilty of a misdemeanor, and, upon conviction thereof, shall be liable
3 to a fine of not to exceed five hundred dollars, or imprisonment in the
4 county jail not to exceed six months. Any person so convicted shall be
5 disfranchised for five years thereafter. And anyone circulating or
6 attempting to circulate any information with reference to the result
7 of the counted ballots shall be guilty of a misdemeanor and punished
8 as provided by this section.

[39 G. A., ch. 60, § 8.]

CHAPTER 8

VOTING MACHINES

SECTION 508. Ballots—form—party circle.

1 All ballots shall be printed in black ink on clear, white material,
 2 of such size as will fit the ballot frame, and in as plain, clear type as the
 3 space will reasonably permit. The party name for each political
 4 party represented on the machine shall be prefixed to the list of candi-
 5 dates of such party. The order of the list of candidates of the several
 6 parties or organizations shall be arranged as provided in section four
 7 hundred thirty-two of this supplement, except that the lists may be
 8 arranged in horizontal rows or vertical columns.

9 The provisions of section four hundred thirty-two of this supple-
 10 ment shall not be applicable to voting machines owned prior to April
 11 first, nineteen hundred twenty-one, by any county or municipality in
 12 Iowa, in so far as they relate to the party circle and the form of the
 13 ballot generally; but nothing herein contained shall prohibit the use of
 14 voting machines equipped to comply with the foregoing provisions.

[S., '13, § 1137-a15; 39 G. A., ch. 266.]

CHAPTER 9

ABSENT VOTERS' LAW

SECTION 522. Application for official ballot.

1 Any elector, as defined in section five hundred twenty-one of the
 2 compiled code, expecting to be absent from the county of his resi-
 3 dence on the day of any such election, or any elector physically unable
 4 to go to the polls on the day of such election, may, not more than
 5 twenty nor less than three days prior to the date of such election,
 6 make application to the county auditor of such county, or the clerk
 7 of the city or town, as the case may be, for an official ballot to be voted
 8 at such election.

[S. S., '15, § 1137-c; 37 G. A., ch. 419, § 4; 40 G. A., ch. 10,
 § 1.]

SEC. 524. Auditor or clerk to deliver or mail ballot.

1 Upon receipt of such application, and not more than fifteen nor
 2 less than three days prior to such election, it shall be the duty of such
 3 auditor or clerk, as the case may be, to mail, postage prepaid, an
 4 official ballot or ballots, if more than one are to be voted at said elec-
 5 tion, or such officer shall deliver said ballot or ballots to any qualified
 6 elector applying in person at the office of such auditor or clerk, as the
 7 case may be, and subscribing to the foregoing application, not more
 8 than ten days nor less than one secular day before said election.

[S. S., '15, § 1137-e; 40 G. A., ch. 10, § 2.]

SEC. 529. Opening envelope—depositing ballot—rejecting ballot—voting machine precincts.

1 At any time between the opening and closing of the polls on such
 2 election day the judges of election of said precinct shall open the

3 outer or carrier envelope only, announce the absent or disabled voter's
4 name and compare the signature upon the application with the sig-
5 nature upon the affidavit on the ballot envelope. In case the judges
6 find the affidavits executed, that the signatures correspond, the ap-
7 plicant a duly qualified elector of the precinct, and that the applicant
8 has not voted in person at said election, they shall open the envelope
9 containing the absent or disabled voter's ballot in such manner as not
10 to deface or destroy the affidavit thereon and take out the ballot or
11 ballots therein contained without unfolding or permitting the same
12 to be unfolded or examined and, having indorsed the ballot in like
13 manner as other ballots are required to be indorsed, deposit the same
14 in the proper ballot box or boxes and enter the absent or disabled
15 voter's name in the poll book, the same as if he had been present and
16 voted in person.

17 In precincts using voting machines, said ballots shall be deposited
18 in a ballot box kept for that purpose until just after the closing of the
19 polls when they shall be taken out and shall be registered by two elec-
20 tion judges of different political parties on the voting machine, the
21 same as if the absent voters had been present and had voted in person.

22 In case such affidavit is found to be insufficient, or that the sig-
23 natures do not correspond, or that the applicant is not a duly qualified
24 elector in such precinct, or that the ballot envelope is open, or has
25 been opened and resealed, or that the ballot envelope contains more
26 than one ballot of any one kind, such vote shall not be accepted or
27 counted. Every ballot not counted shall be indorsed on the back
28 thereof "Rejected (giving reason therefor)".

29 All rejected ballots shall be inclosed and securely sealed in an
30 envelope on which the judges shall indorse "Defective ballots" with a
31 statement of the precinct in which and the date of the election at
32 which they were cast, signed by the judges and returned to the same
33 officer and in the same manner as by law provided for the return and
34 preservation of official ballots voted at such election.

35 The affidavit upon the ballot envelope shall constitute a sufficient
36 registration of the voter in precincts where registration is required
37 and shall be treated like and have the same force and effect as a cer-
38 tificate issued by the registers of election on election day in all cases
39 where the voter is not already registered and where his name does
40 not appear upon the alphabetical lists, and if the ballot be deposited
41 and the absent or disabled voter's name be entered on the poll books
42 as herein provided, the judges of election shall enter the absent or
43 disabled voter's name on the alphabetical lists with the same data as
44 is entered when a certificate of registration is filed, and the ballot en-
45 velope having the absent or disabled voter's affidavit thereon shall be
46 preserved and returned with the certificates of registration, poll book
47 and alphabetical lists to the city clerk, who shall preserve the same,
48 and it shall be used by the registers of election, in precincts where
49 registration is required, in making up the new registry lists from the
50 poll books, and such affidavit shall serve as the registration record of
51 the voter for the new registry books and lists.

52 If the ballot is rejected and the vote of the absent or disabled
53 voter not accepted or counted as provided herein, said ballot envelope
54 with the affidavit of the absent or disabled voter indorsed thereon

55 shall be returned with said rejected ballot in the envelope indorsed
56 "Defective ballots".

[S. S., '15, § 1137-j; 37 G. A., ch. 419, § 2; 39 G. A., ch. 279;
40 G. A., ch. 11.]

CHAPTER 10

PRESIDENTIAL ELECTORS

SECTION 535. Election—canvass.

1 At the general election in the years of the presidential election,
2 or at such other times as the congress of the United States may direct,
3 there shall be elected by the electors of the state one person from
4 each congressional district into which the state is divided, as elector
5 of president and vice president, and two from the state at large, no
6 one of whom shall be a person holding the office of senator or repre-
7 sentative in congress, or any office of trust or profit under the United
8 States.

9 Each elector of each congressional district and each elector at
10 large nominated by any party or group of petitioners shall receive the
11 combined vote of the electors of the state for the candidates for presi-
12 dent and vice president of such party or group of petitioners, and a
13 vote cast for the candidates for president and vice president of the
14 United States shall be the votes of the voter for the electors of the re-
15 spective party or group of petitioners.

16 The canvass of the votes for candidates for president and vice
17 president of the United States and the returns thereof shall be a can-
18 vass and return of the votes cast for the electors of the same party
19 or group of petitioners respectively, and the certificate of such election
20 made by the governor shall be in accord with such return.

[C., '51, §§ 301, 302; R., '60, §§ 535, 536; C., '73, §§ 659,
660; C., '97, § 1173; S., '13, § 1173; 38 G. A., ch. 86, § 6;
38 G. A., ch. 353, § 1; 39 G. A., ch. 19.]

CHAPTER 11

STATEMENT OF EXPENSES

SECTION 540. Statement of election expenses — limitation on expenses.

1 Every candidate for any office to be voted for at any primary,
2 municipal or general election shall, within ten days after the holding
3 of such primary, municipal or general election, file a true, correct,
4 detailed, sworn statement showing each and all sums of money or
5 other things of value disbursed, expended or promised directly or
6 indirectly by him, and to the best of his knowledge and belief by any
7 other person or persons in his behalf for the purpose of aiding or
8 securing his nomination or election.

9 If the person be a candidate for a municipal or a county office,
 10 such statement shall be filed with the county auditor; if for a state
 11 office, or any other office to be voted for by the electors of more than
 12 one county, such statement shall be filed with the secretary of state.

13 Such statement shall show the dates, amounts, and from whom
 14 such sums of money or other things of value were received, and the
 15 dates, amounts, purposes and to whom paid or disbursed, and shall
 16 include the assessment of any person, committee, or organization in
 17 charge of the campaign of such candidate.

18 If after filing the ten-day statement herein required, such candi-
 19 date shall, directly or indirectly, receive any money or other thing of
 20 value contributed, expressly or tacitly, for the purpose of reimbursing
 21 or aiding him in his nomination or election, he shall within thirty days
 22 after the receipt of such contribution file a like sworn statement.

23 It shall be unlawful for any candidate to expend in connection
 24 with any primary election campaign more than fifty per centum of
 25 the annual salary applicable to the position for which he is a candidate
 26 and unlawful for him to expend in connection with his campaign for
 27 election to any office more than fifty per centum of the annual salary
 28 applicable to the position for which he is a candidate.

[S., '13, § 1137-a1; 39 G. A., ch. 197.]

CHAPTER 19

OFFICIAL AND PRIVATE BONDS

SECTION 617. Penalty of bond.

1 The bond of the secretary of state shall be in the penal sum of
 2 not less than ten thousand dollars; the auditor of state in the sum
 3 of not less than ten thousand dollars; the treasurer of state in the
 4 sum of not less than three hundred thousand dollars; the attorney
 5 general in the sum of not less than ten thousand dollars; each rail-
 6 road commissioner in the sum of not less than five thousand dollars;
 7 the reporter of the supreme court in the sum of not less than one
 8 thousand dollars; the clerk of the supreme court in the sum of not
 9 less than ten thousand dollars; and the superintendent of public
 10 instruction in the sum of not less than two thousand dollars.

[C., '51, §§ 326, 327; R., '60, §§ 128, 556; C., '73, § 678; C.,
 '97, § 1184; 39 G. A., ch. 4, § 1.]

CHAPTER 21

REMOVAL FROM OFFICE

SECTION 648-a1. Summoning witnesses—production of books.

1 In any investigation before the executive council, the council shall
 2 have authority to summon witnesses and compel their attendance and
 3 to require the production of records, books, papers and other evidence.
 4 They shall pay witnesses, other than those in the employ of the state,
 5 the same compensation as is paid witnesses in the district court.

[39 G. A., ch. 158, § 1.]

SEC. 648-a2. Failure of witness to appear.

1 In case of the failure or refusal of any person summoned as a
 2 witness to appear or to answer any question propounded, such person
 3 may be punished for contempt and in such case the executive council
 4 shall certify the fact of the witness' failure to appear or refusal to
 5 testify to the district court of the county wherein any hearing is being
 6 held by the council and the court shall hear and determine the matter
 7 and all proceedings in court in connection with such matter shall be
 8 the same as in cases of contempt of court.

[39 G. A., ch. 158, § 2.]

SEC. 649. By district court or judge—for what causes.

1 All elective and appointive county, city and town officers shall be
 2 removed from office by the district court or judge upon charges made
 3 in writing and hearing thereunder for the following causes:

- 4 1. For wilful or habitual neglect or refusal to perform the duties
- 5 of his office.
- 6 2. For wilful misconduct or maladministration in office.
- 7 3. For corruption.
- 8 4. For extortion.
- 9 5. Upon conviction of a felony.
- 10 6. For intoxication or upon conviction of being intoxicated.

[S., '13, § 1258-c; 37 G. A., ch. 391, § 1; 40 G. A., ch. 12.]

CHAPTER 22
SUSPENSION OF STATE OFFICERS**SECTION 657. Accounts examined by commission.**

1 The governor shall, when of the opinion the public service requires
 2 it, appoint a commission of three competent accountants, who shall
 3 examine the books, papers, vouchers, moneys, securities and other
 4 documents in the possession or under the control of any state officer,
 5 board or commission, and of all other persons expending any funds
 6 from the state treasury of any funds belonging to the state or directing
 7 the expenditure of such funds. Such accountants shall make out a full,
 8 complete and specific statement of the transactions of said officer with,
 9 for or on behalf of the state, showing the true balances in each case,
 10 and report the same to the governor, with such suggestions as they may
 11 think proper.

[R., '60, §§ 46, 47, 55, 56; C., '73, § 759; C., '97, § 1259; 39 G.
 A., ch. 171, § 1.]

CHAPTER 24
SOLDIERS' PREFERENCE LAW**SECTION 678. Preference in appointments and promotions.**

[Repealed by 39 G. A., ch. 166, § 1.]

SEC. 679. Removals.

[This and the preceding section repealed by 39 G. A., ch. 166, § 1, and sections 679-a1 and 679-a2 enacted in lieu thereof.]

SEC. 679-a1. Preference in appointments and promotions—mandamus.

[Repealed by 40 G. A., ch. 227.]

SEC. 679-a2. Mandamus—removal—burden of proof—certiorari—exceptions.

[This and the preceding section repealed by 40 G. A., ch. 227, and the six following sections enacted in lieu thereof.]

SEC. 679-a3. Preference in appointments and promotions.

1 In every public department and upon all public works, in the
2 state of Iowa, and of the counties, cities, towns, and school boards
3 thereof, including those of cities acting under special charters, honor-
4 ably discharged soldiers, sailors, marines, and nurses from the army
5 and navy of the United States in the late civil war, Spanish-American
6 war, Philippine insurrection, China relief expedition, or war with
7 Germany, who are citizens and residents of this state, shall, except in
8 the position of school teachers, be entitled to preference in appoint-
9 ment, employment, and promotion over other applicants of no greater
10 qualifications.

[S., '13, § 1056-a15; 39 G. A., ch. 166, § 2; 40 G. A., ch. 227, § 1.]

SEC. 679-a4. Age and physical disability.

1 The persons thus preferred shall not be disqualified from holding
2 any position hereinbefore mentioned on account of age or by reason
3 of any physical disability, provided such age or disability does not
4 render such person incompetent to perform properly the duties of the
5 position applied for.

[S., '13, § 1056-a15; 39 G. A., ch. 166, § 2; 40 G. A., ch. 227, § 2.]

SEC. 679-a5. Duty to investigate and appoint.

1 When such soldier, sailor, marine or nurse shall apply for appoint-
2 ment or employment under this chapter, the officer, board or person
3 whose duty it is or may be to appoint or employ some person to fill
4 such position or place shall, before appointing or employing anyone to
5 fill such position or place, make an investigation as to the qualifications
6 of said applicant for such place or position, and if the applicant is of
7 good moral character and can perform the duties of said position so
8 applied for, as hereinbefore provided, said officer, board or person shall
9 appoint said applicant to such position, place or employment.

[S., '13, § 1056-a15; 39 G. A., ch. 166, § 2; 40 G. A., ch. 227, § 3.]

SEC. 679-a6. Mandamus.

1 A refusal to allow said preference, or a reduction of the salary
2 for said position with intent to bring about the resignation or dis-

3 charge of the incumbent, shall entitle the applicant or incumbent, as
4 the case may be, to maintain an action of mandamus to right the
5 wrong.

[S., '13, §§ 1056-a15, 1056-a16; 39 G. A., ch. 166, §§ 2, 3; 40
G. A., ch. 227, § 4.]

SEC. 679-a7. Removal—certiorari to review.

1 No person holding a public position by appointment or employ-
2 ment, and belonging to any of the classes of persons to whom a
3 preference is herein granted, shall be removed from such position or
4 employment except for incompetency or misconduct shown after a
5 hearing, upon due notice, upon stated charges, and with the right of
6 such employee or appointee to a review by a writ of certiorari.

[S., '13, § 1056-a16; 39 G. A., ch. 166, § 3; 40 G. A., ch. 227,
§ 5.]

SEC. 679-a8. Incompetency or misconduct—burden of proof.

1 The burden of proving incompetency or misconduct shall rest
2 upon the party alleging the same. Nothing in this chapter shall be
3 construed to apply to the position of private secretary or deputy of any
4 official or department, or to any person holding a strictly confidential
5 relation to the appointing officer.

[S., '13, § 1056-a16; 39 G. A., ch. 166, § 3; 40 G. A., ch. 227,
§ 6.]

CHAPTER 24-A

NEPOTISM

SECTION 679-a9. Employments prohibited.

1 It shall hereafter be unlawful for any person elected or appointed
2 to any public office or position under the laws of the state of Iowa or
3 by virtue of the ordinance of any city or town in said state, to appoint
4 as deputy, clerk or helper in said office or position to be paid from the
5 public funds, any person related by consanguinity or affinity, within
6 the third degree, to the person elected, appointed, or making said
7 appointment, unless such appointment shall first be approved by the
8 officer, board, council, or commission whose duty it is to approve the
9 bond of the principal; provided this provision shall not apply in cases
10 where such person appointed receives compensation at the rate of
11 six hundred dollars per year or less, nor shall it apply to persons
12 teaching in public schools,

[40 G. A., ch. 15, § 1.]

SEC. 679-a10. Payment prohibited—penalty.

1 No person so unlawfully appointed or employed shall be paid or
2 receive any compensation from the public money and such appoint-
3 ment shall be null and void and any person or persons so paying the
4 same or any part thereof, together with his bondsmen, shall be liable
5 for any and all moneys so paid.

[40 G. A., ch. 15, § 2.]

NOTE As to the nonapplicability of this chapter to present appointments,
see 40 G. A., ch 15, § 3

CHAPTER 25

DUTIES RELATIVE TO PUBLIC CONTRACTS

SECTION 680. Contracts for unauthorized expenditures.

[This section and sections 681 to 683, inclusive, of the compiled code, repealed by 40 G. A., ch. 228, and the four following sections enacted in lieu thereof.]

SEC. 680-a1. Unauthorized contracts.

1 Officers empowered to expend, or direct the expenditure, of public
2 money of the state shall not make any contract for any purpose which
3 contemplates an expenditure of such money in excess of that author-
4 ized by law.

[R., '60, § 2181; C., '73, § 127; C., '97, §§ 185, 186; 40 G. A.,
ch. 228, § 1.]

SEC. 680-a2. Executive council may authorize indebtedness.

1 Nothing herein contained shall prevent the incurring of an indebt-
2 edness on account of support funds for state institutions, upon the
3 prior written direction of the executive council, specifying the items
4 and amount of such indebtedness to be increased, and the necessity
5 therefor.

[C., '97, § 186; 40 G. A., ch. 228, § 2.]

SEC. 680-a3. Divulging contents of sealed bids.

1 No public officer or deputy thereof, if any, shall directly or indi-
2 rectly or in any manner whatsoever, at any other time or in any other
3 manner than as provided by law, open any sealed bid or convey or
4 divulge to any person any part of the contents of a sealed bid, on any
5 proposed contract concerning which a sealed bid is required or per-
6 mitted by law.

[S., '13, § 1279-a; 40 G. A., ch. 228, § 3.]

SEC. 680-a4. Penalty.

1 A violation of the provisions of the preceding section shall, in
2 addition to criminal liability, render the violator liable, personally and
3 on his bond, if any, to liquidated damages in the sum of one thousand
4 dollars for each violation, to inure to, and be collected by the state,
5 county, city, town, school district or other municipal corporation of
6 which the violator is an officer or deputy.

[S., '13, § 1279-a; 40 G. A., ch. 228, § 4.]

SEC. 681. Contracts in excess of appropriations.

[Repealed by 40 G. A., ch. 228.]

SEC. 682. Disclosing sealed bids—liability on bond.

[Repealed by 40 G. A., ch. 228.]

SEC. 683. Witnesses—not privileged from testifying—immunity.

[Repealed by 40 G. A., ch. 228.]

CHAPTER 25-A

DUTIES RELATIVE TO BONDS OF PUBLIC CORPORATIONS

SECTION 683-a1. Notice of sale.

1 When any state, county, township, municipal, drainage, school,
 2 road, park, or other public bonds are issued and offered for sale in the
 3 sum of twenty-five thousand dollars or more, the official or officials in
 4 charge of such bond issue shall by advertisement, published for two or
 5 more successive weeks in at least one official newspaper of the county,
 6 and in at least one newspaper of general circulation in the state, give
 7 notice of the time and place of sale of said bonds, the amount thereof
 8 to be offered for sale, and any further information which may be
 9 deemed pertinent.

[39 G. A., ch. 170, § 1.]

SEC. 683-a2. Sealed and open bids—record.

1 Sealed bids may be received at any time prior to calling for open
 2 bids. At said time and place, the said official or officials shall open and
 3 publicly announce all sealed bids received and make a record of same
 4 in their minutes. After the sealed bids are announced, the official or
 5 officials shall call for open bids and shall make record in the minutes of
 6 the best open bid received.

[39 G. A., ch. 170, § 2.]

SEC. 683-a3. Rejection of bids—minimum amount.

1 Any or all bids may be rejected, and the sale may be advertised
 2 anew, in the same manner, or the bonds may thereafter be sold at pri-
 3 vate sale, provided that no bonds shall be disposed of for less than par
 4 value and accrued interest.

[39 G. A., ch. 170, § 3.]

SEC. 683-a3a. Sale price and permissible expense.

1 It shall be unlawful for any county, city or town, or any township
 2 or school corporation to sell any of its bonds for less than par plus
 3 accrued interest or to pay any commission, either directly or indi-
 4 rectly, in connection with the sale of such bonds or to pay any expense
 5 in connection with such sale other than the expenses incurred in adver-
 6 tising such bonds for sale. Any officer of the county, city, town, town-
 7 ship or school corporation who becomes a party to the sale of bonds
 8 in violation of this chapter shall be guilty of a misdemeanor and, upon
 9 conviction, shall be punished accordingly.

[40 G. A., ch. 14.]

SEC. 683-a3b. Sale of state bonds.

1 All contracts for the sale of bonds issued by the state of Iowa
 2 shall be subject to the approval of the executive council.

[40 G. A., ch. 4, § 1.]

CHAPTER 25-B

DUTIES RELATIVE TO INVENTORIES OF PUBLIC PROPERTY

SECTION 683-a4. Inventories required of real and personal property.

[Repealed by 40 G. A., ch. 13.]

SEC. 683-a5. Officers required to file inventories—stationery—subsequent inventories.

[Repealed by 40 G. A., ch. 13.]

SEC. 683-a6. Property sold, used or destroyed.

[Repealed by 40 G. A., ch. 13.]

SEC. 683-a7. Charge against officer.

[Repealed by 40 G. A., ch. 13.]

SEC. 683-a8. Public inspection—duplicate copies.

[Repealed by 40 G. A., ch. 13.]

SEC. 683-a9. Duty of state and county auditor.

[Repealed by 40 G. A., ch. 13.]

SEC. 683-a10. System of books, blanks, etc.

[Repealed by 40 G. A., ch. 13.]

SEC. 683-a11. State auditor to furnish forms.

[Repealed by 40 G. A., ch. 13.]

SEC. 683-a12. Failure to file inventory—penalty.

[Repealed by 40 G. A., ch. 13.]

CHAPTER 25-C

DUTIES RELATIVE TO UNITED STATES FLAG

SECTION 683-a13. Display of flag.

1 It shall be the duty of the custodians of all public buildings of
 2 the state of Iowa to raise over such building the flag of the United
 3 States of America, upon each secular day when weather conditions
 4 are favorable, and it shall be the duty of any board of public officers
 5 charged with the duty of providing for the supplies of any such public
 6 building to provide, in connection with other supplies for any such
 7 building of the state of Iowa, a suitable flag for the purposes herein
 8 provided.

[S., '13, § 2804-c.]

NOTE: This section appears in the compiled code as section 2574. Said section is omitted as section 2574 and is reprinted here in order to improve the location of the section.

CHAPTER 26

COMMISSIONERS IN OTHER STATES

SECTION 684. Appointment—tenure—powers.

[Repealed by 40 G. A., ch. 276.]

SEC. 685. Seal.

[Repealed by 40 G. A., ch. 276.]

SEC. 686. Seal and signature as evidence.

[Repealed by 40 G. A., ch. 276.]

SEC. 687. Fees.

[Repealed by 40 G. A., ch. 276.]

SEC. 688. Oaths as evidence.

[This and the four preceding sections (and sections 693-a1 to 693-a5, inclusive, of this supplement) repealed by 40 G. A., ch. 276, and sections 693-a6 to 693-a22, inclusive, of this supplement, enacted in lieu thereof.]

SEC. 689. Conditions required.

[Repealed by 39 G. A., ch. 233, § 1.]

SEC. 690. Authority to be certified.

[Repealed by 39 G. A., ch. 233, § 1.]

SEC. 691. List to be published.

[Repealed by 39 G. A., ch. 233, § 1.]

SEC. 692. Commissioners of other states—authority of.

[Repealed by 39 G. A., ch. 233, § 1.]

SEC. 693. Records of appointments.

[This and the four preceding sections repealed by 39 G. A., ch. 233, § 1, and sections 693-a1 to 693-a5, inclusive, enacted in lieu thereof.]

SEC. 693-a1. Oath and certification thereof—filing—signature and seal.

[Repealed by 40 G. A., ch. 276.]

SEC. 693-a2. Certificate of appointment—duplicate filed.

[Repealed by 40 G. A., ch. 276.]

SEC. 693-a3. Governor to cause publication of list of commissioners.

[Repealed by 40 G. A., ch. 276.]

SEC. 693-a4. Commissioners of foreign states—authority—condition precedent.

[Repealed by 40 G. A., ch. 276.]

SEC. 693-a5. Governor to keep record.

[This and the four preceding sections (and sections 684 to 688, inclusive, of the compiled code) repealed by 40 G. A., ch. 276, and the seventeen following sections enacted in lieu thereof.]

SEC. 693-a6. Appointment and tenure.

1 The governor may appoint and commission, in each of the states
2 of the United States, other than this state, and in each territory or
3 insular possession of the United States, one or more commissioners
4 who shall continue in office for three years from the date of commis-
5 sion. Such appointment may be revoked at any time by the governor.

[C., '51, § 71; R., '60, § 188; C., '73, § 267; C., '97, § 383; 40 G. A., ch. 276, § 1.]

SEC. 693-a7. Seal.

1 Each such commissioner shall have an official seal, on which shall
2 be engraved the words, "Commissioner for Iowa" with his surname
3 and at least the initials of his christian name; also the name of the
4 state in which he acts, which seal must be so engraved as to make a
5 clear impression on wax, wafer, or paper.

[C., '73, § 268; C., '97, § 384; 40 G. A., ch. 276, § 2.]

SEC. 693-a8. Application.

1 Any person desiring to be appointed such commissioner shall
2 make application in substantially the following form:

3 State of..... }
4 County of..... } ss

5 I,, do hereby apply to his excellency,
6 the governor of Iowa, for appointment as commissioner for the state
7 of Iowa for the state of.....; that I am a resident
8 of said state and reside at....., in said state; that I
9 do solemnly swear that I will support, protect, and defend the con-
10 stitution of the United States, and the constitution of the state of
11 Iowa, and that I will well and truly execute and perform all the duties
12 of such commissioner, under and by virtue of the laws of the state of
13 Iowa during my term of office; and that opposite my signature hereto,
14 I have attached a true impression of my official seal.

15 (Official Seal)

16 Subscribed and sworn to by the above named.....

17 before me, this..... day of..... A. D., 19.....

18 Witness my hand and official seal.

19

20

[C., '51, § 73; R., '60, § 190; C., '73, § 272; C., '97, § 388; 39 G. A., ch. 233, § 2; 40 G. A., ch. 276, § 3.]

SEC. 693-a9. Oath.

1 The oath to said application shall be taken and subscribed:
 2 1. Before a clerk of a court of record in the state in which the
 3 applicant is to exercise his appointment, if made, or
 4 2. Before a duly authorized commissioner for Iowa, resident in
 5 said state.

6 The said oath shall be certified to under the signature of the
 7 person administering it, with the seal of his court, or with the seal
 8 of the said commissioner, as the case may be.

[C., '51, § 73; R., '60, § 190; C., '73, § 272; C., '97, § 388; 39
 G. A., ch. 233, § 2; 40 G. A., ch. 276, § 4.]

SEC. 693-a10. Certificate of qualifications.

1 A certificate in substantially the following form, and executed
 2 by a judge of a court of record of the state in which the applicant pro-
 3 poses to act, shall accompany said application:

4 State of..... }
 5 County of..... } ss.

6 I,, do hereby certify that I am a duly
 7 qualified and acting judge of (Name of court).....;
 8 that I am personally acquainted with....., know him
 9 to be a resident of the state of....., a person of good
 10 moral character, and fully competent to perform the duties of com-
 11 missioner of the state of Iowa.

12 Witness my official signature this..... day of
 13, 19.....

.....
 (Official Signature)

[40 G. A., ch. 276, § 5.]

SEC. 693-a11. Authentication of certificate.

1 The clerk of the court specified in the certificate provided for in
 2 the last preceding section shall, under his official signature and the
 3 seal of said court, certify to the nature of said court, and to the official
 4 position and genuineness of signature of the person executing said
 5 certificate.

[40 G. A., ch. 276, § 6.]

SEC. 693-a12. Fees—filing of application.

1 Said application shall be accompanied by a fee of fifteen dollars.
 2 Said application shall remain permanently on file in the office of the
 3 governor.

[C., '51, §§ 73, 2524; R., '60, §§ 190, 4133; C., '73, §§ 272,
 3756; C., '97, §§ 85, 388; 39 G. A., ch. 80, § 1; 39 G. A.,
 ch. 233, § 2; 40 G. A., ch. 276, § 7.]

SEC. 693-a13. Issuance of commission.

1 If said application is in due form the governor shall, if he is
 2 satisfied of the fitness of the applicant, issue to said applicant duplicate
 3 commissions substantially in the following form:

4 STATE OF IOWA
 5 Executive Department
 6 To all to whom these presents shall come, greeting.
 7 Know ye that I, governor of the state of Iowa,
 8 reposing special confidence in....., in the name
 9 and by the authority of the people of the said state, do hereby appoint
 10 and commission him a commissioner, resident in the state of.....
 11 to administer oaths, to take depositions and affidavits to be used in
 12 the courts of this state, and to take acknowledgments or proof of deeds
 13 and other instruments to be recorded and used in this state, to take
 14 effect on and after the..... day of.....
 15 A. D., 19....., and do authorize him to discharge according to law the
 16 duties of said office and to hold and enjoy the same, together with all
 17 the powers, privileges, and emoluments thereto appertaining for the
 18 term of three years from said date.
 19 In testimony whereof, I have hereunto set my hand and affixed
 20 the great seal of the state of Iowa. Done at Des Moines, this
 21 day of..... in the year of our Lord, one
 22 thousand nine hundred and.....
 23 BY THE GOVERNOR:

24 Attest.

25
 26 Secretary of State.
 [C., '73, § 273; C., '97, § 389; 39 G. A., ch. 233, § 3; 40 G. A.,
 ch. 276, § 8.]

SEC. 693-a14. Disposition of commissions.

1 One duplicate commission shall be forwarded to the person com-
 2 missioned. The other duplicate shall be forwarded to the secretary of
 3 state of the state in which said commissioner has been appointed
 4 to act.

[C., '73, § 273; C., '97, § 389; 39 G. A., ch. 233, § 3; 40 G. A.,
 ch. 276, § 9.]

SEC. 693-a15. Governor to keep record.

1 The governor shall keep in his office a complete record of all
 2 appointments made by him pursuant to the provisions of this chapter.

[C., '73, § 276; C., '97, § 392; 39 G. A., ch. 233, § 6; 40 G. A.,
 ch. 276, § 10.]

SEC. 693-a16. Published list of commissioners.

1 The governor shall cause to be published with the session laws of
 2 each general assembly a full and complete list of all commissioners for
 3 Iowa who are duly qualified, and whose commissions do not expire on
 4 or before the fourth day of July of the year in which such publication
 5 is made, which list shall give the postoffice address, date of qualifica-
 6 tion, and date of expiration of the commission, of each commissioner.

[C., '73, § 274; C., '97, § 390; 39 G. A., ch. 233, § 4; 40 G. A.,
 ch. 276, § 11.]

SEC. 693-a17. Powers.

1 A commissioner appointed as herein required shall have all the
 2 powers enumerated in said commission.

[C., '51, § 71; R., '60, § 188; C., '73, § 267; C., '97, § 383; 40
 G. A., ch. 276, § 12.]

SEC. 693-a18. Evidentiary effect of official acts.

1 Oaths administered by any such commissioner, affidavits, and
 2 depositions taken by him, and acknowledgments and proofs of deeds
 3 and other instruments, as aforesaid, certified by him, over his official
 4 signature and seal, are made as effectual in law, to all intent and pur-
 5 poses, as if done and certified by a clerk of the district court, or justice
 6 of the peace, or notary public, of this state.

[C., '51, § 72; R., '60, § 189; C., '73, § 271; C., '97, § 387; 40
 G. A., ch. 276, § 13.]

SEC. 693-a19. Signature and seal as evidence.

1 The signature and impression of the official seal of a person pur-
 2 porting to be a commissioner shall be deemed presumptively genuine,
 3 and shall be entitled to the same credit as evidence in the courts and
 4 public offices of this state as the signature and seal of a clerk of the
 5 district court, or notary public of this state.

[C., '51, § 74; R., '60, § 191; C., '73, § 269; C., '97, § 385; 40
 G. A., ch. 276, § 14.]

SEC. 693-a20. Fees.

1 Such commissioner is authorized to demand for his services the
 2 same fees as may be allowed for similar services by the laws of the
 3 state in which he is to exercise his office.

[C., '51, § 75; R., '60, § 192; C., '73, § 270; C., '97, § 386; 40
 G. A., ch. 276, § 15.]

SEC. 693-a21. Resident commissioner for foreign state—conditions.

1 Commissioners of the like nature appointed in this state under
 2 the authority of any other of the states of the United States, or under
 3 authority of any of the territories or insular possessions of the United
 4 States shall obtain from the issuing authority of such state, territory,
 5 or insular possession, a duplicate of his commission and file the same
 6 with the governor of this state.

[C., '51, § 77; R., '60, § 194; C., '73, § 275; C., '97, § 391; 39
 G. A., ch. 233, § 5; 40 G. A., ch. 276, § 16.]

SEC. 693-a22. Authority of resident commissioner.

1 The commissioners specified in the last preceding section are
 2 hereby invested with the authority of a justice of the peace to issue
 3 subpoenas, requiring the attendance of witnesses before them to give
 4 their testimony by deposition or affidavit, in any matter in which such
 5 deposition or affidavit may be taken by the law of such other state.
 6 They are also authorized to administer oaths in any matter in relation
 7 to which they are required or permitted by such law of the other
 8 states; and false swearing in such cases is hereby made subject to the
 9 penal laws of this state relating to perjury.

[C., '51, § 77; R., '60, § 194; C., '73, § 275; C., '97, § 391; 39
 G. A., ch. 233, § 5; 40 G. A., ch. 276, § 17.]

CHAPTER 27

NOTARIES PUBLIC

SECTION 694. Appointment—commissions expire—notice.

[Repealed by 40 G. A., ch. 229, and the three following sections enacted in lieu thereof.]

SEC. 694-a1. Appointment.

1 The governor may at any time appoint one or more notaries public
2 in each county and may at any time revoke such appointment.

[C., '51, § 78; R., '60, § 195; C., '73, § 258; C., '97, § 373; S.,
'13, § 373; 40 G. A., ch. 229, § 1.]

SEC. 694-a2. When appointments made.

1 Such appointments, if for a full term, shall be made on July
2 fourth, nineteen hundred twenty-four, and on the same day each three
3 years thereafter. All commissions shall expire on the fourth day of
4 July in the same years. No commission shall be for a longer period
5 than three years.

[C., '51, § 78; R., '60, § 195; C., '73, § 258; C., '97, § 373; S.,
'13, § 373; 40 G. A., ch. 229, § 2.]

SEC. 694-a3. Notice of expiration of term.

1 The governor shall; on or before May first preceding the expira-
2 tion of each commission, notify each notary public of such expiration
3 and furnish him with a blank application for reappointment and a
4 blank bond.

[C., '97, § 373; S., '13, § 373; 40 G. A., ch. 229, § 3.]

SEC. 695. Conditions.

1 Before any such commission is delivered to the person appointed,
2 he shall:

3 1. Procure a seal on which shall be engraved the words "Notarial
4 Seal" and "Iowa", with his surname at length and at least the initials
5 of his christian name.

6 2. Execute a bond to the state of Iowa in the sum of five hundred
7 dollars conditioned for the true and faithful execution of the duties
8 of his office, which bond, when secured by personal surety, shall be
9 approved by the clerk of the district court of the county of his resi-
10 dence; all other bonds shall be approved by the governor.

11 3. Write on said bond, or a paper attached thereto, his signature,
12 and place thereon a distinct impression of official seal.

13 4. File such bond with attached papers, if any, in the office of the
14 governor.

15 5. Remit to the governor the sum of five dollars for the three
16 year period provided by law.

17 When the governor is satisfied that the foregoing requirements
18 have been fully complied with, he shall execute and deliver a commis-
19 sion to the person appointed.

[C., '51, §§ 80, 83; R., '60, §§ 197, 200, 207-209; C., '73, §
259; C., '97, § 374; S., '13, § 374; 39 G. A., ch. 80, § 2.]

SEC. 698. Powers—improper acts—penalties.

[Repealed by 40 G. A., ch. 229, and the four following sections enacted in lieu thereof.]

SEC. 698-a1. Powers within county of appointment.

1 Each notary is invested, within the county of his appointment,
2 with the powers and shall perform the duties which pertain to that
3 office by the custom and law of merchants.

[C., '51, § 79; R., '60, § 196; C., '73, § 262; C., '97, § 377; S.,
13, § 377; 40 G. A., ch. 229, § 4.]

SEC. 698-a2. Powers within adjoining county.

1 Such notary public is also invested with the powers specified in
2 the preceding section in any county adjoining the county of his
3 appointment, provided he has filed in such adjoining county, with the
4 clerk of the district court, a certified copy of his certificate of appoint-
5 ment.

[S., '13, § 377; 40 G. A., ch. 229, § 5.]

SEC. 698-a3. Oaths and protest by interested notary.

1 Any notary public, who is at the same time an officer, director or
2 stockholder of a corporation, is also hereby invested with the power
3 to administer oaths to any officer, director or stockholder of such
4 corporation in any matter wherein said corporation is interested, and
5 is hereby authorized to protest for nonacceptance or nonpayment, bills
6 of exchange, drafts, checks, notes and other negotiable or nonnego-
7 tiable instruments which may be owned or held for collection by such
8 corporation, as fully and effectually as if he were not an officer,
9 director or stockholder of such corporation.

[40 G. A., ch. 229, § 5-a.]

SEC. 698-a4. Improperly acting as notary.

1 If any notary public exercise the duties of his office after the
2 expiration of his commission, or when otherwise disqualified, or
3 appends his official signature to documents when the parties have not
4 appeared before him, he shall be fined not less than fifty dollars, and
5 shall be removed from office by the governor.

[R., '60, § 210; C., '73, § 3975; C., '97, § 4912; 40 G. A., ch.
229, § 6.]

SEC. 700. Record filed with clerk.

[Repealed by 40 G. A., ch. 229, and the three following sections enacted in lieu thereof.]

SEC. 700-a1. Records in case of death, resignation, or removal.

1 On the death, resignation or removal from office of any notary,
2 his records, with all his official papers, shall, within three months
3 therefrom, be deposited in the office of the clerk of the district court
4 in the county for which such notary shall have been appointed.

[C., '51, § 85; R., '60, § 202; C., '73, § 264; C., '97, § 379; 40
G. A., ch. 229, § 7.]

SEC. 700-a2. Neglect of notary to deposit records.

1 If any notary, on his resignation or removal, neglects for three
 2 months so to deposit them, he shall be guilty of a misdemeanor and
 3 be liable in an action to any person injured by such neglect.

[C., '51, § 85; R., '60, § 202; C., '73, § 264; C., '97, § 379; 40
 G. A., ch. 229, § 8.]

SEC. 700-a3. Neglect of executor to deposit records.

1 If an executor or administrator of a deceased notary wilfully neg-
 2 lects, for three months after his acceptance of that appointment, to
 3 deposit the records and papers of a deceased notary which came into
 4 his hands in said clerk's office, he shall be held guilty of a mis-
 5 demenor.

[C., '51, § 85; R., '60, § 202; C., '73, § 264; C., '97, § 379; 40
 G. A., ch. 229, § 9.]

SEC. 703. Notary fees.

1 Notaries public shall be entitled to the following fees:

- 2 1. For all services in connection with the legal protest of a bill
- 3 or note, two dollars.
- 4 2. For being present at a demand, tender or deposit and noting
- 5 the same, seventy-five cents.
- 6 3. For administering an oath, ten cents.
- 7 4. For certifying to an oath under his official seal, twenty-five
- 8 cents.
- 9 5. For any other certificate under seal, twenty-five cents.

[C., '51, § 2542; R., '60, § 4151; C., '73, § 3801; C., '97, § 382;
 40 G. A., ch. 229, § 10.]

CHAPTER 29
SALARIES, FEES, EXPENSES AND EXPENDITURES**SECTION 712. Fee bill.**

[Omitted at this point and reprinted in this supplement as section
 7724-a1, in order that all forms of "executions" may be embraced in
 the same chapter.]

SEC. 723. Appropriations not to be diverted.

[Repealed by 40 G. A., ch. 228.]

SEC. 724. Misdemeanor.

[Repealed by 40 G. A., ch. 228.]

TITLE V

REGULATIONS UNDER POLICE POWER

CHAPTER 1

COAL MINES AND MINING

SECTION 729. Meetings.

1 Said board shall meet in the office of the state mine inspectors in
2 the capitol on the first Monday in March of each even-numbered year
3 for the examination of applicants; notice of which examination shall
4 be published in at least one newspaper in each mining district not
5 less than fifteen days preceding the date of such examination; and
6 shall be furnished with the necessary stationery and other material
7 for the examination in the same manner as other state officers are
8 provided with supplies.

[C., '97, § 2480; 39 G. A., ch. 209, § 62.]

SEC. 731-a1. Inspectors to post reports.

1 The mine inspectors immediately after their inspection shall post
2 or cause to be posted a summary report of the conditions found in any
3 mine, together with any requests or orders made for changes or
4 repairs. Such report shall be posted at some convenient and con-
5 spicuous place to which employees of such mine and their representa-
6 tives shall have free access thereto.

[40 G. A., ch. 16, § 1.]

SEC. 731-a2. Owner to provide place.

1 The owner, operator, lessee, or person in charge of every mine
2 in this state, subject to inspection, shall provide a suitable place for
3 the posting of such report, which shall be so constructed as to protect
4 such report, when posted, from the weather and improper removal
5 thereof. The place for posting such report and means of protection
6 therefor, shall conform to the direction and approval of the mine
7 inspector in the respective district.

[40 G. A., ch. 16, § 2.]

SEC. 731-a3. Intentional destruction.

1 Any person without the consent of the mine inspector who inten-
2 tionally destroys such report or place for keeping the same, shall be
3 deemed guilty of a misdemeanor.

[40 G. A., ch. 16, § 3.]

SEC. 732. General office—report to governor.

1 The three inspectors shall maintain a general office in the capitol,
2 and keep therein all records, correspondence, documents, apparatus
3 or other property pertaining to their office; they shall meet in said

4 office biennially on or before August fifteenth preceding the regular
5 session of the general assembly, and make report to the governor of
6 their official doings, including therein all matters which by this chap-
7 ter are specially committed to their charge, adding such suggestion
8 as to needed future legislation, as in their opinion may be important.

[C., '73, § 1569; C., '97, § 2483; S., '13, § 2483; 39 G. A. ch.
209, § 34.]

SEC. 780. Board of examiners to adopt rules.

1 The board of examiners referred to in section seven hundred
2 seventy-nine of the compiled code shall meet at such times and places,
3 shall adopt such rules, conditions, and regulations, and shall prescribe
4 and conduct such examinations as shall be more efficient to give effect
5 to the spirit and intent of this chapter.

[S., '13, § 2489-c; 39 G. A., ch. 209, § 64.]

CHAPTER 3

WORKMEN'S COMPENSATION

SECTION 823-a.1. Peace officers.

1 Any policeman (except those pensioned under the policemen's
2 pension fund created by law), any sheriff, marshal, constable and
3 any and all of their deputies, and any and all other such legally ap-
4 pointed or elected law-enforcing officers, who shall, while in line of
5 duty or from causes arising out of or sustained while in the course
6 of their official employment, meaning while in the act of¹ making
7 or attempting to make an arrest or giving pursuit, or while performing
8 such official duties where there is peril or hazard peculiar to the work
9 of their office, be killed outright, or become temporarily or perma-
10 nently physically disabled or if said disability result in death, shall be
11 entitled to compensation, the same to be paid out of the general funds
12 of the state for all said injuries or disability. Where death occurs,
13 said compensation shall be paid to the dependents of the officer, as
14 defined in this chapter. Said compensation shall be fixed by and
15 based on the maximum allowed and designated in the schedule of
16 compensation for injuries and death allowable under this chapter. The
17 handling and adjudication of all of said cases on behalf of the state
18 shall be performed by the industrial commissioner, or through his
19 office, as he may direct.

[40 G. A., ch. 17.]

¹"or" in enrolled bill.

**SEC. 832. Salary — expenses — office — seal — assistants — ac-
counts—political activity—annual appropriation.**

1 The salary and actual necessary expenses of the commissioner
2 shall be paid by the state, and he shall be provided with adequate and
3 necessary office rooms, furniture, equipment, supplies and other neces-
4 saries in the transaction of the business.

5 The salary and actual personal expense account of the commis-
6 sioner shall be itemized and sworn to, and filed as other current bills
7 as provided by statute, and warrant therefor shall be issued by the
8 auditor upon the treasurer of the state for the payment thereof at the
9 end of each calendar month; but the expense account may be audited,
10 allowed and paid at the end of each week.

11 The commissioner shall provide himself with a seal, which shall
12 be used to authenticate his orders, decisions and other proceedings
13 deemed necessary, upon which shall be inscribed the words "Iowa In-
14 dustrial Commissioner's Seal" and the date of organization.

15 All other accounts made by, through or under the commissioner
16 for salaries and expenditures, unless otherwise by this chapter pro-
17 vided, shall be itemized and sworn to by the parties entitled thereto,
18 audited by the commissioner, attested by the secretary, filed as other
19 bills are required by statute, and a warrant shall issue therefor by the
20 auditor of state upon the treasurer, who shall pay the same out of the
21 funds appropriated for the use of the commissioner as by this chapter
22 provided.

23 The salaries of all persons under the commissioner shall be aud-
24 ited, allowed and paid at the end of each month, and expense accounts
25 may be audited, allowed and paid at the end of each week.

26 The commissioner shall have the power to remove the secretary
27 or any other person appointed to an office by him at any time the com-
28 missioner may see fit.

29 It shall be unlawful for any appointee by the commissioner to
30 espouse the election or appointment of any candidate for or to any
31 political office, or contribute to the campaign fund of any political
32 party, or to the campaign fund of any person who is a candidate for
33 election or appointment to any political office, and any person per-
34 forming the duties as an appointee under the commissioner violating
35 the provisions of this chapter shall be sufficient cause for dismissal
36 and removal from office.

37 Before entering upon his duties the commissioner shall qualify
38 by taking the oath of his office, that he will support the constitution
39 of the United States and of the state of Iowa, and will faithfully and
40 impartially, without fraud, fear or favor, discharge the duties of his
41 office incumbent upon him, as provided by the law of the state of Iowa,
42 to the best of his ability and understanding.

43 There is hereby appropriated out of any money not otherwise
44 appropriated for the use of the commissioner, as contemplated within
45 the terms of this chapter or acts amendatory thereof, or other stat-
46 utes relating to the commissioner, his duties and responsibilities
47 empowered by law, the sum of five thousand dollars annually, and
48 in addition thereto the executive council shall provide and furnish the
49 commissioner with such printing as may be necessary in the transac-
50 tion of the business within the contemplation of law.

[S., '13, § 2477-m23; 39 G. A., ch. 209, § 33.]

SEC. 843. Notice—review of payments—place of hearing—duty of court.

1 Any payment required to be made under this chapter, which
2 has not been commuted, may be reviewed by the industrial commis-
3 sioner at the request of the employer or of the employee, and if on

4 such review the commissioner finds the condition of the employee
 5 warrants such action, he may end, diminish or increase the compen-
 6 sation, subject to the maximum or minimum amounts provided for in
 7 this chapter. All hearings upon review by the Iowa industrial commis-
 8 sioner under the provisions of this section, or under section eight
 9 hundred forty-one of the compiled code, shall be held at Des Moines,
 10 Iowa, unless the interested parties and the Iowa industrial commis-
 11 sioner mutually agree by written stipulation that the same may be held
 12 at some other place.

13 Upon the presentation to the court of a certified copy of a de-
 14 cision of the industrial commissioner ending, diminishing or increas-
 15 ing a weekly payment under the provisions of this chapter, the court
 16 shall revoke or modify any judgment or decree then on record in his
 17 court to conform to such decision.

18 Any notice to be given by the commissioner or court provided
 19 for in this chapter shall be in writing, but service thereof shall be
 20 sufficient if registered and deposited in the mail, addressed to the last
 21 known address of the parties.

[S., '13, § 2477-m34; 37 G. A., ch. 270, § 18.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A.
 but reprinted to correct error in printing of compiled code.

CHAPTER 4

HEALTH AND SAFETY APPLIANCES

SECTION 860. Safety appliances—steam boilers—tumbling rods— operation of dangerous machinery by minors—exceptions.

1 It shall be the duty of the owner, agent, superintendent or other
 2 person having charge of any manufacturing or other establishment
 3 where machinery is used, to furnish and supply or cause to be fur-
 4 nished and supplied therein, belt shifters or other safe mechanical
 5 contrivances for the purpose of throwing belts on and off pulleys,
 6 and, wherever possible, machinery therein shall be provided with loose
 7 pulleys; all saws, planers, cogs, gearing, belting, shafting, set screws
 8 and machinery of every description therein shall be properly guarded.

9 Any person owning or operating steam boilers in this state shall
 10 provide the same with steam gauge, safety valve and water gauge,
 11 and keep the same in good order. Any person neglecting so to do
 12 shall be fined not less than fifty nor more than five hundred dollars.

13 If any person run any threshing machine in this state without
 14 having two lengths of tumbling rods next the machine, together with
 15 the knuckles or joints and jacks of the tumbling rods safely boxed
 16 and secured while the machine is running, he shall be fined not less
 17 than ten nor more than fifty dollars for every day or part of day he
 18 shall violate this section.

19 No person under sixteen years of age, and no female under eight-
 20 een years of age, shall be permitted or directed to clean machinery
 21 while in motion. Children under sixteen years of age shall not be
 22 permitted to operate or assist in operating dangerous machinery of

23 any kind: provided that this clause shall not be interpreted to include
 24 pupils working under an instructor in manual training departments
 25 in the public schools of the state or under an instructor in a school shop
 26 or industrial plant in a course approved by the state board for voca-
 27 tional education for vocational educational purposes.

[C., '73, § 4064; C., '97, §§ 5025, 5026; S., '13, § 4999-a2; 39
 G. A., ch. 180, § 1.]

CHAPTER 5

BOARDS OF ARBITRATION

SECTION 864. Petition for appointment.

[Repealed by 40 G. A., ch. 230.]

SEC. 865. Notification by governor—appointment.

[This and the preceding section repealed by 40 G. A., ch. 230, and
 the two following sections enacted in lieu thereof.]

SEC. 865-a1. Petition for appointment.

1 When any dispute arises between any person, firm, corporation
 2 or association of employers and their employees or association of
 3 employees, of this state, except employers or employees having trade
 4 relations directly or indirectly based upon interstate trade relations
 5 operating through or by state or international boards of conciliation,
 6 which has or is likely to cause a strike or lockout, involving ten or
 7 more wage earners, and which does or is likely to interfere with the
 8 due and ordinary course of business, or which menaces the public
 9 peace, or which jeopardizes the welfare of the community, and the
 10 parties thereto are unable to adjust the same, either or both parties
 11 to the dispute, or the mayor of the city, or the chairman of the board
 12 of supervisors of the county in which said employment is carried on,
 13 or on petition of any twenty-five citizens thereof over the age of
 14 twenty-one years, or the labor commissioner, after investigation, may
 15 make written application to the governor for the appointment of a
 16 board of arbitration and conciliation, to which board such dispute may
 17 be referred under the provisions of this chapter; and the manager of
 18 the business of any person, firm, corporation or association of such
 19 employers, or any organization representing such employees, or if
 20 such employees are not members of any organization, then a majority
 21 of such employees affected may make the application as provided in
 22 this chapter, but in no case shall more than twenty employees be
 23 required to join in such application.

[S., '13, § 2477-n; 40 G. A., ch. 230, § 1.]

SEC. 865-a2. Notification by governor—appointment.

1 The governor shall at once upon application made to him as herein
 2 provided, and upon his being satisfied that the dispute comes within
 3 the provisions of the preceding section, notify the parties to the
 4 dispute of the application for the appointment of a board of arbitration

5 and conciliation and make request upon each party to the dispute that
 6 each of them recommend within three days from the date of notice, the
 7 names of five persons who have no direct interest in such dispute and
 8 are willing and ready to act as members of the board, and the governor
 9 shall appoint from each list submitted one of such persons recom-
 10 mended. Should either of the parties fail or neglect to make any
 11 recommendation within the said period, the governor shall, as soon
 12 thereafter as possible, appoint a fit person who shall be deemed to be
 13 appointed on the recommendation of the parties in default. The mem-
 14 bers of the board so appointed shall within five days of their appoint-
 15 ment recommend to the governor the name of one person who is
 16 ready and willing to act as a third member of the board, and upon
 17 failure or neglect upon their part to make such recommendation within
 18 the said period, or upon the failure or refusal of the person so recom-
 19 mended to act, the governor shall as soon thereafter as possible ap-
 20 point some person to act as the third member of the board.

[S., '13, § 2477-n1; 40 G. A., ch. 230, § 2.]

SEC. 868. Evidence—witnesses—fees.

[Repealed by 40 G. A., ch. 230, and the two following sections enacted in lieu thereof.]

SEC. 868-a1. Evidence—witnesses.

1 For the purpose of this inquiry the board shall have all the
 2 powers of summoning before it and enforcing the attendance of wit-
 3 nesses, of administering oaths and of requiring witnesses to give evi-
 4 dence, to produce books, papers and other documents or things as the
 5 board may deem requisite to the full investigation of the matters into
 6 which it is inquiring, as is vested in the district court in civil cases.
 7 Any member of the board may administer an oath, and the board may
 8 accept, admit and call for such evidence as in equity and good con-
 9 science it thinks material and proper, whether strictly legal evidence
 10 or not.

[S., '13, § 2477-n4; 40 G. A., ch. 230, § 3.]

SEC. 868-a2. Subpoenas—by whom served—fees.

1 A subpoena or any notice may be delivered or sent to any sheriff,
 2 constable, or any police officer who shall forthwith serve the same, and
 3 make due return thereof, according to directions. Witnesses in attend-
 4 ance and officers serving subpoenas or notices shall receive the same
 5 fees as are allowed in the district court, payable from the state treas-
 6 ury, upon the certificate of the board that such fees are due and
 7 correct. The board shall have the same power and authority to main-
 8 tain and enforce order at the hearings and obedience to its writs of
 9 subpoena as is by law conferred upon the district court for like pur-
 10 poses.

[S., '13, § 2477-n4; 40 G. A., ch. 230, § 4.]

**SEC. 871. Report to governor—copies served and filed—publica-
 tion—evidence preserved.**

[Repealed by 40 G. A., ch. 230, and the two following sections enacted in lieu thereof.]

SEC. 871-a1. Report to governor.

1 Within five days after the completion of the investigation, unless
 2 the time is extended by the governor for good cause shown, the board
 3 or a majority thereof shall render a decision, stating such details
 4 as will clearly show the nature of the controversy and the point dis-
 5 posed of by them, and make a written report to the governor of their
 6 findings of fact and of their recommendation to each party to the
 7 controversy.

[S., '13, § 2477-n7; 40 G. A., ch. 230, § 5.]

SEC. 871-a2. Decision filed with governor—evidence preserved.

1 Every decision and report shall be filed in the office of the gover-
 2 nor, and a copy served upon each party to the controversy, and a copy
 3 furnished to the labor commissioner for publication in the report of
 4 the commissioner, who shall cause such decision and report to be
 5 published at a rate of not to exceed thirty-three and one-third cents
 6 per ten lines of brevier type or its equivalent, in two newspapers of
 7 general circulation in the county in which the business is located upon
 8 which the dispute arose. All evidence taken and exhibits and docu-
 9 ments offered shall be carefully preserved and at the close of the inves-
 10 tigation shall be filed in the office of the governor of the state and shall
 11 only be subject to inspection upon his order.

[S., '13, § 2477-n7; 40 G. A., ch. 230, § 6.]

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CHAPTER 6

BUREAU OF LABOR

SECTION 881. Expenses—inspectors—duties of woman inspector.

1 One of the factory inspectors in the bureau of labor statistics shall
 2 be a woman, who shall, in addition to the general duties required of her,
 3 under the direction of the commissioner of the bureau of labor statis-
 4 tics, inspect the sanitary and general conditions under which the
 5 women and children are at work in all factories, workshops, hotels,
 6 restaurants, stores, and any other places where women and children
 7 are employed; collect statistics and make recommendations and report
 8 the same to the commissioner of labor, who shall make special reference
 9 thereto in his biennial report to the governor, and said woman factory
 10 inspector shall render any other or additional service under the direc-
 11 tion of the labor commissioner as will tend to promote the health and
 12 general welfare of the women and children employees of this state. The
 13 appointment by the commissioner of all factory inspectors shall be
 14 subject to the approval of the executive council. Said commissioner
 15 shall be allowed the necessary postage, stationery and office expenses.
 16 The said salaries and expenses shall be paid as the salaries and
 17 expenses of other state officers are provided for. The commissioner or
 18 any officer or employee of the bureau of labor statistics shall be allowed
 19 in addition to his salary his actual and necessary traveling expenses
 20 while in the performance of his duties, said expenses to be audited by
 21 the state board of audit and paid out of the general fund of the state

22 upon a voucher verified by the commissioner or his deputy; but the
23 total amount of the expenses for the officers and employees of said
24 bureau other than the salaries shall not exceed four thousand dollars
25 per annum.

[C., '97, § 2477; S., '13, § 2477; 39 G. A., ch. 209, § 31.]

SEC. 888. Conditions under which children may be employed.

1 No child under sixteen years of age shall be employed, permitted,
2 or suffered to work in or in connection with any of the establishments
3 or occupations mentioned in section eight hundred eighty-two of the
4 compiled code unless the person, firm or corporation employing such
5 child procures and keeps on file, accessible to any officer charged with
6 the enforcement of this chapter, a work permit issued as hereinafter
7 provided, and keeps two complete lists of the names and ages of all such
8 children under sixteen years of age employed in or for such establish-
9 ments or in such occupations, one on file in the office and one conspicu-
10 ously posted near the principal entrance of the place or establishment
11 in which such children are employed. On termination of the employ-
12 ment of a child whose permit is on file, such permit shall be returned by
13 the employer within two days to the officer who issued it with a state-
14 ment of the reasons for the termination of such employment. A work
15 permit shall be issued only by the superintendent of schools or by a
16 person authorized by him in writing, or, where there is no superin-
17 tendent of schools, by a person authorized in writing by the local
18 school board in the community where such child resides, upon the
19 application of the parent, guardian or custodian of the child desiring
20 such permit. The person authorized to issue work permits shall not
21 issue any such permit until he has received, examined, approved and
22 filed the following papers duly executed, namely:

23 1. A written agreement from the person, firm or corporation into
24 whose service the child under sixteen years of age is about to enter,
25 promising to give such child employment, describing the work to be
26 performed and agreeing to return the work permit of such child to
27 the office from which it was issued within two days after the termina-
28 tion of the employment of such child.

29 2. The school record of such child filled out and signed by the
30 chief executive of the school which such child has last attended certi-
31 fying that the child is able to read intelligently and write legibly
32 simple sentences in the English language and has completed a course
33 of study equivalent to six yearly grades in reading, writing, spelling,
34 English language, geography, and arithmetic. Such school record
35 shall give also the name, date of birth and residence of the child as
36 known on the records of the school and also the name of its parent,
37 guardian or custodian.

38 3. A certificate signed by a medical inspector of schools or if
39 there be no such inspector then by a physician appointed by the board
40 of education certifying that the applicant for the work permit has
41 reached the normal development of a child of its age and is in suf-
42 ficiently sound health and physically able to perform the work for
43 which the permit is sought.

44 4. Evidence of age showing that the child is fourteen years old
45 or upwards which shall consist of one of the following proofs required
46 in the order herein designated as follows:

47 (a) A transcript of the birth certificate filed according to law with
48 a registrar of vital statistics or other officer charged with the duty of
49 recording births.

50 (b) A passport or a transcript of a certificate of baptism showing
51 the date of birth and place of baptism of such child.

52 (c) A school census record.

53 (d) In cases where none of the above named proofs is obtainable,
54 a certificate signed by the local medical inspector of schools, or if there
55 be no such inspector then by a physician appointed by the local board
56 of education certifying that in his opinion the applicant for the work
57 permit is fourteen years of age or upwards.

58 A duplicate of every such work permit issued shall be filled out
59 and forwarded to the office of the commissioner of labor between the
60 first and the tenth day of the month following the month in which it
61 is issued. The blank forms for the work permit, the employer's agree-
62 ment, the school record and the physician's certificate shall be formu-
63 lated by the state superintendent of public instruction and furnished
64 by him to the local school authorities. The work permit shall in no
65 case be issued to the applicant or its parent, guardian or custodian,
66 but shall in every case be forwarded to the prospective employer of
67 such applicant. Every such work permit shall give the name, sex, the
68 date and place of birth and the residence of the child in whose name
69 it is issued, describe the color of the hair and eyes, give his height and
70 weight and shall contain a statement of the proof of age accepted, the
71 school grade completed, the name and address of the establishment
72 where the child is to be employed and shall describe the work for
73 which the permit is issued; it shall further certify that the papers
74 required for its issuance have been duly examined, approved and filed
75 and that the person named therein has personally appeared before the
76 officer issuing the permit and has been examined. A work permit shall
77 be issued for every position obtained by a child between the ages of
78 fourteen and sixteen years.

79 Any officer whose duty it is to enforce the provisions hereof shall
80 have authority to demand of any employer in or about whose place or
81 establishment a child apparently under the age of sixteen years is em-
82 ployed, permitted or suffered to work, and whose work permit is not
83 filed as required by this section, that such employer shall either fur-
84 nish him within ten days the same documentary evidence of age of
85 such child as is required upon the issuance of a work permit, or shall
86 cease to employ or permit or suffer such child to work in such place or
87 establishment.

[S. S., '15, § 2477-d.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A.
but reprinted to correct error in printing of compiled code.

**SEC. 891. Employment bureau — commissioner to establish —
clerk—expense.**

1 The commissioner of the bureau of labor statistics shall maintain
2 in his office at the seat of government a department to be called the
3 state free employment bureau, and the said commissioner is hereby
4 authorized and directed to adopt such rules and regulations as are
5 necessary to carry out the purposes of this section and sections eight
6 hundred ninety-two and eight hundred ninety-three of the compiled

7 code. He shall, with the approval of the executive council, appoint a
8 competent person who shall be placed in charge of such work and be
9 known as the chief clerk of the state free employment bureau. His
10 term of office shall be the same as that of commissioner of the bureau
11 of labor statistics. All printing, postage, stationery and other neces-
12 sary office expenses, including telephone and telegraph bills used to
13 properly carry on the work of such free employment bureau, shall be
14 paid by the state in the same manner as are paid the other expenses
15 of the office of the commissioner of the bureau of labor statistics.

[S. S., '15, § 2477-g1; 39 G. A., ch. 209, § 32.]

CHAPTER 7

PETROLEUM PRODUCTS

SECTION 899. Inspectors—chief inspector to decide disputes— assistants—bond.

1 The governor shall appoint inspectors of petroleum, not exceeding
2 the number authorized by law, one of whom shall be designated as
3 chief inspector, who shall have general supervision of the inspection
4 service of the state, to whom all reports shall be made. All differences
5 arising in the inspection of oils shall be referred to the chief oil inspec-
6 tor and his decision of the question shall be final.

7 The chief inspector shall make such recommendations to the state
8 board of health as may be deemed necessary to improve the inspection
9 service. He shall devote his time and services wholly to the inspec-
10 tion of oil and the duties of his office.

11 Inspectors may appoint such branders as may be necessary in the
12 proper discharge of their official duties, but such appointments before
13 becoming effective must be submitted to and approved and confirmed
14 and their compensation fixed by the executive council as in their judg-
15 ment may be necessary, equitable and just. Each inspector shall be
16 a resident of the state and not directly or indirectly interested in the
17 manufacture or sale of products of petroleum. He shall give bond to
18 the state in the penal sum of five thousand dollars. The chief oil
19 inspector's bond shall be ten thousand dollars, all conditioned upon
20 the faithful performance of their duties, with sureties who shall, in
21 addition to the usual justification, make oath entered on the bond that
22 they are not directly or indirectly interested in the manufacture or
23 sale of products of petroleum for illuminating purposes, which bond
24 shall be approved by the governor and filed with the secretary of state.

[C., '97, § 2503; S. S., '15, § 2503; 39 G. A., ch. 209, § 63.]

SEC. 903. Expenses—appropriation—fees paid to state treasurer.

1 For the purpose of enabling the chief inspector and the other
2 officials charged with the enforcement of this chapter to enforce the
3 same, of paying the expenses herein provided for, the sum of seven-
4 teen thousand five hundred dollars annually, or so much thereof as
5 may be necessary, is hereby appropriated out of any money in the
6 state treasury not otherwise appropriated. He shall be furnished an
7 office at the seat of government.

8 Inspectors shall be allowed such other sums necessary and actually
 9 expended in the discharge of their official duties and for necessary
 10 expenses incurred for prosecution of violations of the provisions of
 11 this chapter and for necessary help in branding barrels. All moneys
 12 collected for each month shall on or before the fifteenth day of the
 13 following month be paid to the chief oil inspector of state, who shall
 14 receipt to the individual inspectors and by him not later than the
 15 twentieth day of the month turned over to the treasurer of state, who
 16 shall receipt him therefor.

[C., '97, § 2507; S. S., '15, § 2507; 38 G. A., ch. 329, § 1;
 39 G. A., ch. 209, § 35; 40 G. A., ch. 19.]

CHAPTER 7-A

CIGARETTES

NOTE: The last five sections of this chapter appeared as sections 8874 to 8878, inclusive, in the compiled code. They are reprinted as a part of this chapter so that all the law relative to cigarettes will appear as one chapter in the title on "Regulations Under Police Power" in the permanent code.

SECTION 913-a1. Sale or gift to minor prohibited—penalty.

1 Any person who shall furnish to any minor under twenty-one
 2 years of age, by gift, sale or otherwise, any cigarette or cigarette
 3 paper or wrapper, or any paper made or prepared for the purpose of
 4 making cigarettes, shall be guilty of a misdemeanor. Whoever is
 5 found guilty thereof, for the first offense shall be sentenced to pay a
 6 fine of not less than twenty-five dollars nor more than one hundred
 7 dollars and costs of prosecution, or imprisoned in the county jail for
 8 not more than thirty days; and for the second and each subsequent
 9 offense, upon conviction thereof, shall be sentenced to pay a fine of not
 10 less than one hundred dollars nor more than five hundred dollars and
 11 costs of prosecution, or be imprisoned in the county jail not less than
 12 one month nor more than six months, or both such fine and impris-
 13 onment.

[C., '97, § 5006; 39 G. A., ch. 203, § 1.]

NOTE: See § 913-a22 of this supplement for additional provision.

SEC. 913-a2. Minors refusing to give information—penalty.

1 Any minor under twenty-one years of age, in any place other than
 2 upon the premises of his parent or parents, being in possession of a
 3 cigarette or cigarette paper, may be required by any peace officer,
 4 juvenile court officer, truant officer or teacher in any school, to give
 5 information as to where he or she obtained said cigarette or cigarette
 6 paper, and upon refusing to furnish such information, shall be guilty
 7 of a misdemeanor, and upon conviction thereof before any magistrate
 8 or justice of the peace, such minor being of the age of sixteen or
 9 upwards, shall be sentenced to pay a fine not exceeding five dollars
 10 or to undergo an imprisonment in the jail of the proper county not
 11 exceeding five days, or both such fine and imprisonment; if such minor
 12 shall be under the age of sixteen years, he or she shall be certified by

13 such magistrate or justice of the peace to the juvenile court of the
 14 county for such action as to said court shall seem proper; provided,
 15 however, that if any person convicted of violating any provision of
 16 this section shall give information which shall lead to the arrest of
 17 the person or persons having violated any provisions of the last pre-
 18 ceding section, and shall give evidence as a witness in proceedings
 19 that may be instituted against said person or persons, the court shall
 20 have the power to suspend sentence against such minor offender.

[S., '13, §§ 5007-c, 5007-d; 39 G. A., ch. 203, § 2.]

SEC. 913-a3. Permit to sell—duration—revocation.

1 No person, firm or corporation shall sell cigarettes or cigarette
 2 papers in the state of Iowa, without first having obtained a permit
 3 therefor, which said permit may be granted and issued by the council
 4 of any city or town, including cities under special charter and cities
 5 under the manager plan or commission form of government, and said
 6 permit shall be in force and effect for two years following the July
 7 first after its issue, unless sooner revoked, and shall be granted only
 8 to a person, firm or corporation owning or operating the place from
 9 which said sale is to be made, and shall not be transferable, which
 10 permit shall have a number and show the residence and place of busi-
 11 ness of the permit holder. The council issuing such permit shall
 12 revoke the permit of any person who has violated any of the pro-
 13 visions of this chapter, and no such permit can again be issued for a
 14 period of two years thereafter.

15 The clerk of said city or town shall, upon the issuance or revoca-
 16 tion of any permit hereunder, immediately certify the same to the
 17 treasurer of state.

[39 G. A., ch. 203, § 3.]

SEC. 913-a4. Bond.

1 No permit shall be issued until the applicant therefor shall file a
 2 bond to be approved by the council issuing the permit, which said bond
 3 shall be payable to the city or town issuing the same, for the benefit
 4 of all parties interested, and shall be in the amount of not less than
 5 one thousand dollars, and conditioned upon the faithful observance of
 6 all of the provisions of this chapter, including the payment of all taxes,
 7 fines, penalties and costs herein provided for, and for the payment of
 8 all damages that may result from the sale of cigarettes or cigarette
 9 papers upon the premises occupied by the obligor. Said bond shall
 10 be signed by the obligor as principal and by a surety company author-
 11 ized to do business in this state; or by two sureties who shall each
 12 qualify in double the amount of the bond, and neither of whom shall
 13 be surety on any other like bond.

[39 G. A., ch. 203, § 4.]

SEC. 913-a5. Mulet tax.

1 No permit shall be issued until the applicant shall have paid to
 2 the treasurer of said city or town or county a mulet tax as follows:

- 3 1. In incorporated towns and other places outside any city or
- 4 town, fifty dollars.
- 5 2. In cities of the second class, seventy-five dollars.

6 3. In cities of the first class, one hundred dollars.
7 Said mulct tax to be paid for the period ending the first of July
8 next thereafter, and said permit shall become invalid if said permit
9 holder shall fail to pay a similar mulct tax on or before the first of
10 July each year thereafter for the year then beginning.

[C., '97, § 5007; 39 G. A., ch. 203, § 5.]

SEC. 913-a6. Jurisdiction of board of supervisors.

1 The board of supervisors in each county shall, in all territory
2 outside of any city or town, have and exercise the same powers as are
3 by this chapter granted to town councils.

[39 G. A., ch. 203, § 6.]

SEC. 913-a7. Mulct tax—payment—lien.

1 Every person, partnership or corporation holding such permits
2 or carrying on the business of selling or keeping for sale cigarettes
3 or cigarette papers, or maintaining a place where such cigarettes or
4 cigarette papers are sold or kept with intent to sell, shall pay the mulct
5 tax provided for in section nine hundred thirteen-a five of this supple-
6 ment, payable on the first day of July in each year for the year then
7 beginning, which said tax shall be a lien upon the real property where-
8 in or whereon the business is carried on, or where the place for keep-
9 ing or selling is maintained, from the time said tax becomes due and
10 payable.

[39 G. A., ch. 203, § 7.]

SEC. 913-a8. Return by assessor—certification of tax—collection.

1 In all cases where said mulct tax has not been paid, the assessor
2 of the city or town or township shall, on or after the twentieth day
3 of July of each year, return to the county auditor and the treasurer of
4 state a list of persons who are, or during the preceding year have been,
5 engaged in carrying on within said city or town the business of selling
6 or keeping for sale cigarettes or cigarette papers, or maintaining any
7 place where such cigarettes or cigarette papers are sold or kept for
8 sale, and also a description of the real estate wherein or whereon such
9 business is carried on or such place maintained, with the name of the
10 occupant or tenant, and owner or agent, and the county auditor shall
11 thereupon enter said mulct tax as provided for in section nine hundred
12 thirteen-a five of this supplement against the real estate so described,
13 and the county auditor shall certify said tax to the county treasurer
14 for collection as other taxes, and said tax, when so collected, shall be
15 paid by the county treasurer to the treasurer of said city or town.
16 Any assessor wilfully failing to comply with the provisions of this
17 section shall pay a fine of fifty dollars and costs for each offense.

[39 G. A., ch. 203, § 8.]

SEC. 913-a9. Listing by sheriff or citizens.

1 Should the assessor for any reason fail to perform his duty, the
2 sheriff or any three citizens of the county may, by verified statement
3 on information and belief, addressed to the county auditor, procure
4 the listing of names and places as above provided, with the same force
5 and effect as if done by the assessor.

[39 G. A., ch. 203, § 9.]

SEC. 913-a10. Lien and penalties.

1 The said mulct tax hereinbefore provided for shall be a lien upon
 2 the real estate wherein or whereon such business is carried on or such
 3 places maintained, and if not paid within one month after the same
 4 becomes due and payable, then a penalty of twenty per cent shall be
 5 added thereto, together with one per cent per month thereafter until
 6 paid.

[C., '97, § 5007; 39 G. A., ch. 203, § 10.]

SEC. 913-a11. When tax delinquent—collection.

1 After the expiration of one month from the date when such tax
 2 becomes due and payable, if not paid, it shall be delinquent and col-
 3 lectible by the treasurer in the same manner as that in which other
 4 delinquent taxes are collectible, and all of the provisions as to the col-
 5 lection of other delinquent taxes shall apply, including the provisions
 6 of law regarding tax sales, for such delinquent taxes in December of
 7 each year.

[39 G. A., ch. 203, § 11.]

SEC. 913-a12. Tax credited to general fund of city or town.

1 The mulct tax provided for in this chapter shall be paid to the
 2 treasurer of the city or town wherein the business is located and shall
 3 go into the general fund of said city or town.

[C., '97, § 5007; 39 G. A., ch. 203, § 12.]

SEC. 913-a13. State stamp tax—size of packages—violations—penalties.

1 There is hereby levied and assessed and shall be collected and paid
 2 to the treasurer of state upon all cigarettes and cigarette papers or
 3 wrappers and tubes sold in Iowa to consumers, the following taxes, to
 4 be paid prior to or at the time of sale and delivery to the consumer:

5 Class A. On cigarettes weighing not more than three pounds per
 6 thousand, one mill on each such cigarette.

7 Class B. On cigarettes weighing more than three pounds per
 8 thousand, two mills on each such cigarette.

9 Class C. On cigarette papers or wrappers or any papers made
 10 or prepared for the purpose of making cigarettes, made up in pack-
 11 ages, books or sets; on each such package, book, or set containing
 12 more than twenty-five but not more than fifty papers, one-half cent;
 13 containing more than fifty papers but not more than one hundred
 14 papers, one cent; containing more than one hundred papers, one-half
 15 cent for each fifty papers or fractional part thereof.

16 Class D. On tubes, one cent for each fifty tubes or fractional
 17 part thereof.

18 All cigarettes sold in this state under the provisions of this chap-
 19 ter shall be put up in packages containing five, eight, ten, twelve, fif-
 20 teen, sixteen, twenty, twenty-four, forty, fifty, eighty or one hundred
 21 cigarettes each. Before being delivered to the consumer each package
 22 of cigarettes and each package, book, or set of papers or of tubes,
 23 shall have securely affixed thereto a suitable stamp denoting the tax
 24 thereon, and said stamp shall be properly canceled prior to such sale

25 or removal for consumption, under such regulations as the treasurer
26 of state shall prescribe.

27 For any violation of any of the foregoing provisions of this sec-
28 tion, the offender, upon conviction thereof, shall be fined not less than
29 one hundred dollars nor more than three hundred dollars and costs of
30 prosecution, and be committed to the county jail until such fine is
31 paid, but not exceeding six months; and all cigarettes, cigarette papers
32 or wrappers, and papers made or prepared for the purpose of making
33 cigarettes in his possession or in his place shall be confiscated and
34 forfeited to the state.

35 It shall be unlawful for any person not authorized hereby, with
36 intent to defraud the state, to make, alter, forge, or counterfeit any
37 license or stamp provided for in this chapter or to have in possession
38 any forged, counterfeited, spurious or altered license or stamp, know-
39 ing the same to be forged, counterfeited, spurious, or altered, and
40 whoever is found guilty of any violation of this provision shall be
41 fined not more than one thousand dollars and be imprisoned in the
42 state penitentiary not more than three years.

[39 G. A., ch. 203, § 13.]

**SEC. 913-a14. Preparation of stamps—delivery to treasurer—
sale—unused stamps.**

1 The auditor of state shall prepare and have suitable stamps for
2 use on each kind of package described in the preceding section. Upon
3 requisition from the treasurer of state the auditor of state shall
4 deliver to his order the stamps designated in such requisition and shall
5 charge the treasurer of state with the stamps thus delivered, and shall
6 keep an accurate record of all stamps coming into and leaving his
7 hands. The treasurer of state shall sell the stamps herein provided
8 for only to dealers holding permits issued as provided in this chapter
9 and the moneys received from the sale of said stamps shall be turned
10 into the general fund of the state.

11 The treasurer of the state shall redeem and make repayment for
12 any unused stamps on written request made by any such dealer and
13 pay for same out of any funds derived from the provisions of this
14 chapter.

15 It shall be unlawful for a dealer to sell such stamps to another
16 dealer or to any person whensoever, except as herein provided.

[39 G. A., ch. 203, § 14.]

SEC. 913-a15. Treasurer of state to enforce.

1 The treasurer of state is hereby authorized to select and appoint
2 an additional assistant to the treasurer of state, whose sole duties it
3 shall be to administer and see that the provisions of this chapter are
4 enforced, including the collection of all stamp taxes provided for
5 herein. In the enforcement of this chapter he may call to his aid the
6 attorney general, the special agents, any county attorney or any peace
7 officer. The treasurer of state is further authorized to appoint such
8 clerks and additional help as may be needed to carry out the provisions
9 of this chapter. The compensation of all persons employed hereunder
10 to be fixed by the executive council and to be paid from the revenues
11 derived hereunder.

[39 G. A., ch. 203, § 15.]

SEC. 913-a16. Violations—penalty.

1 Any person, firm or corporation violating any of the provisions
 2 of this chapter, or maintaining a place where such cigarettes or cigar-
 3 ette papers are sold or kept with intent to sell in violation of the pro-
 4 visions of this chapter, shall be deemed guilty of keeping and main-
 5 taining a nuisance, and the building or place so used for the sale or
 6 keeping for sale of cigarettes or cigarette papers, or wrappers, in
 7 violation of the provisions of this chapter shall be deemed to be a
 8 nuisance, and such person, firm or corporation may be enjoined and
 9 such building or place abated as a nuisance, and the procedure for the
 10 actions to enjoin and abate such nuisance, or for contempt in violating
 11 an order of injunction, shall be, so far as applicable, the same as those
 12 now provided by the laws of this state for enjoining and abating
 13 intoxicating liquor nuisances.

[C., '97, § 5006; 39 G. A., ch. 203, § 16.]

SEC. 913-a17. Issue of search warrant.

1 If any reputable citizen of the county make oath before a magis-
 2 trate, that he has probable cause to suspect, and does suspect, that
 3 any house, place or building, naming the house, building or place, as
 4 nearly as may be, and the occupant, is unlawfully used as a place in
 5 which to receive, keep, store, sell or give away cigarettes, cigarette
 6 papers or cigarette wrappers, or any paper made or prepared for the
 7 purpose of making cigarettes, or for the purpose of being filled with
 8 tobacco for smoking; or that the occupant is in any way concerned,
 9 engaged or employed in owning or keeping any such cigarettes or
 10 cigarette papers or wrappers, with intent to violate the law, or author-
 11 ize or permit the same to be done, such magistrate shall issue his
 12 warrant particularly describing the place to be searched and the per-
 13 son or persons to be apprehended or things to be seized directed to
 14 any peace officer in the county, for the purpose of searching such
 15 house, building or place and for the seizure of such cigarettes, cigar-
 16 ette papers or cigarette wrappers, or any paper made for the purpose
 17 of making cigarettes, and for the apprehension of the occupant or
 18 keeper thereof.

[S., '13, § 5007-a.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A.
 but reprinted to change location.

SEC. 913-a18. Seizure—destruction.

1 The said cigarettes or cigarette papers and the keeper shall be
 2 brought before such magistrate to be dealt with as provided by law.
 3 All such cigarettes or cigarette papers, so seized, and unlawfully kept,
 4 shall be destroyed and an entry thereof shall be made upon his docket.

[S., '13, § 5007-a.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A.
 but reprinted to change location.

SEC. 913-a19. Prima facie evidence of intent to sell.

1 The discovery of cigarettes or cigarette papers in any public place
2 shall be prima facie evidence of the keeper's intent to unlawfully sell
3 or give the same as prohibited in section fifty hundred six of the code.

[S., '13, § 5007-a.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to change location.

The reference in the above section to the code is to the code of 1897 and has been retained because there is no corresponding number in the compiled code or in this supplement, since 39 G. A., Ch. 203 repealed sections 5006 and 5007 of the code of 1897, and sections 5007-c and 5007-d of the supplement to the code, 1913, and enacted sixteen sections in lieu of the four repealed sections which appear as sections 913-a1 to 913-a16, inclusive, of this supplement.

SEC. 913-a20. Tax assessed.

1 The magistrate who shall try said cause and then issue an order
2 condemning and destroying any cigarettes or cigarette papers as pro-
3 vided in the second preceding section, shall certify a copy of the record
4 of such proceedings to the treasurer of the county within ten days
5 after the order to destroy such cigarettes or cigarette papers is issued
6 and a tax assessment of three hundred dollars against the property
7 in or upon which the cigarettes or cigarette papers or cigarette wrap-
8 pers were unlawfully kept or sold, provided for in section fifty hundred
9 six of the code, and collect the same as therein provided.

[S., '13, § 5007-b.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to change location.

The reference in the above section to the code is to the code of 1897 and has been retained because there is no corresponding number in the compiled code or in this supplement, since 39 G. A., Ch. 203 repealed sections 5006 and 5007 of the code of 1897, and sections 5007-c and 5007-d of the supplement to the code, 1913, and enacted sixteen sections in lieu of the four repealed sections which appear as sections 913-a1 to 913-a16, inclusive, of this supplement.

SEC. 913-a21. Notice of assessment.

1 Within thirty days after the receipt of the magistrate's certifi-
2 cate, the county treasurer shall notify the keeper of such house, build-
3 ing or place, and the owner thereof of such assessment.

[S., '13, § 5007-b.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to change location.

CHAPTER 7-B**SALE AND ADVERTISEMENT OF TOBACCO**

NOTE: The three sections making up this chapter were transferred from chapter 47, title XXXIII to title V, along with the other sections of said chapter which were not repealed by the cigarette license law, 39 G. A., ch. 203, and have been placed in a separate chapter by themselves following the cigarette law, because it was impossible to incorporate them in the preceding chapter without necessitating the use of cumbersome cross references in changing the word "act" as it appeared in 39 G. A., ch. 203, so as to make the proper reference to this supplement.

SECTION 913-a22. Sale of tobacco to minors—punishment.

1 No person shall directly or indirectly, by himself or agent, sell,
 2 barter or give to any minor under sixteen years of age any cigar or
 3 tobacco in any form whatever, except upon the written order of his
 4 parent or guardian. Any violation of this section shall be punished by
 5 a fine of not less than five nor more than one hundred dollars, and
 6 the offender shall stand committed until fine and costs of prosecution
 7 are paid.

[C., '97, § 5005.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to change location.

See § 913-a1 of this supplement for additional provision.

SEC. 913-a23. Objectionable advertisements near public schools.

1 No bills, posters, or other matter used to advertise the sales of
 2 intoxicating liquors or tobacco shall be distributed, posted, painted or
 3 maintained within four hundred feet of premises occupied by a public
 4 school or used for school purposes; provided, however, that nothing
 5 in this section contained shall apply to advertisements in newspapers
 6 of regular publication, distributed to subscribers or purchasers thereof.

[S., '13, § 5028-s.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to change location.

SEC. 913-a24. Punishment.

1 Any person violating any of the provisions of the preceding sec-
 2 tion shall be deemed guilty of a misdemeanor and upon conviction
 3 thereof shall be punished by a fine not exceeding one hundred dollars
 4 or imprisonment in the county jail not exceeding thirty days.

[S., '13, § 5028-t.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to change location.

CHAPTER 8
INTOXICATING LIQUORS**SECTION 914. Manufacture, sale or keeping for sale prohibited.**

1 No one, by himself, clerk, servant, employee or agent, shall, for
 2 himself or any person else, directly or indirectly, or upon any pre-
 3 tense, or by any device, manufacture, sell, exchange, barter, dispense,
 4 give in consideration of the purchase of any property or of any serv-
 5 ices or in evasion of the statute, or keep for sale, any intoxicating
 6 liquor, which term shall be construed to mean alcohol, ale, wine, beer,
 7 spirituous, vinous and malt liquor, and all intoxicating liquor what-
 8 ever, except as provided in this chapter, or solicit, take, or accept any
 9 order for the purchase, sale, shipment, or delivery of any such liquor,
 10 or aid in the delivery and distribution of any intoxicating liquor so
 11 ordered or shipped, or own, keep, or be in any way concerned, engaged

12 or employed in owning or keeping any intoxicating liquor with intent
 13 to violate any provision of this chapter, or authorize or permit the
 14 same to be done, or manufacture, own, sell or have possession of any
 15 instrument intended for use and capable of being used in the manu-
 16 facture of intoxicating liquor; or own or have possession of any
 17 material used exclusively in the manufacture of intoxicating liquor; or
 18 use or have possession of any material with intent to use it in the
 19 manufacture of intoxicating liquors; and any clerk, servant, employee
 20 or agent engaged or aiding in any violation of this chapter shall be
 21 charged and convicted as principal. And in case of a sale in which a
 22 shipment or delivery of such liquors is made by a common or other
 23 carrier, the sale thereof shall be deemed to be made in the county
 24 wherein the delivery thereof is made by such carrier to the consignee,
 25 his agent or employee.

[C., '51, §§ 924-928; R., '60, §§ 1559, 1562, 1563, 1583, 1587;
 C., '73, §§ 1523, 1540-1542, 1555; C., '97, § 2382; S. S.,
 '15, § 2382; 37 G. A., ch. 248, § 1; 40 G. A., ch. 20.]

SEC. 915. Penalty—first offense.

1 Whoever is found guilty of violating any of the provisions of
 2 the preceding section, for the first offense shall pay a fine of not less
 3 than fifty dollars nor more than two hundred dollars and cost of prose-
 4 cution, and stand committed to the county jail until such fine and costs
 5 are paid.

[C., '51, § 930; R., '60, §§ 1561-1563; C., '73, §§ 1525, 1540,
 1542; C., '97, § 2383; S., '13, § 2383; 40 G. A., ch. 21, § 3.]

SEC. 918. Violation—penalty.

1 Any person, firm, association or corporation, or any agent or
 2 officer of such firm, association or corporation, violating any of the
 3 provisions of section nine hundred seventeen of the compiled code,
 4 shall be deemed guilty of a misdemeanor, and shall be liable to all of
 5 the penalties, both civil and criminal, provided in this chapter.

[S., '13, § 2383-c.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A.
 but reprinted to change cross reference.

SEC. 963. Sale or gift to minor or intoxicated person.

[Repealed by 40 G. A., ch. 22.]

SEC. 964. Penalty.

[Repealed by 40 G. A., ch. 22.]

SEC. 968. Violation of injunction.

1 In case of the violation of any injunction granted under the pro-
 2 visions of this chapter, the court, or in vacation a judge thereof, may
 3 summarily try and punish the offender. The proceedings shall be com-
 4 menced by filing with the clerk of the court an information under oath,
 5 setting out the alleged facts constituting such violation, upon which
 6 the court or judge shall cause a warrant to issue, under which the
 7 defendant shall be arrested. The trial may be had upon affidavits, or
 8 either party may demand the production and oral examination of the

9 witnesses. A party found guilty of contempt under the provisions of
 10 this section shall for the first offense be punished by a fine of not less
 11 than two hundred nor more than one thousand dollars, or by impris-
 12 onment in the county jail not less than three nor more than six
 13 months, or by both fine and imprisonment. A party who, having once
 14 been found guilty of contempt for violating the provisions of any such
 15 injunction, shall for each such subsequent violation be punished by a
 16 fine of not less than five hundred dollars or more than one thousand
 17 dollars or by imprisonment in the county jail for not less than six
 18 months nor more than one year.

[C., '97, § 2407; S. S., '15, § 2407; 39 G. A., ch. 271.]

SEC. 974. Search warrant—seizure.

[Repealed by 40 G. A., ch. 23, § 1, and the three following sections enacted in lieu thereof.]

SEC. 974-a1. Search warrant—information.

1 If any credible resident of this state shall, before a magistrate,
 2 make written information, supported by his oath, or affirmation, that
 3 he has reason to believe, that any intoxicating liquor or instruments
 4 used, or intended to be used, in the manufacture of intoxicating
 5 liquors, or material used exclusively in the manufacture of intoxicat-
 6 ing liquors or material which may be used for legitimate purposes but
 7 which may be used in the manufacture of intoxicating liquor and is
 8 possessed in such quantities as to indicate that it is intended for such
 9 use, described as particularly as may be in said information, is in said
 10 county, in any place described as particularly as may be in said infor-
 11 mation, owned or kept by any persons named or described in said
 12 information as particularly as may be, and is intended by him to be
 13 used, sold or had been purchased or procured as the result of sollicita-
 14 tion, or has been manufactured or transported in violation of the
 15 provisions of this chapter, said magistrate shall, upon finding probable
 16 cause for such information, issue his warrant of search, directed to
 17 any peace officer in the county, describing as particularly as may be
 18 the liquor, instruments or material and the place described in said
 19 information, and the person named or described in said information,
 20 and the persons named or described in said information as the owner
 21 or keeper of said liquor, instruments or material and commanding the
 22 said officer to search thoroughly said place, and to seize the said
 23 instruments or material or the liquor with the vessels containing it,
 24 and to keep the same securely until final action be had thereon.

[R., '60, § 1565; C., '73, § 1544; C., '97, § 2413; S. S., '15, §
 2413; 37 G. A., ch. 322, § 1; 40 G. A., ch. 23, § 2.]

SEC. 974-a2. Execution of warrant.

1 The peace officer to whom such warrant shall be delivered shall
 2 forthwith obey and execute, as effectually as possible, the commands
 3 of said warrant, and make return of his doings, to said magistrate and

4 shall securely keep all liquors, instruments and material so seized by
5 him and the vessels containing them until final action be had thereon.

[R., '60, § 1565; C., '73, § 1544; C., '97, § 2413; S. S., '15, §
2413; 40 G. A., ch. 23, § 3.]

SEC. 974-a3. Search warrant for dwelling house.

1 If the place to be searched be a dwelling house in which any
2 family resides, and in which no tavern, eating house, grocery or other
3 place of public resort is kept, such warrant shall not be issued unless
4 said complainant shall, on oath or affirmation, declare before said
5 magistrate that he has reason to believe and does believe that within
6 one month next before the making of said information intoxicating
7 liquor has been, in violation of this chapter, sold or manufactured in
8 said house, or that instruments or materials have been kept in said
9 house with intent to use the same in violation of the provisions of this
10 chapter or in some dependency thereof, by the person accused in said
11 information, or by his consent or permission; nor unless, from the
12 facts and circumstances disclosed by such complaint, the said magis-
13 trate shall be of the opinion that said complainant has adequate reason
14 for such belief. In all such prosecutions, the action shall be in the
15 name of the state.

[R., '60, § 1565; C., '73, § 1544; C., '97, § 2413; S. S., '15, §
2413; 37 G. A., ch. 322, § 1; 40 G. A., ch. 23, § 4.]

SEC. 975. Descriptions of place and things.

1 The information and search warrant in such case shall describe
2 with reasonable particularity the place to be searched, as well as the
3 liquors or instruments or material intended to be used or used in
4 manufacturing intoxicating liquor, to be seized.

5 When any liquors, instruments or material shall have been seized
6 by virtue of any such warrant, the same shall not be discharged or
7 returned to any person claiming the same by reason of any alleged
8 insufficiency of description in the warrant of the liquor, instruments
9 or material or place, but the claimant shall only have a right to be
10 heard on the merits of the case.

[C., '73, § 1545; C., '97, § 2414; 40 G. A., ch. 23, §§ 5, 6.]

SEC. 976. Notice—trial—judgment—appeal.

[Repealed by 40 G. A., ch. 23, § 7, and the six following sections
enacted in lieu thereof.]

SEC. 976-a1. Return—notice of forfeiture.

1 In the event of a seizure under said warrant, the officer shall
2 forthwith make a return of his acts thereunder, and within forty-
3 eight hours thereafter the magistrate who issued the warrant shall
4 cause to be left at the place where said liquor, instruments or material
5 for manufacturing intoxicating liquor was seized, if said place be a
6 dwelling house, store or shop, posted in some conspicuous place on or
7 about said buildings, and also to be left with or at the last known and
8 usual place of residence of the person named or described in said
9 information as the owner or keeper of said liquor, instruments or
10 material, if he be a resident of this state, a notice, summoning such
11 person, and all others whom it may concern, to appear before said

12 magistrate within the county at a place and time named in said notice,
13 which time shall not be less than five nor more than fifteen days after
14 the posting and leaving of said notices, and show cause, if any they
15 have, why said instruments, material or liquor, together with the
16 vessels in which the same is contained, should not be forfeited; and
17 said notice shall, with reasonable certainty, describe said instruments,
18 material, liquor or vessels, and shall state where, when and why the
19 same were seized.

[R., '60, § 1566; C., '73, § 1546; C., '97, § 2415; S. S., '15, §
2415; 40 G. A., ch. 23, § 8.]

SEC. 976-a2. Appearance—hearing.

1 At the time and place prescribed in said notice, the person named
2 in said information, or any other person claiming an interest in said
3 liquor, instruments, material or vessels, or any part thereof, may
4 appear and show cause why the same should not be forfeited, provid-
5 ing such claimant has filed a claim for the liquors, instruments, or
6 material or any part thereof, setting out, under oath, that the articles
7 claimed were not intended for unlawful sale or use, and shall have
8 entered into a bond with proper security as determined by the magis-
9 trate to pay all costs incurred in the proceeding from the beginning
10 of the action of such seizure in case the liquor, instruments or mate-
11 rial, or any part of it so claimed is finally declared forfeited, within
12 three days prior to the time set for the forfeiture hearing. If any
13 person or persons shall so appear, said magistrate shall, at the pre-
14 scribed time, proceed to the trial of said case, and said complainants
15 or either of them may appear and show cause why such liquor, instru-
16 ments or material should not be adjudged forfeited.

[R., '60, § 1566; C., '73, § 1546; C., '97, § 2415; S. S., '15, §
2415; 40 G. A., ch. 23, § 9.]

SEC. 976-a3. Procedure—jury trial—judgment.

1 The proceeding in the trial of such case may be the same, substan-
2 tially, as in cases of misdemeanor triable before justices of the peace,
3 and if any person shall appear and be made a party defendant as
4 herein provided, and shall make written plea that said liquor, instru-
5 ments or material, or a part thereof claimed by him, was not owned or
6 kept with intent to be sold or used in violation of this chapter, and was
7 not purchased or procured as the result of solicitation, nor illegally
8 transported, such party defendant may, at his option, demand a jury
9 to try the issue, and if, upon the evidence presented, the said magis-
10 trate or jury, as the case may be, shall, by verdict, find that said
11 liquor, instruments or material was, when seized, owned or kept by
12 any person, whether said party defendant or not for the purpose of
13 being used or sold in violation of this chapter or was purchased or
14 procured as the result of solicitation or has been unlawfully trans-
15 ported, the said magistrate shall render judgment that said liquor,
16 instruments or material or said part thereof, with the vessels in which
17 it is contained is forfeited.

[R., '60, § 1566; C., '73, § 1546; C., '97, § 2415; S. S., '15, §
2415; 37 G. A., ch. 322, § 2; 40 G. A., ch. 23, § 10.]

SEC. 976-a4. Costs.

1 If no person be made defendant in the manner aforesaid, or if
 2 judgment be in favor of all the defendants who appear and are made
 3 such, then the costs of the proceeding shall be paid as in ordinary crim-
 4 inal prosecution where the prosecution fails. If the judgment shall be
 5 against only one party defendant appearing as aforesaid, he shall be
 6 adjudged to pay all the costs of proceedings in the seizure and deten-
 7 tion of the liquor, instruments or material claimed by him, and trial,
 8 up to the time of judgment. But if such judgment shall be against
 9 more than one party defendant claiming distinct interests in said
 10 liquor, instruments or material, then the costs of said proceedings
 11 and trial shall be, according to the discretion of said magistrate, equi-
 12 tably apportioned among said defendants, and execution shall be issued
 13 on said judgments against said defendants for the amount of costs so
 14 adjudged against them.

[R., '60, § 1566; C., '73, § 1546; C., '97, § 2415; S. S., '15, § 2415; 40 G. A., ch. 23, § 11.]

SEC. 976-a5. Appeal.

1 Any person appearing as aforesaid may appeal from said judg-
 2 ment or forfeiture, as to the whole or any part of said liquor, instru-
 3 ments, material or vessels claimed by him and so adjudged forfeited,
 4 to the district court. In any such proceedings where the judgment is
 5 against the state, it shall have the same right of appeal, except that
 6 no bond shall be required, and if an appeal be taken by the state, the
 7 same shall operate as a stay of proceedings and the liquor, instruments
 8 or material seized under the warrant shall not be returned to any
 9 claimant thereof until, upon the final determination of said appeal,
 10 he is found entitled thereto.

[R., '60, § 1566; C., '73, § 1546; C., '97, § 2415; S. S., '15, § 2415; 37 G. A., ch. 322, § 2; 40 G. A., ch. 23, § 12.]

SEC. 976-a6. Default.

1 If no person appears and claims such liquors, instruments or
 2 material within three days prior to the day set for the forfeiture
 3 hearing the magistrate shall enter an order of forfeiture on default
 4 on the date set for the hearing.

[R., '60, § 1566; C., '73, § 1546; C., '97, § 2415; S. S., '15, § 2415; 40 G. A., ch. 23, § 13.]

SEC. 977. Destruction of liquor and vessels.

[Repealed by 40 G. A., ch. 23, § 14, and the seven following sec-
 tions enacted in lieu thereof.]

SEC. 977-a1. Transcript to district court—delivery of liquors.

1 When it shall be finally decided by any other than the district
 2 court that intoxicating liquors or instruments or materials seized as
 3 aforesaid is forfeited, the court rendering final judgment of forfeiture
 4 shall forthwith file in the office of the clerk of the district court in the
 5 county a certified transcript of such judgment and the officer having
 6 said liquor, instruments or material in custody shall forthwith deliver
 7 the same to the sheriff, taking itemized receipts therefor and shall

8 file one of said receipts with the clerk of the district court and the
 9 other with the court rendering said judgment. The clerk of the
 10 district court shall file the transcript as soon as received and enter a
 11 memorandum thereof and the date of filing in the judgment docket
 12 and from such entry it shall be treated in all respects and in its en-
 13 forcement as a judgment in the district court.

[R., '60, § 1567; C., '73, § 1547; C., '97, § 2416; 38 G. A., ch.
 266, § 1; 40 G. A., ch. 23, § 15.]

SEC. 977-a2. Restoration.

1 When it shall be finally decided that any liquor, instruments or
 2 material so seized are not liable to forfeiture, the court by whom such
 3 final decision shall be rendered shall issue a written order to the officer
 4 having the same in custody or to some other peace officer, to restore
 5 said liquor, instruments or material with the vessels containing the
 6 same to the place where it was seized as nearly as may be or to the
 7 person entitled to receive it, which order the officer shall obey, and
 8 make return thereon to the court of his acts thereunder and the costs
 9 of the proceeding in such case attending the restoration, shall be taxed
 10 and paid by the state.

[R., '60, § 1567; C., '73, § 1547; C., '97, § 2416; 40 G. A., ch.
 23, § 16.]

SEC. 977-a3. Destruction—disposal to hospitals, etc.

1 When a transcript has been filed or a judgment has been entered
 2 in the district court, decreeing a forfeiture of any intoxicating liquors,
 3 instruments or material, the court, or a judge thereof in vacation,
 4 may direct the disposition of such liquor, instruments or material and
 5 the vessels containing the same by ordering the destruction thereof,
 6 or by ordering any portion thereof consisting of alcohol, brandies,
 7 wine or whiskey delivered for medicinal or scientific purposes to any
 8 state or reputable hospital in the county or adjoining counties, and
 9 shall order any balance remaining, and the vessels containing the
 10 same, turned over to the state board of control to be dispensed to any
 11 state institution or reputable hospital in the state of Iowa to be used
 12 for medicinal or scientific purposes.

13 The state board of control shall issue to the court under whose
 14 order the said liquor was delivered to it, a receipt stating the kind
 15 and quantity of liquor delivered to it and shall keep a strict account
 16 of all liquors received and dispensed and shall make a full and com-
 17 plete report of all such transactions each year to the governor of the
 18 state.

[R., '60, § 1567; C., '73, § 1547; C., '97, § 2416; 38 G. A., ch.
 266, § 1; 40 G. A., ch. 23, § 17.]

SEC. 977-a4. Destruction or sale of utensils.

1 The court, or judge, as the case may be in case of forfeiture shall
 2 also direct the disposition of all instruments used in the manufacture
 3 of intoxicating liquors, by directing the sheriff to convert such instru-
 4 ments into junk in such a manner that it cannot again be used for
 5 manufacturing liquor, and shall direct the sheriff to destroy all mate-
 6 rial which has no value for any other purpose than making intoxicat-
 7 ing liquor, and all material which may have legitimate uses and the

8 junk referred to shall be sold by the sheriff as chattels under execu-
 9 tion and all moneys realized therefrom shall be turned into the treas-
 10 ury for the benefit of the school fund of the county.

[40 G. A., ch. 23, § 18.]

SEC. 977-a5. Duty of clerk.

1 The clerk of the district court shall call to the attention of the
 2 court on the first day of each term all judgments for the forfeiture
 3 of intoxicating liquor, instruments or material, and for the disposition
 4 of which no order has been theretofore made and the court shall
 5 thereupon enter an order for the disposition of such liquors, instru-
 6 ments or material. Upon the entry of any order for the disposition
 7 of any intoxicating liquors, instruments or material, which have been
 8 adjudged forfeited, the clerk shall forthwith transmit a certified copy
 9 thereof to the sheriff for execution and the sheriff shall immediately
 10 take possession of such liquors, instruments or material and the
 11 vessels containing the same, and make disposition thereof in accord-
 12 ance with such order, and make return of his doing to the court.

[38 G. A., ch. 266, § 1; 40 G. A., ch. 23, § 19.]

SEC. 977-a6. Transportation by carrier—procedure.

1 When any such liquor is ordered delivered or shipped, the sheriff
 2 shall securely attach to the box or package containing the same, a
 3 certified copy of the order of the court and thereupon any railway
 4 company, express company, or other common carrier may receive,
 5 transport and deliver such liquor to the consignee.

6 The cost of packing and transportation shall be paid by the con-
 7 signee receiving such liquor.

8 The sheriff shall take receipts for any liquor disposed of under
 9 the provisions of this section, showing in detail the kind and quantity
 10 of liquor delivered, the character of the vessels containing same, the
 11 date and manner of delivery and, if delivery is made by common car-
 12 rier, the name of such carrier. Such receipt shall be attached by the
 13 sheriff to and filed with the return of his doings as herein provided
 14 for.

[38 G. A., ch. 266, § 1; 40 G. A., ch. 23, § 20.]

SEC. 977-a7. Interpreting clause.

1 Any statute of this state providing for the destruction of intoxi-
 2 cating liquors shall be construed so that the disposition of such liquors
 3 under the provisions of this chapter shall constitute a destruction
 4 thereof within the meaning of such statute.

[38 G. A., ch. 266, § 1; 40 G. A., ch. 23, § 21.]

SEC. 998. Prima facie evidence.

1 The certified copy furnished by the internal revenue collector of
 2 the name of any person who has paid to the federal government the
 3 special tax imposed upon the business of selling intoxicating liquors
 4 shall be prima facie evidence that said person is engaged in the sale
 5 of, or keeping with intent to sell, intoxicating liquors in violation of
 6 law, unless said person by way of defense shows that he is a registered

7 pharmacist actually engaged in business as such and said certified
8 copy shall be competent evidence in any court within this state.

[S., '13, § 2427-c.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to correct error in printing of compiled code.

SEC. 1019. "Bootlegger" defined.

1 Any person who shall, by himself, or his employee, servant or
2 agent, for himself or any person, company or corporation, keep or
3 carry around on his person, or in a vehicle, or leave in a place for
4 another to secure, any intoxicating liquor as herein defined, with
5 intent to sell or dispose of the same by gift or otherwise, or who shall
6 within this state, in any manner, directly or indirectly, solicit, take, or
7 accept any order for the sale, shipment, or delivery of intoxicating
8 liquor, in violation of law, or who shall in any manner procure for, or
9 sell or give any intoxicating liquors to any minor for any unlawful
10 purpose, or give to or in any manner procure for or sell the same to
11 any intoxicated person, or to one in the habit of becoming intoxicated,
12 shall be termed a bootlegger, and shall be guilty of a misdemeanor, and
13 shall be fined not less than three hundred dollars nor more than one
14 thousand dollars or be imprisoned in the county jail not less than
15 three months nor more than one year, or by both such fine and im-
16 prisonment.

[S. S., '15, § 2461-a; 40 G. A., ch. 25, §§ 1, 2.]

SEC. 1020-a1. Seizure and sale of vehicles.

1 When any peace officer or other officer of the law shall discover
2 any person in the act of transporting in violation of the law, intoxicat-
3 ing liquors in any wagon, buggy, by team, automobile, water or air
4 craft, or other vehicle, or other conveyance, it shall be his duty to
5 seize any and all intoxicating liquors found therein being transported
6 contrary to law. Whenever intoxicating liquors transported or pos-
7 sessed illegally shall be seized by any officer, he shall take possession
8 of the wagon, buggy, team, automobile, water and air craft, vehicle
9 or any other conveyance, and shall arrest any person in charge thereof.
10 Such officer shall at once proceed against the person arrested as pro-
11 vided by law; but the said vehicle or conveyance shall be turned over
12 to the sheriff of the county where taken, and retained in the custody
13 of said sheriff until disposed of as hereinafter provided, except it shall
14 be returned to the owner upon execution by him of a good and valid
15 bond with sufficient sureties in a sum double the value of the property,
16 which said bond shall be approved by the sheriff of the county and
17 shall be conditioned to return said property to the custody of said
18 sheriff on the day of trial and to abide the judgment of the court. The
19 court upon conviction of a person so arrested shall order the liquor
20 disposed of as provided by law, and unless good cause to the contrary
21 is shown by the owner, shall order the sheriff to sell at public auction
22 the property seized; and such officer shall, after deducting the ex-
23 penses of keeping the property, all costs which have accrued and the
24 cost of the sale, pay all liens, according to their priority, which are
25 established, by intervention or otherwise, at said hearing or in other
26 proceedings brought for said purposes, as being bona fide and as
27 having been created without the lienor having any notice that the

28 carrying vehicle was being used or was to be used for illegal trans-
 29 portation of liquor, and shall pay the balance of the proceeds into the
 30 treasury of the county for the use and benefit of the school fund. All
 31 liens against property sold under the provisions of this section shall
 32 be transferred from the property to the proceeds of the sale of the
 33 property. If, however, no one shall be found claiming the team,
 34 vehicle, automobile, boat or air craft, the taking of the same with a
 35 description thereof shall be advertised in some newspaper published
 36 in the city or county where taken, or if there be no newspaper pub-
 37 lished in such city or county, in a newspaper having circulation in the
 38 county, once a week for two weeks and by handbills posted in three
 39 public places near the place of seizure, and by mailing the same to
 40 the secretary of state who shall, if the owner appears of record in his
 41 office, notify such owner of the fact of seizure, and if not of record,
 42 said secretary shall mail such description to the county treasurer of
 43 each county, and to the state bureau of investigation, and if no claim-
 44 ant shall appear within sixty days after the last publication of the
 45 advertisement, the property shall be sold and the proceeds, after
 46 deducting the expenses and costs, shall be paid into the county treas-
 47 ury and shall be credited to the school fund.

[40 G. A., ch. 24, § 1.]

SEC. 1024. Persistent violators.

1 Any person who, having once been duly convicted or having en-
 2 tered a plea of guilty in a criminal action in any district court of this
 3 state for violation of any of the provisions of chapter eight, title five
 4 of the compiled code and the laws amendatory thereof, and who shall
 5 hereafter be convicted or enter a plea of guilty for a subsequent
 6 offense against any of the provisions of said chapter eight, title five
 7 of the compiled code and the laws amendatory thereof, shall be con-
 8 sidered a persistent violator of such laws, and for the second violation
 9 of said laws shall be fined not less than five hundred dollars nor more
 10 than one thousand dollars, or imprisoned in the county jail for not
 11 less than six months nor more than one year, or by both such fine
 12 and imprisonment; and for the third and each subsequent violation
 13 of said laws shall be imprisoned in the state penitentiary or state
 14 reformatory for not more than three years.

[S. S., '15, § 2461-m; 40 G. A., ch. 21, § 1.]

CHAPTER 10

STATE FIRE MARSHAL

SECTION 1039. Deputy.

1 The state fire marshal is hereby empowered to appoint a deputy
 2 fire marshal to assist him in his work.

[S., '13, § 2468-b; 39 G. A., ch. 209, § 28.]

SEC. 1049. Expenses.

1 The said fire marshal, his deputies and assistants shall be entitled
 2 to their actual and necessary traveling, hotel and other expenses while

3 away from the city of Des Moines on business of the office; and the
 4 said fire marshal may contract such other expenses as may be neces-
 5 sary in the performance of his official duties.

[S., '13, § 2468-l; 39 G. A., ch. 209, § 30.]

SEC. 1052. Fee for fires reported.

1 There shall be paid to the chiefs of the fire department, and to
 2 mayors of incorporated villages, and to the township clerk of every
 3 organized township, who are by this chapter required to report fires
 4 to the state fire marshal, the sum of fifty cents for each fire so re-
 5 ported to the satisfaction of the state fire marshal, and in addition
 6 thereto there shall be paid to township clerks mileage at the rate of
 7 ten cents per mile for each mile traveled to and from the place of fire.
 8 Said allowance shall be paid by the state fire marshal out of any funds
 9 appropriated for the use of the office of said state fire marshal.

[S., '13, § 2468-o; 40 G. A., ch. 26.]

SEC. 1053. Annual appropriation for expenses and fees.

1 There is hereby appropriated out of any money in the state treas-
 2 ury not otherwise appropriated the sum of seven thousand five hundred
 3 dollars annually, or so much thereof as may be necessary for the pur-
 4 pose of paying the expenses and fees authorized by this chapter. The
 5 said fire marshal shall keep on file in the office an itemized statement
 6 of all expenses incurred by his department, and shall approve all
 7 vouchers issued, and said vouchers shall be allowed and paid out of
 8 the funds hereby appropriated in the same manner that other claims
 9 against the state are paid, upon approval of the state board of audit.

[S., '13, § 2468-p; 39 G. A., ch. 209, § 29; 40 G. A., ch. 27.]

CHAPTER 12

FIRE ESCAPES

SECTION 1064. Class of escapes — mandatory and permissible kinds—stairways.

1 Hotels, lodging houses, tenements, apartment buildings, schools,
 2 retail or department stores, seminaries, and college buildings, office
 3 buildings, hospitals, asylums, opera houses, theaters, assembly halls
 4 and factories required to be equipped by law shall be equipped with
 5 escapes of class "A" or class "B". All other buildings and structures
 6 required to be equipped with fire escapes shall be equipped with some
 7 one or more of said classes of fire escapes.

8 Class "C" shall not be used on any building over three stories in
 9 height in which more than five persons are at any one time allowed
 10 upon any one of the floors above said third story nor where any of
 11 the persons allowed upon any floor above the third story are females
 12 or minors; provided, however, the commissioner of the bureau of labor
 13 statistics may under peculiar conditions and where the hazards are
 14 not great permit fire escapes of class "C" to be used on buildings of
 15 more than three stories, but when ladder fire escapes are permitted

16 on buildings more than three stories in height the ladders thereof must
17 offset at the platforms and not be continuous from one story to the
18 next.

19 Said commissioner may under peculiar conditions, and where the
20 hazard is not great, permit fire escapes of class "C" or other approved
21 means of escape to be used on an ordinary dwelling of not more than
22 three stories in height and temporarily used in part for lodging pur-
23 poses, when not more than five persons none of whom are under six-
24 teen years of age occupy the third floor.

25 Where stairways not less than forty-four inches in clear width
26 are provided they shall be taken as the equivalent of two or more
27 single stairways in proportion to their width, provided the means of
28 escape and efficiency and safety of said escapes are not thereby dimin-
29 ished.

[S. S., '15, § 4999-a9; 39 G. A., ch. 241.]

CHAPTER 12-A

PASSENGER AND FREIGHT ELEVATORS

SECTION 1067-a1. General equipment.

1 Every elevator and elevator opening and machinery connected
2 therewith in every elevator, hoistway, hatchway, and wellhole shall
3 be so constructed, guarded, equipped, maintained and operated as to
4 render it safe for the purposes for which it is used. Nothing herein
5 contained shall be construed to apply to any elevator hoisting device
6 and anything connected therewith coming under the jurisdiction of
7 the state mine inspector.

[40 G. A., ch. 18, § 1.]

SEC. 1067-a2. Standard equipment—enforcement.

1 No elevator used for the carrying of passengers or freight shall
2 be operated or used unless the same is constructed, installed, equipped,
3 maintained and operated in compliance with the standards of equip-
4 ment, rules and regulations adopted as provided in this chapter. All
5 elevators coming within the provisions of this chapter shall be subject
6 to inspection at any time by the commissioner of the bureau of labor
7 statistics and the commissioner is hereby empowered and authorized
8 to enforce all standards of equipment, rules and regulations that may
9 be adopted as in this chapter provided, and to enforce all of the pro-
10 visions of this chapter and may, for the purpose of compelling com-
11 pliance with the rules, prohibit the use and operation of any elevator,
12 which does not comply with the standards of equipment, rules and
13 regulations adopted, until such time as the elevator may be con-
14 structed, installed, repaired or placed in such condition as to conform
15 to the code of standards, rules and regulations.

[40 G. A., ch. 18, § 2.]

SEC. 1067-a3. Conference board.

1 Immediately upon the taking effect of this chapter the governor
2 shall appoint a conference board for the purpose of adopting a code of
3 standards, rules and regulations for the construction, installation,
4 equipment, maintenance and operation of elevators. Such board to
5 consist of a representative from each of the engineering departments
6 of the state college of agriculture and mechanic arts and the state
7 university, a representative of an elevator construction company, and
8 a representative of a casualty insurance company, and a representative
9 of the bureau of labor statistics, all of whom shall serve without com-
10 pensation.

[40 G. A., ch. 18, § 3.]

SEC. 1067-a4. Code of standards.

1 Such board shall adopt a code of standards, rules and regulations
2 for the construction, installation, equipment, maintenance and opera-
3 tion of elevators and when adopted shall have the force and effect of
4 law, and the commissioner of the bureau of labor statistics is hereby
5 authorized to publish such code in pamphlet form for distribution to
6 all interested persons making application therefor.

[40 G. A., ch. 18, § 4.]

SEC. 1067-a5. Ordinances.

1 Cities and towns and cities with a commission form of govern-
2 ment are hereby empowered to enact ordinances providing for the
3 inspections and regulation of the operation of such elevators and of
4 the operators thereof; provided, however, that the provision of said
5 ordinance shall not be in conflict with the provisions of this chapter
6 or with the rules and regulations herein provided for.

[40 G. A., ch. 18, § 5.]

SEC. 1067-a6. Violations.

1 Every person, firm or corporation operating an elevator in viola-
2 tion of any of the provisions of this chapter or in violation of the code
3 of standards, rules and regulations adopted by the board, or who
4 resists or interferes with any official or agent of the bureau of labor
5 statistics in the enforcement of the provisions of this chapter shall be
6 deemed guilty of a misdemeanor and upon conviction shall be punished
7 by a fine of not less than twenty-five dollars nor more than one hun-
8 dred dollars or by imprisonment in the county jail not to exceed thirty
9 days or by such fine and imprisonment.

[40 G. A., ch. 18, § 6.]

CHAPTER 13-A**RESTAURANTS AND EATING HOUSES****SECTION 1094-a1. Restaurant defined.**

1 Every building or structure kept, used, advertised as or held out
2 to the public to be a restaurant, cafe, cafeteria, dining hall, lunch
3 counter, lunch wagon or place where food is served for pay, to the

4 public, except those used not more than one day in any week by
 5 churches, fraternal societies and civic organizations, shall for the pur-
 6 poses of this chapter be defined to be a restaurant and wherever the
 7 word "restaurant" shall occur in this chapter it shall be construed to
 8 mean and cover every such place as is described in this section.
 9 This chapter shall not apply to churches, lodges or like organiza-
 10 tions, which do not regularly as a business, engage in the serving of
 11 food.

[39 G. A., ch. 199, § 1.]

SEC. 1094-a2. Application for license.

1 On or before January first of each year every person, firm or cor-
 2 poration engaged in the business of conducting a restaurant shall make
 3 application to the inspector of hotels for a license to conduct such
 4 business.

[39 G. A., ch. 199, § 2.]

SEC. 1094-a3. Application blanks—issuance of license.

1 The inspector of hotels upon request shall furnish to any person,
 2 firm or corporation desiring to conduct a restaurant an application
 3 blank to be filled out by such person, firm or corporation for a license
 4 therefor, and which shall require such applicant to state the full name
 5 and address of the owner of the building, the lessee, and manager of
 6 such restaurant together with the full description of the building and
 7 property to be used or proposed to be used for such business, the loca-
 8 tion of the same, the name under which such business is to be con-
 9 ducted, and such other information as may be required therein by
 10 the inspector of hotels and such application shall be accompanied by
 11 the license fee provided in section ten hundred ninety-four-a five of
 12 this supplement. Upon the approval of such application by the in-
 13 spector of hotels he shall issue a license to the applicant to conduct a
 14 restaurant in this state.

[39 G. A., ch. 199, § 3.]

SEC. 1094-a4. Duration of license—operation without license.

1 Each license shall expire on the thirty-first day of December next
 2 following its issuance. No restaurant shall be maintained or con-
 3 ducted in this state without having secured a license therefor as pro-
 4 vided in this chapter, and no license shall be transferable, provided,
 5 however, that after the making of application for license as herein
 6 provided for, and pending the issuance of such license such restaurant
 7 shall be permitted to operate as such until the final refusal of such
 8 application by the inspector; provided, also, that no restaurant shall
 9 be denied relief in the courts in any action instituted by such res-
 10 taurant by reason of the fact that a license has not been issued to such
 11 restaurant.

[39 G. A., ch. 199, § 4.]

SEC. 1094-a5. License fee.

1 The fee for a license to conduct a restaurant in this state shall
 2 be three dollars.

[39 G. A., ch. 199, § 5.]

SEC. 1094-a6. Disposition of fees.

1 All fees received for license shall forthwith be paid over to the
2 state treasurer and his receipt taken and kept on file in the office of
3 the inspector of hotels. Such fees shall be by the treasurer kept as a
4 part of the hotel inspection fund and only paid out for bills or claims
5 approved by the inspector of hotels and the board of audit, except that
6 when this fund exceeds ten thousand dollars such excess shall be paid
7 into the general fund of the state.

[39 G. A., ch. 199, § 6.]

SEC. 1094-a7. Duty of hotel inspectors.

1 It shall be the duty of the inspector of hotels and his deputies
2 to see that all the provisions of this chapter are enforced and complied
3 with, and for such purpose such inspector or deputy shall personally
4 inspect at least once each calendar year every restaurant in the state
5 coming under the provisions of this chapter.

6 No additional compensation other than that already provided in
7 the law for inspection of hotels as provided in section ten hundred
8 ninety of the compiled code shall be allowed or paid to the inspector
9 of hotels or his deputies for the enforcement of this chapter.

[39 G. A., ch. 199, § 7.]

SEC. 1094-a8. Inspection upon complaint—expenses.

1 Upon the receipt of a verified complaint signed by one or more
2 patrons of any restaurant in this state setting forth facts showing
3 that such restaurant is in an insanitary condition or that fire escapes
4 or appliances are not kept and maintained in accordance with the
5 provisions of law, the inspector shall make or cause to be made an
6 inspection or examination of the matters complained of, and, if upon
7 inspection such complaint is found to be justifiable, the actual expense
8 necessarily incurred in conducting such examination shall be charged
9 and collected. In case the complaint is found to be without reason-
10 able grounds the actual expense necessarily incurred in making such
11 inspection shall be chargeable against and collected from the person
12 or persons making the complaint. The expense charged in either case
13 shall be collected by the officer making the inspection, who shall receipt
14 for same to party paying such charge, and such officer shall cause
15 any money so collected to be paid over as license fees.

[39 G. A., ch. 199, § 8.]

SEC. 1094-a9. Sanitary conditions of premises.

1 Every restaurant, except those temporary in location and char-
2 acter, situated in a city or town having a system of sewerage, shall
3 be thoroughly drained, constructed and ventilated according to
4 approved sanitary principles; all restaurants shall be kept and main-
5 tained in a clean and sanitary condition and free from any effluvia,
6 gas, or offensive odors arising from any sewer, drain, privy, or any
7 other source whatsoever within the control of the owner, manager,
8 agent or person in charge thereof. Restaurants, except those tem-
9 porary in character and location, in cities or towns not provided with
10 a sewerage system shall be drained, constructed and ventilated in
11 accordance with approved sanitary principles, and the drain shall be

12 connected with an approved cesspool, which cesspool shall be prop-
 13 erly cleaned and disinfected as often as necessary to keep and main-
 14 tain it in an approved sanitary condition.

[39 G. A., ch. 199, § 9.]

SEC. 1094-a10. Sanitary conditions of utensils.

1 In every restaurant the kitchen, kitchen utensils, dining room,
 2 lunch counter, cellar, ice boxes, refrigerators, cooking utensils and all
 3 places where food is kept, stored, prepared or served, shall be kept
 4 and maintained in a sanitary condition, and the use of soiled or insani-
 5 tary tablecloths, napkins or other tableware is hereby prohibited.
 6 Where any of the above named equipment is found to be in an insani-
 7 tary condition it shall be condemned by the inspecting officer and
 8 further use of same shall forthwith be prohibited. There shall be no
 9 toilets, urinals or beds in any room or place where food is kept, stored,
 10 prepared or served. In toilet rooms and public wash rooms installed
 11 in restaurants the use of the roller towel, or common towel, and the
 12 common drinking cup is hereby prohibited.

[39 G. A., ch. 199, § 10.]

SEC. 1094-a11. Report in re inspection.

1 The deputy inspector shall make a full and complete report to
 2 the inspector of hotels of every restaurant inspected by him upon
 3 blanks furnished for that purpose, which report shall show the condi-
 4 tion of the restaurant inspected, as to its sanitary condition, the
 5 number and condition of its fire escapes, number of stories high, name
 6 of the proprietor, fee charged for license, and such other information
 7 as the inspector of hotels may determine will be for the betterment of
 8 the public health.

[39 G. A., ch. 199, § 11.]

SEC. 1094-a12. Misfeasance of inspector—penalty.

1 Any inspector or deputy who shall knowingly certify falsely
 2 regarding any restaurant inspected by him, or shall issue a license to
 3 any person owning, managing, or operating a restaurant when such
 4 person has not complied with the provisions of this chapter, shall be
 5 guilty of a misdemeanor, and upon conviction thereof shall be punished
 6 by a fine not exceeding five hundred dollars or imprisonment in the
 7 county jail not exceeding six months or by both such fine and impris-
 8 onment.

[39 G. A., ch. 199, § 12.]

SEC. 1094-a13. Notice of violations to owner.

1 It shall be the duty of the inspector upon ascertaining by inspec-
 2 tion or otherwise, that any restaurant is being carried on contrary to
 3 any of the provisions of this chapter, to notify the manager, pro-
 4 prietor or owner in writing in what respect it fails to comply with
 5 the law and requiring such person within a reasonable time, to be
 6 fixed by the inspector, to do or cause to be done the things necessary
 7 to make it comply with the law.

[39 G. A., ch. 199, § 13.]

SEC. 1094-a14. Interference with inspector — noncompliance — penalty.

1 Any owner, manager, agent or person in charge of a restaurant
 2 who shall obstruct, hinder or interfere with an inspector or his deputy
 3 in the proper discharge of his duty, or who shall wilfully fail or neglect
 4 to comply with any of the provisions of this chapter, shall be guilty
 5 of a misdemeanor and upon conviction thereof, be fined not exceeding
 6 one hundred dollars or imprisoned in the county jail not exceeding
 7 thirty days and after such conviction his license may be revoked by
 8 the inspector of hotels.

[39 G. A., ch. 199, § 14.]

SEC. 1094-a15. Injunction—duty of county attorney.

1 It shall be the duty of the inspector upon ascertaining that any
 2 owner, manager, agent or person in charge is violating any of the
 3 provisions of this chapter after the expiration of the time fixed in the
 4 notice provided in section ten hundred ninety-four-a eleven of this
 5 supplement to make complaint, and may file his petition in any court
 6 of competent jurisdiction or before any judge of such court in vaca-
 7 tion, upon which an injunction may issue with or without bond as may
 8 be ordered by the court or judge, restraining the further use of such
 9 restaurant until the provisions of this chapter are fully complied with;
 10 but no injunction shall issue until after the defendant has had at
 11 least five days' notice of the application therefor, fixing a time for
 12 hearing thereon. It is hereby made the duty of the county attorney
 13 in either case to prepare the necessary papers and conduct all prose-
 14 cutions or litigation connected therewith.

[39 G. A., ch. 199, § 15.]

NOTE: The cross reference in the original act to section 11, is probably a mistake. Section 13 was evidently intended. The number "1094-a11", however, is inserted above in accordance with the exact language of the original act.

CHAPTER 15

FISH AND GAME

SECTION 1106. Warden—expenses—duties—seizure without warrant—sale.

1 A state fish and game warden shall be appointed by the governor,
 2 and hold his office for three years from the first day of April of the
 3 year of his appointment.
 4 He shall have charge and management of the state fish hatch-
 5 eries, which shall be used in stocking the waters of the state with
 6 fish native to the country and to the extent of the means provided by
 7 the state.
 8 He shall impartially and equitably distribute all fry raised by or
 9 furnished to the state, or for it through other sources, in the streams
 10 and lakes of the state; shall faithfully and impartially enforce obedi-
 11 ence of the provisions of this chapter, and shall make a biennial report
 12 to the governor of his doings, together with such information upon

13 the subject of the culture of fish and the protection of game in the
 14 country as he may think proper, accompanied with an itemized state-
 15 ment monthly to the state board of audit under oath of all moneys
 16 expended and for what purpose, and of the number and varieties of
 17 fish distributed, and in what waters.

18 It shall be the duty of the fish and game warden, sheriffs, con-
 19 stables, and police officers of this state to seize and take possession
 20 of any fish, birds, or animals which have been caught, taken, or killed
 21 at a time, in a manner, or for a purpose, or had in possession or under
 22 control, or have been shipped, contrary to the provisions of this chap-
 23 ter. Such seizure may be made without a warrant.

24 Any court having jurisdiction of the offense, upon receiving proof
 25 of probable cause for believing in the concealment of any fish, birds,
 26 or animals, caught, taken, killed, had in possession, under control, or
 27 shipped contrary to any of the provisions of this chapter, shall issue
 28 a search warrant and cause a search to be made in any place therefor.

29 Any fish, birds, or animals so found shall be sold for the purpose
 30 of paying the costs in the case, and the amount, if any, in excess of
 31 the costs shall be turned into the school fund of the county in which
 32 the seizure is made.

33 Any net, seine, trap, contrivance, material, and substance what-
 34 ever, while in use or had and maintained for the purpose of catching,
 35 taking, killing, trapping or deceiving any fish, birds, or animals con-
 36 trary to any of the provisions of this chapter is hereby declared to
 37 be, and is, a public nuisance, and it shall be the duty of the fish and
 38 game warden, sheriffs, constables, and police officers of the state, with-
 39 out warrant or process, to take or seize any and all of the same, and
 40 abate and sell or destroy any and all of the same without warrant or
 41 process and no liability shall be incurred to the owner or any other
 42 person for such seizure and destruction, and said warden or his regu-
 43 larly constituted deputies or other peace officers as hereinbefore named
 44 shall be released from all liability to any person or persons whomso-
 45 ever for any act done or committed or property seized or destroyed
 46 under or by virtue of this section.

[C., '97, § 2539; S. S., '15, § 2539; 39 G. A., ch. 209, § 39.]

SEC. 1110. Two lines—trolling from launches or steamboats.

1 No person shall use more than two lines, with one hook upon each
 2 line, in still fishing, or otherwise, except that a trot line as above pro-
 3 vided, or in trolling a spoon hook composed of three hooks fastened
 4 together, may be used; and no fish may be taken by trolling from any
 5 gasoline oil or electric launch or steamboat propelled by such power,
 6 from any of the lakes of the state. The foregoing clause relative to
 7 launches and steamboats shall not apply to or be effective upon the
 8 Mississippi or Missouri rivers.

[C., '97, § 2542; 39 G. A., ch. 212, §§ 1, 2.]

SEC. 1114. Sale of inferior fish—contract.

1 The warden may, at his option, enter into written contracts with
 2 persons, firms or corporations for the taking by seine or net from the
 3 public waters of this state, buffalo, carp, quillback, redhorse, suckers,
 4 dogfish, and gar, but no other fish. Such contracts shall not be for

5 more than one year, shall provide that no fish shall be taken between
 6 March first and June fifteenth following, shall designate the waters
 7 covered, shall provide the compensation to be paid the state, shall
 8 provide for forfeiture without notice by the warden in the event of a
 9 breach thereof, shall provide that no fish shall be taken except in the
 10 presence of and under the direct supervision of the warden or one
 11 of his regular deputies, shall provide that all expenses, including the
 12 fees, salaries and expenses of the warden and his deputies, shall be
 13 paid by the holders of the contracts and shall contain such other and
 14 further provision for the protection of the state as to the warden
 15 may seem right and proper.

16 The holder of such contract shall, prior to the taking of any fish
 17 thereunder, deposit a bond with sufficient security to be approved by
 18 the warden, in an amount to be fixed by the warden, in no event less
 19 than five hundred dollars, which bond shall, when approved, be filed
 20 with the warden. Such bonds shall be conditioned upon the faithful
 21 performance of the contract, the payment of all damages resulting
 22 from a breach thereof, the faithful accounting of all moneys belonging
 23 to the state or flowing to the state under the contract, the payment
 24 of all expenses including fees, expenses and salaries of the warden,
 25 and his deputies as provided in the contract and such other conditions
 26 as to the warden may seem right and proper.

27 On or before the first day of April of each year, the warden shall
 28 file with the executive council a report showing in detail all contracts,
 29 receipts and expenditures. All funds derived under the provisions
 30 hereof shall be paid into and become a part of the game protection
 31 fund.

[C., '97, § 2546; S., '13, § 2546; 40 G. A., ch. 28, § 1.]

SEC. 1120-a1. Black bass by hook and line only—exception.

1 It shall be unlawful to catch or take or attempt to catch or take
 2 from the inland or boundary waters of the state of Iowa, for other
 3 than propagation purposes, any black bass except by hook and line,
 4 and, if caught or taken by any other means, the same shall be im-
 5 mediately returned to the waters from which taken, without unnecessary
 6 injury.

[39 G. A., ch. 256, § 1.]

SEC. 1120-a2. Black bass—sale prohibited—exception.

1 It shall be unlawful to buy, sell, or barter, or offer to buy, sell or
 2 barter, any black bass, whether caught or taken within or without
 3 the state, or lawfully or unlawfully taken, except that such black bass
 4 of one day's catch, lawfully taken, may be sold to and bought by an
 5 individual for his family consumption in the locality where so law-
 6 fully taken.

[39 G. A., ch. 256, § 2.]

SEC. 1120-a3. Black bass—when possession prohibited.

1 It shall be unlawful for any commercial institution, commission
 2 house, restaurant or cafe keeper, or fish dealer, to have in possession
 3 any black bass, whether caught or taken within or without the state,
 4 or lawfully or unlawfully taken.

[39 G. A., ch. 256, § 3.]

SEC. 1120-a4. Violation—penalty.

1 Any person who shall be found guilty of violating any of the
 2 provisions of the three preceding sections shall be fined not less than
 3 ten dollars for each offense.

[39 G. A., ch. 256, § 4.]

SEC. 1124. Game protected—penalty.

1 No person shall trap, shoot or kill any pinnated grouse or prairie
 2 chicken between the first day of December and the first day of Sep-
 3 tember next following; any woodcock, between the first day of January
 4 and the tenth day of July; any ruffed grouse or pheasant, wild turkey
 5 or quail, between the fifteenth day of December and the first day of
 6 November; any wild duck, goose or brant, rail, plover, sandpiper and
 7 marsh or beach bird, between the fifteenth day of April and the first
 8 day of September; or any gray or fox squirrel or timber squirrel,
 9 between the first day of January and the first day of September; and
 10 it shall be unlawful to kill any quail prior to November first, nineteen
 11 hundred twenty-seven; or any ruffed grouse or pheasant prior to
 12 November first, nineteen hundred thirty-two.

13 Shooting or killing quail on the public highway shall be in viola-
 14 tion of law. No person shall kill or attempt to kill any of the birds
 15 mentioned in this section with the aid or use of any sneak boat or sink
 16 box or from any sailboat, gasoline or electric launch or steamboat, or
 17 any other water conveyance, except as propelled by oar or paddle, nor
 18 use any artificial light, battery or other deception, contrivance or device
 19 whatever, with the intent to attract or deceive any of the birds men-
 20 tioned in this chapter, except that decoys may be used in hunting
 21 wild geese and ducks, but no person shall at any time hunt or shoot
 22 from any boat, canoe, contrivance or device whatever on any of the
 23 waters of this state between sunset and sunrise. No person shall
 24 trap, shoot or kill any prairie chicken prior to the year nineteen hun-
 25 dred twenty-seven. Any person violating any of the provisions of
 26 this section shall be held guilty of a misdemeanor and punished as
 27 provided for in section eleven hundred thirty-one of the compiled code,
 28 and in addition thereto for use of any sink box, sneak boat or other
 29 water conveyance, prohibited by law, on the waters of this state, a fine
 30 of not less than twenty-five dollars, nor more than one hundred dollars,
 31 and shall stand committed to the county jail for thirty days unless
 32 such fine and costs are paid.

[R., '60, § 4381; C., '73, § 4048; C., '97, § 2551; S. S., '15,
 § 2551; 37 G. A., ch. 202, § 1; 37 G. A., ch. 233, § 1;
 39 G. A., chs. 25, 33; 40 G. A., chs. 29, 30.]

SEC. 1128. Fur-bearing animals—trapping—regulations.

1 It shall be unlawful for any person to kill, trap, or ensnare any
 2 beaver, mink, otter or muskrat, between the fifteenth day of March
 3 and the fifteenth day of November following, or raccoons or skunks be-
 4 tween the first day of February and the fifteenth day of November,
 5 except where such killing, trapping or ensnaring may be for the pro-
 6 tection of public or private property; or to molest, injure or destroy
 7 any muskrat house or skunk den; or, to have in possession during the
 8 closed season provided for in this section, except during the first five

9 days thereof, any of the animals or carcasses or parts thereof de-
10 scribed in this section, whether lawfully or unlawfully taken within or
11 without this state; but nothing herein contained shall be deemed to
12 apply to green hides in process of manufacture.

[C., '97, § 2553; S. S., '15, § 2553; 37 G. A., ch. 396, § 1;
39 G. A., ch. 87; 40 G. A., ch. 31.]

SEC. 1136. Deputy wardens—expenses—bonds—powers.

1 The fish and game warden may appoint such number of deputies
2 as he may deem necessary. Such deputy wardens shall act under the
3 advice and direction of the fish and game warden, and perform such
4 duties in relation to their offices as may be required of them and sub-
5 mit, under oath, itemized statements of their per diem and expenses
6 as aforesaid; and shall have full power and authority to serve and
7 execute all warrants and process of law issued by any court in enforc-
8 ing the provisions of this chapter, or any other law of this state relat-
9 ing to the propagation, preservation and protection of fish, game and
10 birds, in the same manner as any constable or sheriff may serve and
11 execute the same and receive the same fee therefor, and for the pur-
12 pose of enforcing the provisions of this chapter they may call to their
13 aid any sheriff, deputy sheriff, constable or police officer or any other
14 person, and it shall be the duty of all sheriffs, deputy sheriffs, con-
15 stables and police officers and other persons when called upon to
16 enforce and aid in enforcing the provisions of this chapter. All
17 deputy wardens shall have power to arrest without warrant any per-
18 son or persons found in the act of violating any law enacted for the
19 purpose of propagation and protection of fish, game and birds. All
20 deputy wardens shall give bonds conditioned for the faithful perform-
21 ance of their duties, in such amounts as may be fixed by the state execu-
22 tive council.

[C., '97, § 2562; S. S., '15, § 2562; 39 G. A., ch. 209, § 40.]

SEC. 1137. State ownership and title—exceptions.

1 The ownership and title of all wild game, animals, and birds,
2 found in the state, except deer in parks and public and private pre-
3 serves the ownership of which has been acquired prior to April nine-
4 teenth, nineteen hundred eleven, and all fish, mussels, clams, and frogs
5 in any of the public waters of the state, including all ponds, sloughs,
6 bayous, or other waters adjacent to any public waters, which ponds,
7 sloughs, bayous and other waters are stocked with fish by overflow of
8 public waters, is hereby declared to be in the state, and no wild game,
9 animals, birds, or fish shall be taken, killed, or caught in any manner at
10 any time or had in possession, except the person so catching, taking,
11 killing, or having in possession, shall consent that the title to said wild
12 game, animals, birds, or fish, shall be and remain in the state for the
13 purpose of regulating and controlling the use and disposition of the
14 same after such catching, taking, or killing. Any person desiring to
15 engage in the business of raising and selling pheasants, wild duck,
16 wood duck, quail and other game birds, or any of them, in a wholly
17 inclosed preserve or inclosure, of which he is the owner or lessee, may
18 make application in writing to the state fish and game warden for a
19 license so to do. The state fish and game warden, when it shall appear
20 that such application is made in good faith, shall upon the payment of

21 an annual fee of two dollars, issue to such applicant a breeder's license
 22 permitting such applicant to breed and raise the above described game
 23 birds, or other game birds, or any of them, on such preserve or inclo-
 24 sure; and to sell the same alive at any time for breeding or stocking
 25 purposes; and to kill and use same; or sell same for food. Such license
 26 must be renewed annually upon the payment of the fee as hereinbefore
 27 set forth, and the possession of such license shall exempt the license
 28 holder from the penalties of this chapter for killing, having in posses-
 29 sion, or selling the game birds, or any of them set forth in this sec-
 30 tion; provided that said birds have been bred and raised upon the said
 31 preserve, or within said inclosure, by the license holder, or secured by
 32 him by purchase from without the state.

[S. S., '15, § 2562-b; 40 G. A., ch. 32.]

CHAPTER 16

PROTECTION OF GAME

SECTION 1175. Trapping, shooting or killing of pheasants prohibited.

1 No person shall trap, shoot, kill or take in any manner, any Mon-
 2 golian, ring-neck, English or Chinese pheasants, Hungarian partridge
 3 or other imported game birds in this state prior to the first day of
 4 October, A. D., nineteen hundred twenty-seven.

[S. S., '15, § 2563-u; 37 G. A., ch. 111, § 1; 39 G. A., ch. 85.]

CHAPTER 17

BOARD OF CONSERVATION AND PUBLIC PARKS

SECTION 1177. Public state parks—beautification.

[Repealed by 40 G. A., ch. 33, § 1.]

SEC. 1177-a1. Acquisition of private lands for parks.

[Repealed by 40 G. A., ch. 33, § 1.]

SEC. 1177-a2. Jurisdiction over meandered streams and lakes.

[This and the two preceding sections (and section 1184 of the compiled code, and section 1182-a1 of the supplement to said code) repealed by 40 G. A., ch. 33, § 1, and the fifteen following sections enacted in lieu thereof.]

SEC. 1177-a3. Appointment—tenure.

1 The governor shall appoint five persons who shall constitute a
 2 state board of conservation the members of which shall serve without
 3 pay, except actual and necessary expenses. The members of such
 4 board shall hold office for three years and until their successors are
 5 appointed and qualify, except that of the first board to be appointed
 6 one shall be appointed to hold office for the period ending the second

7 secular day in January, nineteen hundred twenty-five, two shall be
8 appointed to hold office until the second secular day in January, nine-
9 teen hundred twenty-six, and two shall be appointed to hold office until
10 the second secular day in January, nineteen hundred twenty-seven.

11 The secretary of the executive council shall, without additional
12 compensation, act as secretary of the state board of conservation.

[37 G. A., ch. 236, § 9; 40 G. A., ch. 33, § 2.]

SEC. 1177-a4. Duties in general.

1 The board shall investigate places in Iowa rich in natural history,
2 forest reserves, archaeological specimens, and geological deposits;
3 and the means of promoting forestry and maintaining and preserving
4 animal and bird life and the conservation of the natural resources of
5 the state.

[37 G. A., ch. 236, § 9; 40 G. A., ch. 33, § 3.]

SEC. 1177-a5. Duties as to parks.

1 It shall be the duty of the board, under the supervision and direc-
2 tion of the executive council, to establish, maintain, improve and
3 beautify public parks upon the shores of lakes, streams or other
4 waters, or at other places within the state which have become histori-
5 cal or which are of scientific interest, or which by reason of their
6 natural scenic beauty or location are adapted therefor.

[37 G. A., ch. 236, § 1; 38 G. A., ch. 368, § 1; 40 G. A., ch. 33,
§ 4.]

SEC. 1177-a6. Eminent domain.

1 The executive council may, upon the recommendation of the
2 board, purchase or condemn lands for public parks. No contract for
3 the purchase of such public parks shall be made to an amount in excess
4 of funds appropriated therefor by the general assembly.

[37 G. A., ch. 236, § 1; 39 G. A., ch. 135, § 1; 40 G. A., ch. 33,
§ 5.]

SEC. 1177-a7. Highways.

1 The executive council may, upon the recommendation of the
2 board, purchase or condemn highways connecting such parks with the
3 public highways. When such highways have been purchased or con-
4 demned the same shall be public highways of this state and shall be
5 maintained as other public highways of the county.

[37 G. A., ch. 236, § 1; 38 G. A., ch. 368, § 1; 40 G. A., ch.
33, § 6.]

SEC. 1177-a8. Condemnation statutes.

1 All the provisions of the law relating to the condemnation of lands
2 for public state purposes shall apply to the provisions hereof in and so
3 far as applicable.

[39 G. A., ch. 135, § 1; 40 G. A., ch. 33, § 7.]

SEC. 1177-a9. Gifts—title—abandonment.

1 The board of conservation, by and with the written consent of
2 the executive council, may accept gifts of land or other property or
3 the use of lands or other property for a term of years, and improve

4 and use the same as public state parks. And wherever such gifts are
 5 so made the conditions going therewith shall be entered in writing
 6 with and as part of the record of the title by which the state takes
 7 the lands, and shall be inscribed upon any chart, map or description
 8 of said park where the condition is made by the grantor in lieu of
 9 money as a consideration paid by the state.

10 If the lands transferred to the state as a gift, or if lands purchased
 11 in whole or in part by the state from moneys given for that purpose,
 12 shall be abandoned or sold and not used for state park purposes, then
 13 the donor shall reclaim the land or funds donated by filing his request
 14 in writing with the executive council within six months of the time
 15 of the abandonment or sale by the state of such lands, but no interest
 16 or other charge shall be demanded of or paid by the state.

[37 G. A., ch. 236, §§ 3-5; 40 G. A., ch. 33, § 8.]

SEC. 1177-a10. Jurisdiction—boundaries.

1 Jurisdiction over all meandered streams and lakes of this state
 2 and of state lands bordering thereon, not now used by some other state
 3 body for state purposes, is conferred upon the board. The board, with
 4 the approval of the executive council, may establish parts of such
 5 property into state parks, and when so established all of the provisions
 6 of this chapter relative to public parks shall apply thereto.

7 The board shall at once proceed to establish the boundary lines
 8 between the state-owned property under its jurisdiction and privately
 9 owned property, and shall where deemed advisable mark the same so
 10 that the boundaries of such state-owned property may be easily ascer-
 11 tainable to the public.

[37 G. A., ch. 236, § 6; 39 G. A., ch. 135, § 3; 40 G. A., ch. 33,
 § 9.]

SEC. 1177-a11. Engineer for board—surveys.

1 The board may call upon the highway commission for the services
 2 of at least one competent engineer, who shall, under the direction of
 3 the board, proceed to work in conjunction with it in carrying out the
 4 true spirit and purpose of this chapter. The board may call upon the
 5 county engineer of any county to advise relative to the true boundary
 6 between the state-owned property and private property in the county,
 7 and to furnish plats and surveys showing such true boundary lines,
 8 and when directed by the board, shall mark such boundary lines as
 9 herein provided. All surveys and plats shall be filed with the secretary
 10 of the board, and shall become public records of this state.

[40 G. A., ch. 33, § 10.]

SEC. 1177-a12. Compensation.

1 The compensation and expenses of the highway engineer shall be
 2 paid as a part of the maintenance of the highway commission, and by
 3 the county engineer by the county as the case may be.

[40 G. A., ch. 33, § 11.]

SEC. 1177-a13. Boundaries—adjustment—leases.

1 Whenever a controversy shall arise as to the true boundary line
 2 between state-owned property and private property, the board may,
 3 with the approval of the executive council, adjust said boundary line

4 or take such other action in the premises, all with the approval of
5 the executive council, as in its judgment may seem right. When such
6 disputed boundary line is fixed it shall be surveyed and marked as
7 herein provided.

8 The board may, with the approval of the executive council, lease
9 for periods not exceeding one year such parts of the property under
10 its jurisdiction as to it may seem advisable. All leases shall reserve
11 to the public of the state the right to enter upon the property leased
12 for any lawful purpose.

[40 G. A., ch. 33, § 12.]

SEC. 1177-a14. Funds—expenditure.

1 All funds collected, from whatever source, by the board shall be
2 deposited in the state treasury and shall be available for use by the
3 board subject to the approval of the executive council for any purpose
4 necessary in the carrying out of the terms and provisions hereof.

5 All accounts and expenditures shall be subject to the approval of
6 the executive council and shall be paid out on warrants drawn by the
7 state auditor as is otherwise provided by law.

[40 G. A., ch. 33, § 13.]

SEC. 1177-a15. Management by municipalities.

1 The board may, subject to the approval of the executive council,
2 enter into an agreement or arrangement with the board of supervisors
3 of any county or the council of any city or town whereby such county,
4 city or town shall undertake the care and maintenance of any state
5 park. Counties, cities and towns are authorized to maintain such
6 parks and to pay the expense thereof from the general fund of such
7 county, city or town as the case may be.

[40 G. A., ch. 33, § 14.]

SEC. 1177-a16. Sale of islands.

1 No islands, in any of the meandered streams and lakes of this
2 state or in any of the waters bordering upon this state shall hereafter
3 be sold, except with the majority vote of the executive council upon
4 the majority recommendation of the board, and in the event any of
5 such islands are sold as herein provided the proceeds thereof shall
6 become a part of the funds to be expended under the terms and pro-
7 visions of this chapter.

[40 G. A., ch. 33, § 15.]

SEC. 1177-a17. Sale of park lands.

1 The executive council may, upon the recommendation of the
2 board of conservation, sell such parts of public parks as in their
3 judgment may be undesirable for park purposes. In the event that
4 a sale is determined upon, the executive council shall have the land
5 appraised by three appraisers to be appointed by the chief justice of
6 the supreme court and such land shall not be sold for less than the
7 appraised price. Reappraisements may be ordered when necessary.
8 Conveyances shall be in the name of the state, signed by the governor
9 and secretary of state, with the great seal of the state attached.

[37 G. A., ch. 236, § 3; 40 G. A., ch. 33, § 16.]

SEC. 1182-a1. Powers of counties to acquire parks.

[This section (also sections 1177 and 1184 of the compiled code and sections 1177-a1 and 1177-a2 of the supplement to said code) repealed by 40 G. A., ch. 33, § 1, and sections 1177-a3 to 1177-a17, inclusive, enacted in lieu thereof.]

SEC. 1184. Board of conservation—appointment—duties.

[This section (also section 1177 of the compiled code and sections 1177-a1, 1177-a2, and 1182-a1 of the supplement to said code) repealed by 40 G. A., ch. 33, § 1, and sections 1177-a3 to 1177-a17, inclusive, enacted in lieu thereof.]

SEC. 1186. Annual appropriation.

1 For the purpose of carrying into effect the provisions of this
2 chapter, there shall be appropriated out of the fish and game protec-
3 tion fund any portion thereof which is in the judgment of the execu-
4 tive council, unnecessary for the support and maintenance of the fish
5 and game department, and in addition thereto there shall be appro-
6 priated annually out of any moneys in the state treasury not other-
7 wise appropriated, the sum of seventy-five thousand dollars.

- [37 G. A., ch. 236, § 11; 38 G. A., ch. 368, § 3; 40 G. A., ch. 34.]

CHAPTER 18
FENCES**SECTION 1187. Partition fences—owners to maintain.**

1 The respective owners of adjoining tracts of land shall upon writ-
2 ten request of either owner, be compelled to erect and maintain par-
3 tition fences, or contribute thereto, and keep the same in good repair
4 throughout the year, and if said fence be hedge, the owner thereof
5 shall trim or cut it back twice during each calendar year, the first time
6 during the month of June and the last time during the month of Sep-
7 tember, to within five feet from the ground, unless such owners other-
8 wise agree in writing to be filed with and recorded by the township
9 clerk.

[C., '51, §§ 895, 900, 901; R., '60, §§ 1526, 1531, 1532; C., '73, §§ 1489, 1494, 1495; C., '97, § 2355; 38 G. A., ch. 52, § 1; 39 G. A., ch. 76.]

SEC. 1199. Lawful fence defined—sheep and swine tight fences.

[Repealed by 40 G. A., ch. 231, and the following five sections enacted in lieu thereof.]

SEC. 1199-a1. Lawful fence defined.

1 A lawful fence shall consist of:
2 1. Three rails of good substantial material fastened in or to
3 good substantial posts not more than ten feet apart.

4 2. Three boards not less than six inches wide and three-quarters
5 of an inch thick, fastened in or to good substantial posts not more
6 than eight feet apart.

7 3. Three wires, barbed with not less than thirty-six iron barbs
8 of two points each, or twenty-six iron barbs of four points each, on
9 each rod of wire, or of four wires, two thus barbed and two smooth,
10 the wires to be firmly fastened to posts not more than two rods apart,
11 with not less than two stays between posts or with posts not more
12 than one rod apart without such stays, the top wire to be not more
13 than fifty-four nor less than forty-eight inches in height.

14 4. Wire either wholly or in part, substantially built and kept in
15 good repair, the lowest or bottom rail, wire, or board not more than
16 twenty nor less than sixteen inches from the ground, the top rail,
17 wire, or board to be between forty-eight and fifty-four inches in
18 height and the middle rail, wire, or board not less than twelve nor
19 more than eighteen inches above the bottom rail, wire, or board.

20 5. Any other kind of fence which, in the opinion of the fence
21 viewers, shall be equivalent thereto.

[R., '60, §§ 1544, 1545; C., '73, § 1507; C., '97, § 2367; S.,
'13, § 2367; 40 G. A., ch. 231, § 1.]

SEC. 1199-a2. Sheep and swine tight fences.

1 All partition fences may be made tight by the party desiring it,
2 and when his portion is so completed, and securely fastened to good
3 substantial posts, set firmly in the ground, not more than twenty feet
4 apart, the adjoining property owner shall construct his portion of the
5 adjoining fence, in a lawful tight manner, same to be securely fastened
6 to good substantial posts, set firmly in the ground not more than
7 twenty feet apart.

[R., '60, § 1545; C., '73, § 1507; C., '97, § 2367; S., '13,
§ 2367; 40 G. A., ch. 231, § 2.]

SEC. 1199-a3. Tight partition fences.

1 All tight partition fences shall consist of:

2 1. Not less than twenty-six inches of substantial woven wire on
3 the bottom, with three strands of barbed wire with not less than
4 thirty-six barbs of at least two points to the rod, on top, the top wire
5 to be not less than forty-eight inches, nor more than fifty-four inches
6 high.

7 2. Good substantial woven wire not less than forty-eight inches
8 nor more than fifty-four inches high with one barbed wire of not less
9 than thirty-six barbs of two points to the rod, not more than four
10 inches above said woven wire.

11 3. Any other kind of a tight partition fence which, in the opinion
12 of the fence viewers, is equivalent thereto.

[C., '97, § 2367; S., '13, § 2367; 40 G. A., ch. 231, § 3.]

SEC. 1199-a4. Duty to keep fence tight.

1 In case adjoining owners or occupants of land shall use the same
2 for pasturing sheep or swine, each shall keep his share of the parti-
3 tion fence in such condition as shall restrain such sheep or swine.

[C., '73, § 1507; C., '97, § 2367; S., '13, § 2367; 40 G. A.,
ch. 231, § 4.]

SEC. 1199-a5. Controversies.

1 Upon the application of either owner, after notice is given as
 2 prescribed in this chapter, the fence viewers shall determine all con-
 3 troversies arising under the four preceding sections, including the
 4 partition fences made sheep and swine tight.

[C., '97, § 2367; S., '13, § 2367; 40 G. A., ch. 231, § 5.]

CHAPTER 20**CIVIL ENGINEERS****SECTION 1219. Organization of board.**

1 The board shall elect annually from its members a chairman and
 2 a vice chairman. The secretary of the executive council shall be ex-
 3 officio secretary of the board and he may designate one of his assist-
 4 ants or employees of the office to perform the services. The person
 5 so designated and all expenses incurred in connection with the duties
 6 of the secretary shall be paid from the funds raised under the pro-
 7 visions of this chapter. The secretary shall keep on file a record
 8 of all certificates of registration granted, and shall make annually
 9 such revisions of said record as may be necessary. In revising said
 10 record, the secretary shall communicate annually by mail with every
 11 professional engineer registered hereunder. In every case in which
 12 a reply is not received within thirty days after the date of the first
 13 letter, the secretary shall send a second letter by registered mail.
 14 The certificate of registration of any professional engineer who shall
 15 not reply within sixty days from the date of said second letter shall
 16 be considered to have been revoked by such failure to reply, but
 17 may be reinstated at any time upon due application therefor and
 18 the payment of the registration fee of ten dollars, as hereinafter pro-
 19 vided. The secretary shall receive and account for all fees derived
 20 from the operation of this chapter and shall pay them to the state
 21 treasurer who shall keep such moneys in a separate fund, to be known
 22 as the fund of the board of engineering examiners, which shall be con-
 23 tinued from year to year to be drawn against only for the expenses
 24 and compensations of the board provided by this chapter. On or
 25 before the thirtieth day of June in each year the board shall submit
 26 to the governor a written report of its transactions for the preceding
 27 year, and shall file with the secretary of state a copy of said report,
 28 together with a complete statement of the receipts and expenditures
 29 of the board, attested by the affidavits of the chairman and the secre-
 30 tary, and a complete list of those registered under this chapter, with
 31 their addresses and the dates of their certificates of registration. Said
 32 report shall be printed by the state and a copy mailed to, and placed
 33 on file by both the clerk of each incorporated city or town in the state,
 34 and the auditor of each county in the state. The board shall hold at
 35 least one stated meeting on the first Tuesday in December of each
 36 year and special meetings shall be called at other times by the secre-
 37 tary at the request of the chairman or of three members of the board.
 38 At any meeting of the board three members shall constitute a quorum.

[38 G. A., ch. 392, § 6; 40 G. A., ch. 35.]

CHAPTER 21

CERTIFIED SHORTHAND REPORTERS

SECTION 1229. Who eligible.

[Repealed by 40 G. A., ch. 232.]

SEC. 1230. Unlawful use of title.

[Repealed by 40 G. A., ch. 232.]

SEC. 1231. Board of examiners.

[Repealed by 40 G. A., ch. 232.]

SEC. 1232. Examinations—fees.

[Repealed by 40 G. A., ch. 232.]

SEC. 1233. Revocation of certificates.

[Repealed by 40 G. A., ch. 232.]

SEC. 1234. Violations punished.

[This and the five preceding sections repealed by 40 G. A., ch. 232, and the nine following sections enacted in lieu thereof.]

SEC. 1234-a1. Board of examiners.

1 The board of examiners for court reporters herein provided for
2 shall consist of three members, two of whom shall be official short-
3 hand reporters of the district court of Iowa and one of whom shall be
4 a practicing attorney of the state of Iowa.

[38 G. A., ch. 258, § 3; 40 G. A., ch. 232, § 1.]

SEC. 1234-a2. Appointment—rules.

1 The said board of examiners shall be appointed by the chief
2 justice of the supreme court of Iowa for a term of three years, and
3 the said board of examiners shall, subject to the approval of the chief
4 justice of the supreme court of Iowa, make such rules and regulations
5 as may be necessary for the proper performance of its duties.

[38 G. A., ch. 258, § 3; 40 G. A., ch. 232, § 2.]

SEC. 1234-a3. Examination—compensation.

1 The board of examiners shall fix stated times for the examina-
2 tion of the candidates and shall receive for their services only their
3 necessary traveling expenses, such expenses to be paid from such
4 funds as may accrue hereunder.

[38 G. A., ch. 258, § 4; 40 G. A., ch. 232, § 3.]

SEC. 1234-a4. Who eligible.

1 No person shall be appointed to the position of shorthand re-
2 porter of any district, superior or municipal court in this state, unless
3 he be a certified shorthand reporter who has been found competent to
4 report court proceedings, references, or proceedings of like character,
5 by the board of examiners provided for in this chapter.

[38 G. A., ch. 258, § 1; 40 G. A., ch 232, § 4.]

SEC. 1234-a5. Temporary substitutes appointed.

1 If the regularly appointed shorthand reporter should be disabled
 2 from performing his duty, the judge of such court may appoint a
 3 substitute whom he deems competent to act during the disability of
 4 the regular reporter, or until his successor is appointed.

[38 G. A., ch. 258, § 1; 40 G. A., ch. 232, § 5.]

SEC. 1234-a6. Unlawful use of title.

1 Any citizen of the state of Iowa who shall have received from
 2 the board of examiners a certificate of his qualifications as a short-
 3 hand reporter, as herein provided, shall be styled and known as a
 4 certified shorthand reporter, and no other person shall assume such
 5 title or use the abbreviation C. S. R., or any words, letters or figures
 6 to indicate that the person using the same is a certified shorthand
 7 reporter.

[38 G. A., ch. 258, § 2; 40 G. A., ch. 232, § 6.]

SEC. 1234-a7. Examination fee—fund to pay examiners.

1 Each applicant for examination shall pay to the clerk of the
 2 supreme court as an examination fee the sum of five dollars, payable
 3 before the examination is commenced. The fees thus paid to said
 4 clerk shall be by him paid into the state treasury upon receipt thereof,
 5 to be kept as a special fund to be used as provided for in this chapter.

[38 G. A., ch. 258, § 4; 40 G. A., ch. 232, § 7.]

SEC. 1234-a8. Revocation of certificates.

1 The board of examiners may revoke any such certificate for
 2 sufficient cause, after written notice to the holder thereof and hearing
 3 thereon. Any member of the board of examiners may, upon being
 4 duly designated by said board or a majority thereof, administer oaths
 5 or take testimony concerning any matter within the jurisdiction of
 6 said board.

[38 G. A., ch. 258, § 5; 40 G. A., ch. 232, § 8.]

SEC. 1234-a9. Violations punished.

1 Any violation of the provisions of this chapter shall be punished
 2 by a fine not exceeding one hundred dollars.

[38 G. A., ch. 258, § 6; 40 G. A., ch. 232, § 9.]

 CHAPTER 22

CERTIFIED PUBLIC ACCOUNTANTS

SECTION 1235. Certified public accountants — qualifications — privileges.

[Repealed by 40 G. A., ch. 233.]

SEC. 1236. Board of accountancy—appointment—tenure of office.

[Repealed by 40 G. A., ch. 233.]

SEC. 1237. Board to establish rules—organization—meetings.

[Repealed by 40 G. A., ch. 233.]

SEC. 1238. Examinations — dates — notice — scope — fees—register—waiver of examination.

[Repealed by 40 G. A., ch. 233.]

SEC. 1239. Nonresident accountant.

[Repealed by 40 G. A., ch. 233.]

SEC. 1240. Revocation of registration—notice—hearing.

[Repealed by 40 G. A., ch. 233.]

SEC. 1241. Compensation—bond of treasurer—biennial report.

[Repealed by 40 G. A., ch. 233.]

SEC. 1242. Violations—penalty.

[Repealed by 40 G. A., ch. 233.]

SEC. 1243. Misconduct—penalty.

[Repealed by 40 G. A., ch. 233.]

SEC. 1244. Certificate holder to give bond.

[This and the nine preceding sections repealed by 40 G. A., ch. 233, and the nineteen following sections enacted in lieu thereof.]

SEC. 1244-a1. Board of accountancy—appointment—tenure.

1 The governor shall appoint three persons as a board of account-
2 ancy. Each member of such board shall be a certified public account-
3 ant, and his term of office shall be for three years.

[S. S., '15, § 2620-b; 40 G. A., ch. 233, § 1.]

SEC. 1244-a2. Vacancies.

1 Any vacancies that may occur from any cause, shall be filled by
2 the governor for the unexpired term under the same conditions that
3 govern regular appointments.

[S. S., '15, § 2620-b; 40 G. A., ch. 233, § 2.]

SEC. 1244-a3. Organization—meetings—quorum.

1 The board shall meet and organize by the selection of one of
2 its members as chairman, and one as secretary, and shall meet at
3 least twice each year and oftener, if deemed necessary, at such times
4 and places within the state as it may select, and a majority shall con-
5 stitute a quorum. Such meetings shall at all reasonable times be
6 open to the public.

[S. S., '15, § 2620-c; 40 G. A., ch. 233, § 3.]

SEC. 1244-a4. Rules.

1 The board at its first meeting shall formulate rules and regula-
2 tions for its guidance, not inconsistent with the provisions of this
3 chapter, which may be changed or altered at any regular meeting
4 by a majority vote.

[S. S., '15, § 2620-c; 40 G. A., ch. 233, § 4.]

SEC. 1244-a5. Certified public accountants.

1 Any citizen of the United States residing in this state, or having
2 a place for the regular transaction of business in the state, as a
3 practicing public accountant, and being over the age of twenty-five
4 years, of good moral character, and who shall have received from the
5 board of accountancy of the state, a certificate as provided in this
6 chapter shall be styled and known as a certified public accountant,
7 and be entitled to use the abbreviations C. P. A. in connection with
8 his name. No other person, no firm all the members of which are
9 not certified accountants as provided in this chapter, and no corpora-
10 tion shall use such title or any abbreviation, letters, or figures to indi-
11 cate that such person, firm, or corporation is a certified public
12 accountant.

[S. S., '15, § 2620-a; 40 G. A., ch. 233, § 5.]

SEC. 1244-a6. Examination—notice.

1 The board shall at its regular meetings establish the time and
2 place for holding examinations under the provisions of this chapter,
3 and shall cause to be published a notice thereof, for not less than
4 three consecutive days in two daily newspapers published in this
5 state, not less than twenty days prior to the date of such examination,
6 and notice of the same shall be mailed to all holders of certificates
7 under this chapter, as well as applicants, not less than fifteen days
8 prior to such examination.

[S. S., '15, § 2620-d; 40 G. A., ch. 233, § 6.]

SEC. 1244-a7. Qualifications.

1 Each applicant for a certificate before taking the examination
2 must produce evidence satisfactory to the board that he is over
3 twenty-five years of age, of good moral character, a graduate of a
4 high school with a four years' course, or has an equivalent education,
5 or pass a preliminary examination to be set by the board, and that
6 he has had at least three years' practical accounting experience, at
7 least one year of which shall have been as an accountant in the employ
8 of a public accountant of recognized standing in the profession, or in
9 public practice on his own account.

[S. S., '15, § 2620-d; 40 G. A., ch. 233, § 7.]

SEC. 1244-a8. Examination.

1 The examination shall consist of a written examination covering
2 questions on the following subjects: Theory of accounts, practical
3 accounting, auditing and commercial law as pertaining to accountancy.

[S. S., '15, § 2620-d; 40 G. A., ch. 233, § 8.]

SEC. 1244-a9. Fee.

1 The fees for such examination shall be twenty-five dollars for
2 each applicant, payable to the board at the time of filing application
3 and at least ten days prior to the examination.

[S. S., '15, § 2620-d; 40 G. A., ch. 233, § 9.]

SEC. 1244-a10. Certificate—register.

1 After the examination provided by this chapter, the board shall,
2 if in its judgment the applicants are entitled thereto, issue certificates
3 as provided in this chapter. The board shall maintain a register of
4 the names and addresses of all persons receiving certificates under
5 this chapter, and shall keep a record of all persons whose certificates
6 have been revoked.

[S. S., '15, § 2620-d; 40 G. A., ch. 233, § 10.]

SEC. 1244-a11. Foreign certificates—fee.

1 The board of accountancy shall register the certificate of any
2 person, whether resident or nonresident of this state, who is the
3 lawful holder of an unrevoked certified public accountant's certificate
4 issued under the laws of another state, provided that the require-
5 ments of said degree in the state which has granted it to the appli-
6 cant are equivalent to those herein provided, and that of holders of a
7 degree of certified public accountant or chartered accountant or the
8 equivalent thereof, issued by any foreign government, provided that
9 the requirements of such degree are equivalent to those herein pro-
10 vided for the degree of certified public accountant.

11 Such applicant shall, before the registration of such certificate,
12 pay to the board of accountancy the sum of twenty-five dollars and
13 shall be likewise subject to all the provisions of the law applicable
14 to certified public accountants including the payment of annual dues.

[S. S., '15, § 2620-f; 40 G. A., ch. 233, § 11.]

SEC. 1244-a12. Bond.

1 Every person having been granted a certificate under the pro-
2 visions of this chapter shall give a bond in the sum of five thousand
3 dollars to the auditor of state before entering upon the discharge of
4 his duties for the faithful performance of the same.

[S. S., '15, § 2620-k; 40 G. A., ch. 233, § 12.]

SEC. 1244-a13. Revocation of registration.

1 The board of accountancy may revoke or cancel the registration
2 of any certificate issued under this chapter for unprofessional conduct
3 of the holder or other sufficient cause, provided that written notice
4 shall have been mailed to the holder of such certificate at least twenty
5 days before any hearing thereon, stating the cause of such contem-
6 plated action, and appointing a day for full hearing thereon by the
7 board. No certificate issued under this chapter shall be revoked
8 until such hearing shall have been held or the opportunity for such
9 hearing afforded the person charged.

[S. S., '15, § 2620-g; 40 G. A., ch. 233, § 13.]

SEC. 1244-a14. Compensation—expenses.

1 No compensation shall be paid any member of the board of
2 accountancy for his services. All bills for expenses shall be audited
3 and allowed by the state board of audit and shall be paid from the
4 fees received. In no event shall the state be chargeable with any
5 expense incurred under the provisions of this chapter.

[S. S., '15, § 2620-h; 40 G. A., ch. 233, § 14.]

SEC. 1244-a15. Deposit—bond.

1 Any sum remaining after the payment of expenses shall be paid
2 into the state treasury on or before the first day of January in each
3 year. The treasurer of the board shall, on assuming his office, file
4 with the secretary of state, a bond in the penal sum of one thousand
5 dollars.

[S. S., '15, § 2620-h; 40 G. A., ch. 233, § 15.]

SEC. 1244-a16. Report.

1 The board shall make a report biennially to the governor of its
2 proceedings with an account of all moneys received and disbursed; a
3 list of names of all persons whose certificates have been revoked,
4 together with recommendations, if any, for new legislation and such
5 other matters as the board may deem proper.

[S. S., '15, § 2620-h; 40 G. A., ch. 233, § 16.]

SEC. 1244-a17. Annual dues.

1 All holders of certificates and those whose certificates have been
2 registered as provided in this chapter, shall pay to the treasurer of
3 the board for disposition as provided herein, the sum of five dollars
4 on the first day of January in each year. Failure to pay such annual
5 dues shall operate to suspend the certificate of registration and all
6 rights thereunder of the person failing so to pay during the period
7 of delinquency.

[40 G. A., ch. 233, § 17.]

SEC. 1244-a18. Practice without certificate.

1 If any person, firm, or corporation shall hold himself or itself
2 out to the public as having received a certificate as provided in this
3 chapter, or shall assume to practice as certified public accountant or
4 chartered accountant, or use the abbreviation thereof or any other
5 letters, words or figures to indicate that the person using the same
6 is such certified public accountant, without having received such
7 certificate, or after the same shall have been revoked, he or it shall be
8 fined not less than one hundred dollars nor more than five hundred
9 dollars for each offense or be imprisoned in the county jail for a
10 period not exceeding six months.

[S. S., '15, § 2620-i; 40 G. A., ch. 233, § 18.]

SEC. 1244-a19. Negligence and wilful falsification.

1 If any person engaged in the practice of public accountancy as
2 a certified public accountant or otherwise, shall be found guilty of
3 gross negligence or carelessness or shall wilfully falsify any report
4 or statement bearing on any examination, investigation, or audit
5 made by him or under his direction, he shall be punished by a fine of
6 not less than one hundred dollars nor more than one thousand dollars,
7 or by imprisonment in the county jail for a period of not less than
8 three months nor more than one year, or both fine and imprisonment
9 for each time he may be convicted of such offense.

[S. S., '15, § 2620-j; 40 G. A., ch. 233, § 19.]

CHAPTER 24

BRANDING AND LABELING OF MATTRESSES

SECTION 1250. Sale, unbranded mattresses.

[This section and sections 1251 to 1261, inclusive, repealed by 40 G. A., ch. 36, § 10, and the nine following sections enacted (apparently) in lieu thereof.]

SEC. 1250-a1. Definitions.

1 A mattress, within the meaning of this chapter, shall include
2 what is commonly known as a bed mattress, and also any other ar-
3 ticle for use as a bed pad, consisting of an outer covering of cloth,
4 ticking or other fabric, and stuffed or filled with hair, wool, moss,
5 cotton, excelsior, or any other material.

6 A comfort, within the meaning of this chapter, shall include
7 what is commonly known as a bed comfort, and also any other article
8 for use as a bed cover, consisting of an outer covering of cloth or any
9 other fabric, with wool, cotton or other material between.

[37 G. A., ch. 406, § 9; 40 G. A., ch. 36, § 1.]

SEC. 1250-a2. Material—branding.

1 It shall be unlawful for any manufacturer or his agent to sell,
2 offer or consign for sale, or have in his possession with intent to
3 sell, offer or consign for sale, any mattress or comfort as herein
4 defined, containing any infectious, insanitary or unhealthful material,
5 or any other material previously used or not entirely new, sterilized
6 feathers excepted, and unless the same be labelled as follows, to wit:
7 to each of said articles there shall be attached upon the outside
8 thereof, a cloth, or cloth-lined label not less than two by three inches
9 in size, upon which shall be legibly written or printed, in the English
10 language, in letters not less than one-eighth of an inch in height, a
11 description of the materials used in the filling, with the name and
12 address of the maker of such mattress or comfort. The sewing of
13 one edge of said label securely to said article shall be sufficient.

14 If all of the material used in making said articles shall not have
15 been previously used; and be new, the words "Manufactured of New
16 Material" shall appear upon said label.

[37 G. A., ch. 406, §§ 2-5, 7, 8; 40 G. A., ch. 36, § 2.]

SEC. 1250-a3. Labels.

1 The label above provided for shall be in substantially the follow-
2 ing form, but may contain thereon additional statements or infor-
3 mation:

OFFICIAL STATEMENT

Manufactured of New Material

(Here describe kind and character of filling)

This article is made in compliance with an act of
the state of Iowa, approved the.....
day of, 1923.

(Here state manufacturer's name and address.)

Factory Number.....

[40 G. A., ch. 36, § 3.]

SEC. 1250-a4. Applicability of statute—remade articles.

1 This chapter shall not apply to mattresses or comforts made by
2 any person for his individual or family use, nor to the remaking of
3 any mattress or comfort not thereafter to be sold or offered for sale.
4 Any mattress or comfort so remade shall have attached thereto
5 a label of the kind hereinbefore provided for, except that such label
6 shall bear the words "Remade from Used Material" in lieu of the
7 words "Manufactured of New Material."

[40 G. A., ch. 36, § 4.]

SEC. 1250-a5. Interfering with labels.

1 It shall be unlawful for any person to remove, deface, or alter,
2 or cause to be removed, defaced or altered, any label so attached to
3 said articles.

[37 G. A., ch. 406, § 6; 40 G. A., ch. 36, § 5.]

SEC. 1250-a6. "Offense" defined.

1 The doing of any of the acts herein prohibited or declared unlaw-
2 ful, shall be and constitute a separate offense for each and every
3 mattress or comfort not made, labeled or otherwise handled, as pro-
4 vided in this chapter.

[40 G. A., ch. 36, § 6.]

SEC. 1250-a7. Inspection of factories.

1 It shall be the duty of the state board of health, not less than
2 once each year, to cause each factory in the state, where mattresses
3 or comforts are made, to be inspected, for which inspection a fee of
4 ten dollars shall be paid to the state by the manufacturer inspected,
5 but no manufacturer shall be required to pay fees in excess of twenty
6 dollars for any one calendar year.

7 The state board of health shall be charged with the enforcement
8 of this chapter and shall have power to prosecute violators of this
9 chapter, and the finding of any infectious, insanitary, unhealthful or
10 second-hand material in that part of any factory devoted to the man-
11 ufacture of mattresses or comforts, shall be prima facie evidence
12 that such material has been and is being used in violation hereof.

[37 G. A., ch. 406, § 12; 40 G. A., ch. 36, § 7.]

SEC. 1250-a8. Violations.

1 The violation of any of the provisions of this chapter shall be
2 deemed a misdemeanor and upon conviction thereof, any person may
3 be punished by a fine of not less than fifty dollars nor more than one
4 hundred dollars or by imprisonment in the county jail not to exceed
5 thirty days or by both such fine and imprisonment.

[37 G. A., ch. 406, § 11; 40 G. A., ch. 36, § 8.]

SEC. 1250-a9. Manufacturer to register.

1 Every manufacturer of mattresses shall register with the board
2 of health and be assigned by them a factory number, which shall
3 show on each label as attached to the mattress.

[40 G. A., ch. 36, § 9.]

SEC. 1251. Unbranded mattresses—sales prohibited.

[Repealed by 40 G. A., ch. 36, § 10.]

SEC. 1252. Brand—requirements.

[Repealed by 40 G. A., ch. 36, § 10.]

SEC. 1253. Attaching brand.

[Repealed by 40 G. A., ch. 36, § 10.]

SEC. 1254. Brands—where placed.

[Repealed by 40 G. A., ch. 36, § 10.]

SEC. 1255. Possession—conditions.

[Repealed by 40 G. A., ch. 36, § 10.]

SEC. 1256. Prohibited materials.

[Repealed by 40 G. A., ch. 36, § 10.]

SEC. 1257. Use of “shoddy.”

[Repealed by 40 G. A., ch. 36, § 10.]

SEC. 1258. Mattresses—scope of term.

[Repealed by 40 G. A., ch. 36, § 10.]

SEC. 1259. Felt or felted cotton.

[Repealed by 40 G. A., ch. 36, § 10.]

SEC. 1260. Penalty.

[Repealed by 40 G. A., ch. 36, § 10.]

SEC. 1261. County attorney—duty.

[Repealed by 40 G. A., ch. 36, § 10.]

CHAPTER 24-A
REGULATION OF ORGANIZATIONS SOLICITING PUBLIC DONATIONS

NOTE: Four of the sections which comprise this chapter appeared in the compiled code as sections 8697 to 8700, inclusive, in the title on “Criminal Law”. 39 G. A., ch. 59, specifically changed the language in two of these sections and made necessary a change in the cross reference in the other two sections; it also added some new matter. The effect of the legislation of the 39th G. A. was to make the law on the subject of this chapter largely regulatory, leaving the criminal feature only incidental. For that reason the four sections of the compiled code and the new legislation are placed in this title as one chapter.

SECTION 1261-a1. Filing statement—contents.

- 1 All organizations, institutions, or charitable associations which,
- 2 through agents or representatives, solicit public donations in this state,
- 3 shall be required to file with the secretary of state a statement setting
- 4 forth the name and location of such organization, institution or chari-

5 table association, the purposes for which such organization, institution
6 or charitable association exists, and the name of its principal officers
7 and soliciting agents, and references or recommendation from at least
8 three reputable freeholders of the state.

[S., '13, § 5077-c; 39 G. A., ch. 59.]

SEC. 1261-a2. License by secretary of state.

1 If, in the judgment of the secretary of state, such statement shall
2 be deemed sufficient evidence that the moneys thus collected are to be
3 used in the interest of the purposes represented, the secretary of state
4 shall be authorized to issue to said organization, institution or chari-
5 table association, its agents and representatives, a state license, upon
6 the payment of a fee of one dollar, authorizing said organization, insti-
7 tution or charitable association to solicit public donations in any
8 county, city or township in this state.

[S., '13, § 5077-c; 39 G. A., ch. 59.]

SEC. 1261-a3. Duration of license—revocation.

1 Said license shall expire annually on the thirty-first day of
2 December following the date of issue, or may be suspended or revoked
3 at any time at the discretion of the secretary of state, when in his
4 judgment the authority vested therein is abused or the transactions
5 consummated thereunder are not in conformity with the intent and
6 purpose of this chapter.

[39 G. A., ch. 59.]

SEC. 1261-a4. Soliciting by local organizations.

1 Nothing in this chapter, however, shall be construed to prohibit
2 any person or local organization, church, school or any recognized
3 society or branch of any church or school from publicly soliciting
4 funds or donations within the county or adjoining counties in which
5 such person resides or such church, school, institution, organization
6 or charitable association is located.

[S., '13, § 5077-c; 39 G. A., ch. 59.]

NOTE: See note at beginning of chapter.

SEC. 1261-a5. Annual report—filing fee.

1 Any such organization, institution or charitable association
2 licensed under the provisions of this chapter, shall file an annual
3 report with the secretary of state, which report shall contain the fol-
4 lowing information:

5 1. The names and postoffice addresses of its officers and whether
6 any change has been made during the year previous to making said
7 report.

8 2. A detailed statement of all moneys received during the year
9 previous to making said report.

10 3. A detailed statement of all moneys disbursed during the year
11 previous to making said report, and for what purpose.

12 At the time of filing this annual report, said organization, insti-
13 tution or charitable association shall pay to the secretary of state a
14 filing fee in the sum of two dollars.

[39 G. A., ch. 59.]

SEC. 1261-a6. Violations—punishment.

1 Any person who shall wilfully violate the provisions of this chap-
2 ter or who shall solicit funds under any such license and thereafter
3 divert the same to purposes other than that for which they were con-
4 tributed shall be deemed guilty of a misdemeanor and upon conviction
5 shall be punished by a fine of not more than one hundred dollars or by
6 imprisonment in the county jail not to exceed thirty days.

[S., '13, § 5077-d; 39 G. A., ch. 59.]

NOTE: See note at beginning of chapter.

TITLE VI

PUBLIC HEALTH

CHAPTER 1

STATE BOARD OF HEALTH

SECTION 1262. Organization—meetings—officers.

1 The governor, secretary of state and auditor of state are hereby
2 made a board of appointment, two of whom shall constitute a quorum
3 for the purpose of making appointments as hereinafter provided, and
4 the secretary of the executive council shall be the secretary thereof.

5 Said board of appointment shall appoint a secretary of the state
6 board of health, who shall be a legally qualified physician and a gradu-
7 ate of a reputable school of medicine, of not less than ten years'
8 experience, and who shall serve for a term of five years or until his
9 successor is appointed, as are the members of the state board of health,
10 and who shall be the executive officer and commissioner of public health
11 as hereinafter provided, and five members of the state board of health,
12 of which not more than three shall belong to the same political party,
13 nor more than two be of the same school of medical practice, which
14 shall be constituted as follows: The state board of health shall con-
15 sist of one well qualified civil and sanitary engineer, who shall devote
16 as much of his time to the service of the state as may be needed or
17 required, and when so engaged, shall have all his necessary traveling
18 and incidental expenses paid by the state, and four physicians, each of
19 whom shall be a graduate of a reputable school of medicine, each to
20 serve for a term of five years, unless sooner removed by said board of
21 appointment for good cause, same to apply to the secretary, and until
22 his successor is appointed; provided that the term of the office of the
23 five members first appointed shall be for one, two, three, four and five
24 years, respectively, their terms to be designated by the board of
25 appointment, and to be so arranged that the term of one such member
26 shall expire on the thirtieth day of June of each year. Any vacancies
27 that may occur shall be filled by appointment by the board of appoint-
28 ment, and at the expiration of the term of each member, his successor
29 shall be appointed for a full term of five years. No member of the
30 state board of health shall be an officer or a member of the faculty of
31 any medical school, and the board of appointment shall have the power
32 to remove any member or the secretary of said board of health for
33 good cause.

34 The board of health shall meet semiannually, in July and January
35 of each year, and at such other times as it may be deemed necessary
36 by the secretary, or on the written request of two or more members of
37 the board of health, such meeting to be held at the seat of government;
38 suitable rooms, furniture, office supplies, postage, stationery and print-
39 ing therefor, to be provided by the executive council in the same man-
40 ner as for other departments of the state. At the meeting held in July,

41 a president shall be elected from the board of health for one year, and
 42 the board of appointment shall in July, nineteen hundred thirteen,
 43 name and appoint a secretary, as herein provided, not a member of
 44 the board of health, who shall serve for a term of five years or until
 45 his successor is appointed, unless sooner removed by the board of
 46 appointment for good cause; said secretary shall have charge of the
 47 office of the state board of health.

48 When the board of health is not in session, the secretary shall be
 49 the executive officer thereof, and commissioner of public health, and
 50 shall have full power and authority to execute and enforce all of the
 51 laws, rules and regulations of the board of health, pertaining to the
 52 health and life of the citizens of the state, to quarantine, to marriages,
 53 births and deaths, to sanitary investigations, and to all other matters
 54 subject to regulations and control by the board of health, the board of
 55 medical examiners, and all of the various other departments that are
 56 now or may hereafter be provided by law, or by the rules and regula-
 57 tions of such boards or commissions as are authorized to make and
 58 adopt rules with reference thereto.

[C., '97, § 2564; S., '13, § 2564; 39 G. A., ch. 209, § 41.]

SEC. 1263. Expenses of members.

1 Each member of the board shall receive only actual traveling
 2 expenses incurred in the performance of his duties, said expenses to
 3 be itemized, verified, certified, audited, and a warrant drawn therefor.

[C., '97, § 2574; S., '13, § 2574; 39 G. A., ch. 209, § 43.]

CHAPTER 1-A

PUBLIC WATERS

SECTION 1268-a1. Befouling public waters.

1 Whenever the city or town council, board of health of any city
 2 or town, the trustees of any township in this state, or twenty-five
 3 residents by petition, shall make complaint in writing to the state
 4 board of health charging that any city, town, village, corporation,
 5 person, or firm, named in said complaint, is discharging, or is per-
 6 mitting to be discharged, any sewerage or other wastes or befouling
 7 or deleterious matter into any stream, watercourse, river, spring,
 8 lake, or pond, and is thereby materially injuring for domestic use the
 9 character of the water into which the same is discharged or is ren-
 10 dering the same unwholesome or impure, or is polluting the source
 11 of any public water supply, or is rendering the same deleterious to
 12 fish life, it shall be the duty of the state board of health to forth-
 13 with inquire into and investigate the conditions complained of, and
 14 if upon such investigation said board shall find charges or any part
 15 of them made in such complaint to be true, and that the conditions
 16 produced by the acts complained of are detrimental to public health
 17 or comfort, or to the comfort and health of persons residing in the
 18 vicinity, or befouling or deleterious to fish life, it shall notify the
 19 person, community, corporation, or firm causing the pollution, of the
 20 board's finding, and in the notice shall fix a time for hearing. After

21 such hearing, if the state board of health shall determine that the
 22 person, community, corporation, or firm shall cease doing the acts
 23 complained of, it shall enter an order to that effect against the
 24 offender and shall at the same time suggest any improvements or
 25 changes in the offender's works, plant, or property, if any said board
 26 recommends, as will render the noxious matter so being passed into
 27 the water innocuous and harmless, and shall require by its order the
 28 offender to adopt and apply the board's recommendations in that
 29 behalf before the offender shall again resume such use of the water,
 30 and the board shall in its order requiring the offender to discontinue
 31 the use of the water, give to the offender a reasonable time to adopt,
 32 construct, and put in use the appliance so recommended by the board,
 33 and such order shall in every case indicate as a part thereof the time
 34 given to such offender; provided, however, that in the event said
 35 board of health shall find that any offender is polluting the source of
 36 any water supply or is rendering the water of any river, stream or
 37 pond unwholesome or impure and dangerous to public health, the
 38 order of said board of health against such offender shall take effect
 39 immediately.

[40 G. A., ch. 37, § 1.]

SEC. 1268-a2. Power of state board.

1 The state board of health shall have the same right and power
 2 to make inquiries and orders as provided in section twelve hundred
 3 sixty-eight-a one of this supplement, upon its own motion as upon
 4 the complaint in writing being filed as therein required.

[40 G. A., ch. 37, § 2.]

SEC. 1268-a3. Record.

1 It shall be the duty of the secretary of the state board of health
 2 to keep a complete record, in a proper record book of the board, of
 3 all of the proceedings of said board had in pursuance of any provi-
 4 sion of this chapter and of all evidence taken by the board in such
 5 proceeding, including as a part of such record the findings and report
 6 of the sanitary engineers to be made as provided for in section twelve
 7 hundred sixty-eight-a four of this supplement. Such record shall be
 8 a public record open to the public.

[40 G. A., ch. 37, § 3.]

NOTE: The reference in the above section to section "1268-a4" is, manifestly,
 an error.

SEC. 1268-a4. Interpretative clause.

1 The provisions of this chapter shall not be construed as repealing
 2 any of the provisions of the law as the same now exists relative to
 3 nuisances.

[40 G. A., ch. 37, § 4.]

SEC. 1268-a5. Exception.

1 The provisions of this chapter shall not apply to the lower four
 2 thousand feet of any stream flowing into a river at a place where such
 3 river forms a part of the boundary line of the state.

[40 G. A., ch. 37, § 5.]

CHAPTER 4-A

PREVENTION OF BLINDNESS

SECTION 1306-a1. Prophylactic treatment of eyes of newborn.

1 Any physician or any person authorized by law to act as an
 2 obstetrician shall immediately upon the birth of an infant instill into
 3 the eyes of such newly born infant a prophylactic solution approved
 4 by the state board of health. Nothing in this chapter shall be con-
 5 strued to require medical treatment for the minor child of any person
 6 who is a member of a well recognized church or religious denomina-
 7 tion and whose religious convictions in accordance with the tenets or
 8 principles of his church or religious denomination are against medical
 9 treatment for disease.

[39 G. A., ch. 40, § 1.]

SEC. 1306-a2. Detection of infection—duty to treat or report.

1 Any physician or any person authorized by law to act as an
 2 obstetrician in this state or any other person having the care of an
 3 infant, within six months after its birth who shall detect any inflam-
 4 mation, swelling or redness in the eyes of any such infant or any
 5 unnatural discharge therefrom, shall, if he be a physician, treat such
 6 child with the necessary prophylactic or, if he be other than a phy-
 7 sician, shall immediately report the condition and the location of such
 8 infant to the local board of health.

[39 G. A., ch. 40, § 2.]

SEC. 1306-a3. Regulations by board of health.

1 It shall be the duty of the state board of health to make the
 2 necessary regulations for the enforcement of this chapter.

[39 G. A., ch. 40, § 3.]

SEC. 1306-a4. Penalty.

1 Any person who shall wilfully violate any of the provisions of
 2 this chapter shall be guilty of a misdemeanor, and upon conviction
 3 thereof shall be punished by a fine of not more than five hundred
 4 dollars or by confinement in the county jail six months.

[39 G. A., ch. 40, § 4.]

CHAPTER 5

ANTITOXIN

SECTION 1310. Annual appropriation for expenses.

1 For the purpose of carrying into effect the provisions of this
 2 chapter, and the payment of all expenses connected therewith, there
 3 is hereby appropriated out of any funds in the state treasury, not
 4 otherwise appropriated, the sum of two thousand dollars per annum,
 5 or so much thereof as may be necessary to pay such expenses as may

6 be incurred by the state board of health in establishing antitoxin sta-
7 tions and providing for the distribution of Iowa state board of health
8 antitoxin under the provisions of this chapter.

[S., '13, § 2572-d; 39 G. A., ch. 209, § 42.]

CHAPTER 6.

MEDICINE AND SURGERY

SECTION 1311. Practice of medicine defined.

1 Any person shall be held as practicing medicine, surgery or
2 obstetrics, or to be a physician, within the meaning of this chapter,
3 who shall publicly profess to be a physician, surgeon or obstetrician,
4 and assume the duties, or who shall make a practice of prescribing or
5 of prescribing and furnishing medicine for the sick; but it shall not
6 be construed to prohibit students of medicine, surgery or obstetrics,
7 who have had not less than two courses of lectures in a medical school
8 of good standing, from prescribing under the supervision of precep-
9 tors, or gratuitous service in case of emergency, nor to prevent the
10 advertising, selling or prescribing natural mineral waters flowing from
11 wells or springs, nor shall it apply to surgeons of the United States
12 army or navy, nor of the marine hospital service, nor to physicians
13 or midwives who have obtained from the board of examiners a cer-
14 tificate permitting them to practice medicine, surgery or obstetrics
15 without a diploma from a medical school or examination by the board,
16 nor to physicians, as defined herein, who have been in practice in this
17 state for five consecutive years, three years of which time shall have
18 been in one locality, nor to filling prescriptions by a registered pharma-
19 cist, nor to the advertising and sale of patent or proprietary medicines.

[C., '97, § 2579; 39 G. A., ch. 243.]

SEC. 1312. Examination—registration—fee—temporary permits.

1 All persons beginning the practice of medicine in the state of
2 Iowa must submit to an examination as set forth in this chapter, and,
3 in addition thereto, shall present diplomas from medical colleges rec-
4 ognized as in good standing by the state board of medical examiners,
5 and all persons receiving their diplomas subsequent to January first,
6 eighteen hundred ninety-nine, shall present evidence of having
7 attended four full courses of study of not less than twenty-six weeks
8 each, no two of which shall have been given in any one year. The
9 state board of medical examiners shall examine the graduates of the
10 medical departments of the state university of Iowa and of such other
11 medical colleges in this state as are recognized by said board of med-
12 ical examiners as being in good and legal standing at the annual
13 medical commencement and at the location of said state university
14 and other medical colleges respectively:

15 1. A certificate of registration showing that an examination has
16 been made by the proper board of any state, or national board of med-
17 ical examiners of Washington, D. C., on which an average grade of
18 not less than seventy-five per cent was awarded, the holder thereof
19 having been at the time of said examination the legal possessor of a

20 diploma from a medical college in good standing in this state, may
 21 be accepted in lieu of an examination, as evidence of qualification.
 22 But in case the scope of said examination was less than that prescribed
 23 by this state, the applicant may be required to submit to a supple-
 24 mental examination in such subjects as have not been covered.

25 2. A certificate of registration or license, issued by the proper
 26 board of any state, may be accepted as evidence of qualification for
 27 registration in this state, provided the holder thereof was, at the time
 28 of such registration, the legal possessor of a diploma issued by a med-
 29 ical college in good standing in this state, and that the date thereof
 30 was prior to the legal requirement of the examination test in this
 31 state. The fee for such examination shall be fifty dollars.

32 3. Applicants for registration under the provisions of clauses one
 33 and two of this section shall make proper application upon forms fur-
 34 nished by the board and file same together with the registration fee,
 35 with the secretary of said board. If the credentials of the applicant
 36 are complete and regular, the secretary shall issue a temporary per-
 37 mit authorizing the said applicant to practice in Iowa during the period
 38 intervening between the date of filing his application and the date
 39 upon which the board authorizes or refuses the issuance of a perma-
 40 nent certificate, but not more than one such permit shall be issued to
 41 the same applicant. The temporary permits herein provided for shall
 42 apply only to applicants for a certificate under reciprocal agreements
 43 with other states.

[C., '97, § 2582; S., '13, § 2582; 39 G. A., ch. 136.]

SEC. 1314. Expenses of secretary—supplies.

1 Out of the fund created by the payment of fees by applicants for
 2 examination or certificates the secretary shall receive his necessary
 3 expenses incurred for services which cannot be performed at the
 4 capitol. All printing, postage, and other contingent office expenses
 5 necessarily incurred under the provisions of this chapter shall be paid
 6 from said fund. Any balance of said funds remaining shall be turned
 7 over to the state treasurer for the use of the school fund.

[C., '97, § 2583; S., '13, § 2583; 35 G. A., ch. 207, § 1; 39
 G. A., ch. 209, § 46.]

NOTE: 39 G. A., ch. 209, § 46 struck out of section 2583 of the supplement to
 the code, 1913, certain language which was omitted from section 1314 of the com-
 piled code because obsolete and supplanted by the subsequent legislation of 35
 G. A., ch. 207, § 1. 39 G. A., ch. 209, § 46 is now added to the historical reference
 of the above section, otherwise the section is in the same form as it appeared in
 the compiled code.

CHAPTER 6-A

PODIATRY

SECTION 1321-a1. Definitions.

1 Podiatry (sometimes called chiropody) shall for the purpose of
 2 this chapter mean the diagnosis and medical and surgical treatment
 3 of ailments of the human foot. Podiatrist shall mean one practicing
 4 podiatry.

[39 G. A., ch. 113, § 1.]

SEC. 1321-a2. License required—scope of practice.

1 It shall be unlawful for any person to profess to be a podiatrist,
 2 to practice or assume the duties incident to podiatry, without first
 3 obtaining from the state board of medical examiners a license author-
 4 izing the practice of podiatry in this state, except as hereinafter pro-
 5 vided. No podiatrist shall amputate the human foot or toe or toes, or
 6 use any anesthetic other than local.

[39 G. A., ch. 113, § 2.]

SEC. 1321-a3. Board of examiners—examinations—qualifications—licenses.

1 At the annual meeting of the state board of medical examiners
 2 it shall select two physicians from its own membership and two
 3 licensed podiatrists, residents of this state and actively engaged in
 4 the practice of podiatry, who, together with the secretary of the state
 5 board of medical examiners, shall constitute the podiatry examiners
 6 for the year.

7 The examinations shall be held in the city of Des Moines, in July
 8 of each year and at such other times and places as the state board of
 9 medical examiners shall direct.

10 All applicants for license shall have attained the age of twenty-
 11 one years and shall be of good moral character; they shall have had
 12 at least one year of instruction in and be graduates of some school of
 13 podiatry, recognized as being in good standing by the state board of
 14 medical examiners.

15 No school of podiatry shall be accredited by said board as a school
 16 of good standing which does not require for graduation a course of
 17 study of at least two years.

18 Upon payment of a fee of fifty dollars, a license without exam-
 19 ination may be issued to podiatrists of other states maintaining equal
 20 statutory requirements for the practice of podiatry and extending the
 21 same reciprocal privilege to this state.

[39 G. A., ch. 113, § 3.]

SEC. 1321-a4. Scope of examination—grades required—fees.

1 Any person not exempt from examination under the preceding
 2 section and desiring a license to practice podiatry shall be examined
 3 in the following subjects: anatomy, chemistry, dermatology, diagnosis,
 4 materia medica, pathology, physiology, therapeutic, clinical and ortho-
 5 pedic podiatry, limited in their scope to the treatment of the foot, and,
 6 if found qualified, shall receive a license. The minimum requirements
 7 for a license shall be a general average of seventy-five per cent in all
 8 the subjects involved and not less than fifty per cent in any one sub-
 9 ject. Examination fees of fifteen dollars shall be paid to the secretary
 10 of the state board of medical examiners.

11 Any applicant failing in the examination and being refused a
 12 license shall be entitled within six months of such refusal to a reexam-
 13 ination upon an additional fee of ten dollars for each examination, but
 14 two such reexaminations shall exhaust his privilege under the orig-
 15 inal examination.

[39 G. A., ch. 113, § 4.]

SEC. 1321-a5. Use of title—recording license—renewals.

1 All licensees shall be designated as registered podiatrists and shall
2 not use any title or abbreviation thereof without the designation “reg-
3 istered podiatrist”, “practice limited to the foot”, and shall not mis-
4 lead the public as to their limited professional qualifications to treat
5 human ailments. All licenses shall be recorded in the manner of other
6 medical licenses in the office of the county recorder in which the
7 licensee practices. A renewal license fee of two dollars shall be paid
8 annually on July first of each year, and if not paid within three
9 months, the license shall be revoked and shall only be reissued upon
10 original application and examination. All licenses shall be conspicu-
11 ously displayed at the office or other place of practice.

[39 G. A., ch. 113, § 5.]

SEC. 1321-a6. Denial or revocation of license.

1 The state board of medical examiners may after due hearing
2 refuse to grant, revoke or renew any license provided for in this chap-
3 ter to a person, otherwise qualified, who obtained said license by
4 fraudulent representation, for incompetency in practice, for use of
5 untruthful or improbable statements to patients or in advertisements,
6 for habitual intoxication or for unprofessional and immoral conduct,
7 or for selling or giving away of alcohol or drugs for any other than
8 legitimate purposes, but said board may reissue a license after a lapse
9 of six months.

[39 G. A., ch. 113, § 6.]

SEC. 1321-a7. Compensation of examiners—supplies.

1 Each member of the board of examiners, except the secretary and
2 the physician members who are paid salaries, shall receive for his
3 services out of the funds created by payment of fees by applicants for
4 licenses, the sum of five dollars per diem and necessary traveling and
5 incidental expenses, while the secretary shall receive his necessary
6 expenses for services which cannot be performed at the capitol. All
7 printing, postage and other contingent expenses, necessarily incurred,
8 shall be paid from said fund, and all expenses shall be itemized, veri-
9 fied, audited and a warrant drawn therefor on the podiatrists' fund
10 in the same manner as other expenses of the state board of medical
11 examiners.

[39 G. A., ch. 113, § 7.]

SEC. 1321-a8. Penalty.

1 Any person, who shall knowingly violate any of the provisions
2 of this chapter, upon conviction thereof, shall be fined a sum not
3 exceeding one hundred dollars, or imprisoned in the county jail not
4 to exceed thirty days.

[39 G. A., ch. 113, § 8.]

SEC. 1321-a9. Scope of law.

1 This chapter shall not apply to the physicians licensed by the
2 state board of medical examiners of this state, nor to the surgeons
3 of the United States army, navy and United States public health
4 service, when in actual performance of their official duties.

[39 G. A., ch. 113, § 9.]

CHAPTER 7.

OSTEOPATHY AND SURGERY

NOTE: "Surgery" has been added to the heading of the above chapter because the substitute enacted by the 39th G. A. provides for the practice of surgery by osteopaths.

SECTION 1322. Osteopathy—examination—practice.

[Repealed by 39 G. A., ch. 77, § 1.]

SEC. 1323. Operative surgery or use of drugs prohibited.

[Repealed by 39 G. A., ch. 77, § 1.]

SEC. 1324. Revocation of certificate.

[Repealed by 39 G. A., ch. 77, § 1.]

SEC. 1325. False representations—penalties.

[Repealed by 39 G. A., ch. 77, § 1.]

SEC. 1326. Itinerant osteopath—license.

[This and the four preceding sections repealed by 39 G. A., ch. 77, § 1, and the nineteen following sections enacted in lieu thereof.]

SEC. 1326-a1. Definitive section.

1 This chapter shall be known and cited as "The Iowa Osteopathic
2 Act".

[39 G. A., ch. 77, § 19.]

SEC. 1326-a2. Practice without license unlawful.

1 It shall be unlawful for any person to practice or attempt to prac-
2 tice osteopathy or osteopathy and surgery as herein defined, without
3 a license so to do, issued by the state board of osteopathic examiners,
4 created by this chapter.

[S., '13, § 2583-a; 39 G. A., ch. 77, § 2.]

SEC. 1326-a3. "Osteopathy" defined.

1 The word "osteopathy" as used in this chapter is the name of that
2 system of the healing art which places the chief emphasis on the struc-
3 tural integrity of the body mechanism as being the most important
4 factor for maintaining the organism in health.

[39 G. A., ch. 77, § 3.]

SEC. 1326-a4. Applicability of chapter.

1 The practice of medicine and surgery by persons authorized under
2 the laws of this state to practice medicine and surgery shall in no way
3 be affected by the provisions of this chapter, nor affect the right to
4 apply for authority to practice medicine and surgery.

[39 G. A., ch. 77, § 4.]

SEC. 1326-a5. Existing licenses.

1 Any license or certificate heretofore issued under the laws of this
2 state authorizing its holder to practice osteopathy shall in no wise be
3 affected by the provisions of this chapter.

[39 G. A., ch. 77, § 5.]

SEC. 1326-a6. State board of osteopathy—appointment—qualifications — tenure — records — duties — examinations — compensation and expenditures.

1 The administration of the provisions of this chapter and the issuance of all licenses thereunder, shall be done by a body of three, who shall constitute the state board of osteopathy, hereinafter referred to as "the board". The members of the board shall be the examiners of all applicants under this chapter.

2 The governor shall appoint three members of said board who shall each be regularly licensed osteopathic physicians or osteopathic physicians and surgeons, in good standing and recommended by the regular osteopathic organization in this state. Neither shall be an officer or member of any faculty of any osteopathic or medical college. Each shall have been engaged in the practice of osteopathy for a period of at least five years immediately preceding the appointment. One shall be appointed for a term of one year, one for a term of two years and one for a term of three years, and thereafter it shall be the duty of the governor to appoint or reappoint one examiner each year and for a term of three years, the three year appointments being made as the ones heretofore specified lapse. Each examiner shall continue in office until his successor has been appointed and has qualified.

3 The board shall have and use a common seal and may make and adopt the necessary rules and regulations and by-laws relating to the enforcement of the provisions of this chapter and not inconsistent therewith.

4 It shall keep a record that shall contain the name of every registered osteopath or osteopathic surgeon, the date and number of the license issued to him or her and his or her last place of residence. Said record shall further contain a statement of the proceedings of the board relating to the issuance, refusal, renewal, suspension or revocation of any license authorized by this chapter.

5 Examinations shall be made at least twice in each year and at such times and places as are fixed by the board. Of these examinations all applicants shall be notified in writing. The examination shall be in writing and each applicant shall be given the same set of questions. When concluded, the examination papers shall be marked upon a scale of one hundred per cent. The average required to pass shall be fixed by the board prior to each examination.

6 Upon obtaining an order for examination the applicant shall by the board be given a confidential number. This number the applicant shall put upon his work when completed, all to the end that the board in passing on the examination may not know by whom the papers reviewed were prepared.

7 All matters connected with the examination shall be filed with the board and preserved for five years as a part of its record, during which time such matters shall be open to public inspection.

8 The compensation of the members of the board shall be fixed by by-laws adopted by it, but the total paid out for compensation and for all expenditures authorized by this chapter shall not exceed the fees received from applications for license. If the receipts from licenses

49 shall in any one year exceed payments authorized by this chapter,
50 such surplus shall by the board be covered into the state treasury on
51 or before the last day of that year.

[S., '13, § 2583-a; 39 G. A., ch. 77, § 6.]

**SEC. 1326-a7. Applications—contents and requirements—fees—
expenses—quarters.**

1 Each applicant for the examination provided for in this chapter
2 shall comply with the following requirements:

3 1. Make application for examination in blank forms prepared
4 and furnished by the state board of osteopathy.

5 2. Submit evidence verified on oath and satisfactory to the board
6 that applicant is twenty-one years of age or over, and is of good moral
7 character.

8 3. Designate on the application whether applicant desires to
9 practice as an osteopathic physician, or as an osteopathic physician
10 and surgeon.

11 4. Pay in advance to the board, fees as follows:

12	For examination of an osteopathic physician.....	\$10.00
13	For examination of an osteopathic surgeon.....	10.00
14	For issuance of license.....	5.00
15	For the license to one applying therefor under the	
16	provisions of section thirteen hundred twenty-	
17	six-a fourteen of this supplement.....	25.00

18 The board may, notwithstanding the presentation of a diploma
19 from an osteopathic school or college in good standing, as herein
20 defined, subject the applicant to an examination to ascertain whether
21 he has the educational requirements usually possessed by those who
22 have completed an approved course of study in such high school or
23 other equivalent school as is described in this chapter. The fee for
24 making this examination shall be five dollars. But no such examina-
25 tion shall be required where the applicant presents a certificate that
26 he has passed a satisfactory written examination before this board or
27 a like board in another jurisdiction in such studies as are embraced
28 in the curriculum of a reputable average accredited high school.

29 The board, subject to the limitations hereinbefore stated, shall
30 have authority to purchase typewriting machines, stationery and
31 postage, and subject to such limitations it has authority to employ
32 necessary clerical help and to incur and reimburse its members for
33 necessary traveling expenses.

34 The executive council shall furnish the board suitable quarters
35 wherein to perform its functions, and which shall be adequate to
36 accommodate the clerical help employed by the board and the council
37 shall equip such quarters with suitable furniture.

[S., '13, § 2583-a; 39 G. A., ch. 77, § 7.]

SEC. 1326-a8. Qualifications of applicants—college defined.

1 The board shall issue no license to practice as an osteopathic
2 physician or as an osteopathic physician and surgeon unless the appli-
3 cant shall be a graduate of a school or college of osteopathy in good
4 standing. To be such school or college it must be a legally chartered
5 osteopathic school or college. It must, as a condition precedent to
6 admission thereto, require an applicant for admission to have through-

7 out four years pursued a course of study in preliminary education
 8 equal to the requirements exacted by an average reputable accredited
 9 high school as a condition precedent to graduation. It shall not be
 10 deemed to be such school or college in good standing unless it will not
 11 grant a degree of doctor of osteopathy or of osteopathy and surgery
 12 to one who has not been in actual attendance in such school or college
 13 for at least thirty-six months of four terms of nine months each, nor
 14 unless the course of study in such osteopathic school or college includes
 15 the following: Obstetrics, minor surgery with emphasis on fractures,
 16 and dislocations; and embodying necessary instruction in anesthetics,
 17 antiseptics, germicides, parasiticides, narcotics and antidotes, and
 18 teaching principles of surgery and surgical diagnosis leading to the
 19 degree of osteopathic physician (or doctor of osteopathy).

[S., '13, § 2583-a; 39 G. A., ch. 77, § 8.]

SEC. 1326-a9. Additional osteopathic qualifications for surgery.

1 To practice as an osteopathic physician and surgeon, the appli-
 2 cant, in addition to the requirements set forth in the preceding sec-
 3 tion, shall:

4 1. Either have completed a two-years' postgraduate course in a
 5 reputable professional school or college of osteopathy, involving a
 6 thorough and intensive study in the subject of surgery, or

7 2. Have completed a one-year postgraduate course in a reputable
 8 school or college of osteopathy as aforesaid and in addition thereto, a
 9 one-year course of training as a surgical assistant in a hospital having
 10 at least twenty-five beds for patients and equipped for doing major
 11 surgical work.

[39 G. A., ch. 77, § 9.]

SEC. 1326-a10. Requirements of college.

1 To constitute such school or college of osteopathy, one in good
 2 standing, the same must in its said course of thirty-six months include
 3 the subjects following and have same taught for the minimum number
 4 of hours following, to wit: as stated, described and fixed in the follow-
 5 ing section.

[S., '13, § 2583-a; 39 G. A., ch. 77, § 9-a.]

SEC. 1326-a11. School or college defined.

1 The term school or college of osteopathy in good standing shall
 2 be defined as follows: a legally chartered osteopathic school or college
 3 requiring for admission to its course of study a preliminary education
 4 equal to the requirements for graduation of an accredited high school,
 5 and shall further require before granting the degree of doctor of
 6 osteopathy, or osteopathy and surgery, an actual attendance at such
 7 osteopathic school or college of at least thirty-six months or four terms
 8 of nine months each, no two of which shall be given in any one year,
 9 its course of study to include the subjects and the minimum hours
 10 taught in each thereof as follows:

Subject	Hours
11 Anatomy (descriptive, regional, applied surgical and dissection) ..	600
12 Embryology	70
13 Chemistry (advanced to include organic and physiological chem- 14 istry and toxicology)	300

16	Histology	180
17	Physiology	300
18	Pathology	240
19	Bacteriology	150
20	Hygiene	60
21	X-Radiance and electrical diagnosis.....	36
22	Hydrotherapy	16
23	Dietetics	32
24	Osteopathy:	
25	(a) Principles of osteopathy	
26	(b) Osteopathic technique	
27	(c) Practice of osteopathy, to include diseases of the ner-	
28	vous system, alimentary tract, heart and vascular	
29	system, genito-urinary diseases, ductless glands,	
30	metabolism, respiratory tract, bone and joint dis-	
31	eases, corrective gymnastics, acute and infectious	
32	diseases, pediatrics, dermatology, syphilis, psychi-	
33	atry, diagnosis (physical, laboratory, and differen-	
34	tial), clinical practice and case recording.....	1,466
35	Minor surgery with emphasis on fractures, dislocations, princi-	
36	ples of surgery, surgical diagnosis, orthopedics, orificial, and	
37	chemical	400
38	Eye, ear, nose and throat.....	180
39	Gynecology	160
40	Obstetrics	200
41	Professional ethics and efficiency.....	16
42	Jurisprudence	16
43		
44	Total	4,422

45 The number of hours herein prescribed for the study of any sub-
 46 ject may be reduced not more than thirty per cent, but the total num-
 47 ber of hours prescribed shall not be reduced. The foregoing require-
 48 ments shall be published in each catalogue of such osteopathic school
 49 or college.

[S., '13, § 2583-a; 39 G. A., ch. 77, § 10.]

SEC. 1326-a12. Examinations—requirements as to surgery.

1 The examination of those who desire to practice as osteopathic
 2 physicians shall not include the subject of major surgery but shall
 3 include minor surgery.

4 The examination of those who desire to practice as osteopathic
 5 physicians and surgeons shall be of the scope defined in the first para-
 6 graph of this section and in addition thereto, with respect to the sub-
 7 ject matter of surgery, shall be of such character as to thoroughly
 8 test the qualifications of the applicant as a practitioner of osteopathy
 9 and surgery.

[S., '13, § 2583-a; 39 G. A., ch. 77, § 11.]

SEC. 1326-a13. Kinds of licenses.

1 Each applicant who successfully passes the examination shall be
 2 entitled to a license. The following kinds of license shall be issued:

- 3 1. To practice as an osteopathic physician.
- 4 2. To practice as an osteopathic physician and surgeon.

[S., '13, § 2583-a; 39 G. A., ch. 77, § 12.]

SEC. 1326-a14. License without examination.

1 The state board of osteopathy may in its discretion issue a license
2 without examination to a practitioner who has been licensed in any
3 country, state, territory, or province, upon the following conditions:

4 1. That the applicant is of good moral character.

5 2. That the applicant shall designate in application whether
6 applicant desires to practice, (a) as an osteopathic physician, (b) as
7 an osteopathic physician and surgeon.

8 3. That the requirements of registration in the country, state,
9 territory or province in which the applicant is licensed, are deemed
10 by the state board of osteopathy to have been practically equivalent to
11 the requirements of registration in force in this state at the date of
12 such license.

13 The state board of osteopathy may also in its discretion issue a
14 license without examination to an osteopathic physician who is a grad-
15 uate of an osteopathic college in good standing and who has passed
16 an examination for admission into the medical corps of the United
17 States army, United States navy, or the United States public health
18 service.

[39 G. A., ch. 77, § 13.]

SEC. 1326-a15. Display of license.

1 Every holder of a license shall display it in a conspicuous place
2 in the holder's principal office, place of business or employment.

[39 G. A., ch. 77, § 14.]

SEC. 1326-a16. Existing statutes—applicability.

1 Subject only to the limitation that obtaining license, refusal to
2 license, revocation or suspension of license of osteopathic physicians
3 or osteopathic surgeons shall be governed by the provisions of this
4 chapter and to the further limitation that nothing found in the chapter
5 shall authorize such physician or surgeon to prescribe or give internal
6 curative medicines, and subject further to the limitation that one
7 licensed to practice as an osteopathic physician only shall not perform
8 major or operative surgery, such words as physician, regular prac-
9 ticing physician, doctor, doctor of medicine, regular practitioner, med-
10 ical practitioner, medical school, medical college, or their equivalents,
11 wheresoever found in any existing law or statute, shall, both as to
12 privilege, duty and obligation, be enlarged to include osteopathic phy-
13 sicians and osteopathic physicians and surgeons to like effect as if the
14 words osteopathic physician or osteopathic physician and surgeon were
15 written out in such statute.

[S., '13, § 2583-b; 39 G. A., ch. 77, § 15.]

**SEC. 1326-a17. Refusal, suspension or revocation of license—wit-
nesses—production of testimony—oaths.**

1 The state board of osteopathy may either refuse to issue or may
2 suspend or revoke any license for any one or any combination of the
3 following causes:

4 1. Conviction of a felony, as shown by a certified copy of the
5 record of the court of conviction.

6 2. The obtaining of or an attempt to obtain a license, or prac-

7 tice in the profession, or money, or any other thing of value, by
8 fraudulent misrepresentations.

9 3. Gross malpractice.

10 4. Continued practice by a person knowingly having an infec-
11 tious or contagious disease.

12 5. Advertising, practicing, or attempting to practice under a
13 name other than one's own.

14 6. Advertising by means of knowingly false or deceptive state-
15 ments.

16 7. Habitual drunkenness, or habitual addiction to the use of
17 habit-forming drugs.

18 The state board of osteopathy may neither refuse to issue, nor
19 refuse to renew, nor suspend, nor revoke any license, however, for
20 any of these causes, unless the person accused has been given at least
21 twenty days' notice in writing of the charge against him and a public
22 hearing by the state board of osteopathy.

23 The state board of osteopathy shall have the power to compel
24 the attendance of witnesses and the production of relevant books and
25 papers for the investigation of matters that may come before them
26 and the presiding officers of said board, chosen by the board, may
27 administer the requisite oaths and such board shall have the same
28 authority to compel the giving of testimony as is conferred on courts
29 of justice.

[S., '13, § 2583-c; 39 G. A., ch. 77, § 16.]

SEC. 1326-a18. Violations—penalty.

1 Each of the following acts constitutes a misdemeanor, punishable,
2 upon conviction, by a fine of not less than twenty-five dollars nor more
3 than two hundred dollars:

4 1. The practice of osteopathy or an attempt to practice oste-
5 opathy without a license.

6 2. The obtaining of, or an attempt to obtain a license, or prac-
7 tice in the profession, or money, or any other thing of value by fraudu-
8 lent misrepresentation.

9 3. The making of any wilfully false oath or affirmation when-
10 ever an oath or affirmation is required by this chapter.

11 4. Advertising, practicing or attempting to practice under a
12 name other than one's own.

[S., '13, § 2583-d; 39 G. A., ch. 77, § 17.]

SEC. 1326-a19. Itinerant osteopaths—license.

1 Every person practicing osteopathy, or osteopathic surgery, or
2 obstetrics, or professing to treat, cure or heal diseases, ailments or
3 injury by osteopathic application or method, who goes from place to
4 place, or from house to house, or by circulars, letters or advertise-
5 ments, solicits persons to meet him for professional treatment at places
6 other than his office or at the place of his residence, shall be considered
7 an itinerant osteopath; and such itinerant osteopath, shall, in addition
8 to the license elsewhere provided for in this chapter, procure from the
9 state board of osteopathic examiners, a license as an itinerant, for
10 which he shall pay to the treasurer of state, for the use of the state of
11 Iowa, the sum of two hundred fifty dollars per annum. Upon payment
12 of this sum, the state board of osteopathic examiners shall issue to the

13 applicant therefor, a license to practice within the state, as an itiner-
 14 ant osteopath, for one year from the date thereof. The board may,
 15 for satisfactory reasons, refuse to issue such license, or may cancel
 16 such license upon satisfactory evidence of incompetency or gross
 17 immorality.

[S., '13, § 2583-e; 39 G. A., ch. 77, § 18.]

CHAPTER 7-A

CHIROPRACTIC

SECTION 1326-a20. "Practice of chiropractic" defined—rights of chiropractors:

1 The practice of chiropractic shall be deemed to be the adjustment
 2 by hand of the articulations of the spine and other incidental adjust-
 3 ments according to chiropractic methods; but it shall not include
 4 operative surgery, osteopathy, nor the administration or prescribing
 5 of any drug or medicine now or hereafter included in materia medica.

6 Chiropractors shall, subject to the limitations of this chapter, be
 7 entitled to all the rights and privileges of physicians and surgeons
 8 and shall be subject to all the duties and obligations prescribed by
 9 the statutes of this state in so far as the same are not inconsistent
 10 with the provisions of this chapter. Every chiropractor shall place
 11 on all signs used by him, and display prominently in his office the
 12 word "chiropractor".

[39 G. A., ch. 7, § 10.]

SEC. 1326-a21. Board of examiners—composition.

1 For the purpose of examining applicants for license as chiroprac-
 2 tors, there is hereby created a board of chiropractic examiners, which
 3 shall be appointed by the governor, and shall be composed of three
 4 members who are fully equipped and qualified chiropractors.

[39 G. A., ch. 7, § 3.]

SEC. 1326-a22. Tenure of board members—vacancies—rules.

1 The term of office of the membership of the board of chiropractic
 2 examiners shall commence within thirty days from date of the taking
 3 effect of this chapter, and shall continue for three years, provided
 4 that the term of office of one member shall expire in one year, one in
 5 two years and the other in three years and one member annually there-
 6 after, provided, however, the first board shall meet as soon as con-
 7 venient after their appointment and organize by electing a president
 8 and secretary-treasurer and annually thereafter during the life of said
 9 board; and shall adopt rules and regulations to govern the making of
 10 applications and manner of conducting examinations and such other
 11 rules as they may deem necessary for the purpose of carrying out
 12 the provisions of this chapter and not in conflict with its provisions,
 13 which shall be printed in pamphlet form, and thereafter one copy shall
 14 be furnished to any person on applying for such pamphlet, and shall

15 adopt the forms to be used in the business of the board and an official
16 seal.

17 Any vacancies occurring in the membership of the board of exam-
18 iners shall be filled by appointment in the same manner and from the
19 same classes as is provided for by the creation of the board. No such
20 appointment shall be made of any person who has not been continu-
21 ously engaged in the practice of chiropractic within the state of Iowa
22 for the two years next preceding such appointment.

[39 G. A., ch. 7, § 4; 40 G. A., ch. 38, § 2.]

SEC. 1326-a23. Time and place of holding examinations.

1 The board of examiners shall hold regular sessions for examina-
2 tions of candidates for examination and license to practice chiroprac-
3 tic, and the transaction of such other business as may properly come
4 before it, commencing on the first Monday of April, August, and
5 December in each year at the capitol building in the city of Des Moines,
6 and it is hereby made the duty of the custodian of said building to
7 furnish the board with a suitable room in which to hold its sessions.

8 The April and August sessions of the board may be held at a
9 place other than the capitol where not less than twenty applications
10 for each such examination on such dates shall have been filed and it
11 appears to the board that the examinations can be conducted else-
12 where to the advantage of the state and the applicants, but notice of
13 the place of holding such examination elsewhere than at the capitol
14 shall be given by a publication once each week for two weeks pre-
15 ceding the time of holding such examination in two newspapers of
16 general circulation in the state.

[39 G. A., ch. 7, § 5; 40 G. A., ch. 38, § 3.]

SEC. 1326-a24. Nature of examinations—licenses—record—fees.

1 The board shall conduct written examinations in anatomy, physi-
2 ology, symptomatology and diagnosis, hygiene and sanitation, chem-
3 istry, histology, pathology, and principles of chiropractic, and shall
4 further require each candidate for license to give a clinical demon-
5 stration of vertebral palpation, nerve tracing and adjusting. Each
6 candidate must answer correctly at least sixty per centum of the ques-
7 tions propounded in every subject and seventy-five per centum of all
8 questions propounded, besides making satisfactory clinical demonstra-
9 tion, to be entitled to a license.

10 When it shall have been determined by the board of examiners
11 that any candidate has passed successfully the examination and has
12 made satisfactory demonstration of the clinical art, and is a person
13 of good moral character, there shall be issued to such candidate a
14 license to practice chiropractic, which must be countersigned by the
15 president and the secretary-treasurer of the board of examiners and
16 authenticated by its official seal.

17 The fee for the license shall be five dollars and shall be paid to
18 the secretary-treasurer of the board of examiners before the delivery
19 of the license.

20 Before any chiropractor shall be allowed to practice his profession
21 in this state his license shall be recorded in the office of the recorder
22 of the county in which he resides, or practices his profession, and the

23 county recorder of such county shall record such license and the fee
24 therefor shall be fifty cents.

25 Anyone failing his examination shall be entitled to a second
26 examination without further fee, at the next regular session.

[39 G. A., ch. 7, § 6.]

SEC. 1326-a25. Qualifications for examinations.

1 Any person shall be eligible for examination who is at least
2 twenty-one years of age and a graduate of an incorporated school
3 or college of chiropractic, recognized by the board of examiners as a
4 standard school, giving adequate courses of anatomy, physiology,
5 symptomatology and diagnosis, hygiene and sanitation, chemistry, his-
6 tology, pathology, principles and practice of chiropractic, requiring
7 actual attendance for three school years of not less than six months
8 each, provided that after January first, nineteen hundred twenty-three,
9 every such applicant, for examination, shall submit to the examining
10 board here constituted, satisfactory proof of his possession of a pre-
11 liminary education equal to that of a standard high school.

[39 G. A., ch. 7, § 1; 40 G. A., ch. 38, § 1.]

SEC. 1326-a26. Standard school of chiropractic defined.

1 Any school or college having been approved by the board of ex-
2 aminers, duly organized and incorporated, giving a course of study
3 in the following subjects: anatomy, physiology, symptomatology and
4 diagnosis, hygiene and sanitation, chemistry, histology, pathology,
5 principles and practice of chiropractic, including a course in practical
6 clinical instruction requiring an attendance for three school years of
7 six months each, is hereby determined to be a standard school of
8 chiropractic, and subject, only, to the limitations of this chapter, and
9 entitled to every privilege of other schools and colleges of healing in
10 this state.

[39 G. A., ch. 7, § 8; 40 G. A., ch. 38, § 5.]

SEC. 1326-a27. Applications for examination—fee.

1 Such person shall at least fifteen days before the date fixed for
2 any regular meeting of the board of examiners make written appli-
3 cation for examination to the secretary-treasurer of said board, and
4 shall accompany the same with a preliminary fee of fifteen dollars.
5 The application shall contain a statement showing the name, age, sex,
6 and the residence of the applicant; the name and location of the school
7 or college of which he graduated, the length of time devoted to the
8 study of chiropractic, the date of graduation, the experience of the
9 applicant, if any, in the care of the sick as interne or clinical assistant
10 under any regular licensed preceptor. The application shall be signed
11 and verified by the oath of the applicant.

[39 G. A., ch. 7, § 2.]

SEC. 1326-a28. Refusal and revocation of license—appeal.

1 The board of examiners may refuse to grant a license to any
2 person otherwise qualified and shall revoke any license issued by it
3 to any chiropractor who is not of good moral character, or who solicits
4 professional patronage by agents, or who is guilty of false and fraudu-

5 lent representations as to his skill and ability, or who is guilty of
6 gross unprofessional conduct, or for incompetency, or for habitual
7 intoxication or use of narcotic drugs or for fraud or deception in the
8 procurement of his license.

9 Before any license shall be revoked by the board, the holder
10 thereof shall be entitled to have at least twenty days' notice of the
11 charge against him and of the time and place when the board will hear
12 and determine the charges and upon such hearing he shall be entitled
13 to be represented by counsel, and have compulsory process to procure
14 the attendance of witnesses.

15 Any person who is aggrieved by any ruling, order, or decision of
16 the board of examiners made as contemplated in this section, shall have
17 the right of appeal therefrom to the district court of the county where
18 such hearing of revocation is held.

19 Upon receiving notice of any appeal the secretary-treasurer of
20 the board of examiners shall forthwith certify to the clerk of the court
21 in which the appeal is triable a complete transcript of the entire record
22 of the proceedings before the board and shall transmit to the clerk
23 all the original papers, documents, and records.

24 The appeal shall be heard at the next term of court commencing
25 not less than ten days after the service of the notice of appeal, and
26 shall be triable as a law action, with right of appeal to the supreme
27 court.

[39 G. A., ch. 7, § 9.]

SEC. 1326-a29. Licensee of foreign state.

1 Any person holding a license issued by the board of any other
2 state, having requirements equal to those provided in this chapter,
3 shall be entitled to license without examination at the discretion of
4 the board upon payment of the fee of twenty dollars and furnishing to
5 said board of examiners satisfactory evidence of his good moral
6 character.

[39 G. A., ch. 7, § 7.]

SEC. 1326-a29a. Renewal fee.

1 Any person who receives a license to practice as a chiropractor
2 in this state under any provision of this chapter, shall, on the first
3 day of January of each year, pay an annual renewal fee of three dol-
4 lars and shall be given a renewal certificate by the board.

5 Any person who practices as a chiropractor without having paid
6 such renewal fee shall be guilty of a misdemeanor and, in addition
7 to the penalty provided by law, the board of examiners may revoke
8 his certificate to practice chiropractic.

[40 G. A., ch. 38, § 4.]

SEC. 1326-a30. Funds—expenditures.

1 At the close of each regular meeting of the board of examiners,
2 the secretary-treasurer of the board shall account to and deposit with
3 the treasurer of the state all preliminary and license fees received and
4 the same shall be kept by the said treasurer of state in a separate fund
5 and shall be paid out only upon written orders, duly authenticated
6 by the signature of the president and secretary-treasurer of said board
7 of examiners and by the official seal of said board.

8 The fund so created shall be used for the payment of the com-
 9 pensation of the members of the board of examiners which is hereby
 10 fixed at fifteen dollars per day for each day actually spent in the per-
 11 formance of their duties and their actual expense of travel while
 12 engaged in official business, and the incidental expense of the board
 13 required in order to enable it to perform its duties. No further
 14 appropriation shall be made for any expenses or compensation of
 15 said board of examiners, and if said fund in the hand of the treas-
 16 urer of state shall be insufficient, at any time, to pay said compensa-
 17 tion and expenses of said board of examiners for any regular meeting
 18 of said board as herein provided for, the fund on hand, if any, shall
 19 be first applied to the payment of said expenses of said board, and
 20 the balance of said fund, if any, shall be apportioned and paid to said
 21 board of examiners pro rata, which shall be in full payment of the per
 22 diem and traveling expenses of said examiners for any such regular
 23 or special meeting.

24 At the end of each year, if there shall be a surplus of said fund
 25 in the hands of the treasurer of state, exceeding five hundred dollars,
 26 it shall be covered into the treasury of state, and on the thirtieth day
 27 of June in each year thereafter. The funds created by this section
 28 shall remain in the hands of the treasurer of state, and the same used
 29 from time to time for the maintenance of the board of examiners,
 30 as provided in this chapter.

[39 G. A., ch. 7, § 12; 40 G. A., ch. 38, § 7.]

SEC. 1326-a31. Misdemeanors—students—revocation of license.

1 Any person who shall practice or attempt to practice chiropractic
 2 or who shall use the title of chiropractor, or any word or title having
 3 a tendency to induce any person to believe that he is a chiropractor,
 4 without having first complied with the provisions of this chapter, or
 5 shall be guilty of any fraud, deception, or false pretense in securing
 6 or attempting to secure a license as a chiropractor, shall be guilty of
 7 a misdemeanor, and shall be punished by a fine of not less than three
 8 hundred dollars, nor more than five hundred dollars and shall pay the
 9 costs of prosecution, and be committed to the county jail until such
 10 fine and costs are paid.

11 Students who have entered upon a regular course of study in a
 12 recognized school may practice chiropractic under the direction of a
 13 licensed preceptor under such rules as may be prescribed by the
 14 board.

15 If any person holding a license to practice under this chapter shall
 16 be convicted of a misdemeanor, as hereinbefore defined, or of prac-
 17 ticing contrary to the provisions of this chapter, or shall be convicted
 18 of any felony, his license shall at once stand revoked and shall furnish
 19 no protection thereafter against prosecution for practicing or attempt-
 20 ing to practice chiropractic without a license. It is hereby declared
 21 to be the special duty of county attorneys to enforce the provisions
 22 of this chapter within their respective counties.

[39 G. A., ch. 7, § 11; 40 G. A., ch. 38, § 6.]

CHAPTER 8

NURSING

SECTION 1330. Compensation of examining committee—expenses.

1 Each member of the examining committee, except the physician
2 members and the secretary, shall receive for his services out of the
3 funds created by the payment of fees by applicants for examination
4 eight dollars per day for each day actually engaged in the discharge
5 of his duties, and the secretary shall receive his necessary expenses
6 incurred for services which cannot be performed at the capitol. All
7 printing, postage and other contingent expenses necessarily incurred
8 under the provisions of this chapter shall be paid from said fund. All
9 expenses incurred under the provisions of this chapter shall be item-
10 ized, verified, and audited and a warrant drawn therefor on the nurses'
11 fund in the same manner as other expenses of the state board of
12 health.

[S., '13, § 2575-a34; 39 G. A., ch. 209, § 44.]

**SEC. 1331. Examination—fees—certificates—where registered—
transfer by treasurer of state.**

1 Any person who shall apply for a certificate to practice nursing
2 shall be examined in the following subjects: elementary hygiene, anat-
3 omy, physiology, materia medica, dietetics, and also practical nursing,
4 medical and surgical nursing, obstetrics, nursing of children and the
5 rules and regulations of the state board of health relating to infectious
6 diseases and quarantine and such other subjects as the examining
7 board may require from time to time. Each applicant shall pay the
8 secretary of the state board of health a fee of five dollars. If the
9 examination be satisfactory to three members of said committee it
10 shall so report to the state board of health; if the board find the report
11 and ratings correct, it shall authorize its president and secretary to
12 issue a certificate to the successful candidate for which such candidate
13 shall pay an additional fee of one dollar. This certificate shall confer
14 upon the holder the right to practice as a registered nurse and be
15 conclusive evidence thereof. The state board of health is empowered
16 to recognize certificates issued to nurses under the laws of other states
17 having substantially similar requirements to those existing in this
18 state; provided that such states recognize certificates issued by the
19 state of Iowa; then certificates issued by authority of such other
20 states may be deemed sufficient evidence of qualifications of the licen-
21 tiate without further examination for certificate in this state; the fee
22 for such certificate shall be ten dollars. The holder of such certificate
23 provided for in this chapter shall cause the same to be registered in
24 the office of the county recorder of the county wherein he intends to
25 reside.

26 On the thirtieth day of June in each year, the state treasurer
27 shall transfer to the general revenues of the state any balance, in
28 excess of five hundred dollars, remaining in the fund derived from
29 fees collected under this section.

[S., '13, § 2575-a30; 39 G. A., ch. 249.]

CHAPTER 9

EMBALMING, TRANSPORTATION, AND DISPOSAL OF DEAD BODIES

SECTION 1345. Compensation of examining committee—expenses.

1 Each member of the examining committee, except the physician
 2 members and the secretary, shall receive for his services, out of the
 3 funds created by the payment of fees by applicants for examination
 4 or license and renewals, eight dollars per day for each day actually
 5 engaged in the discharge of his duties, and the secretary shall receive
 6 his necessary expenses incurred for services which cannot be per-
 7 formed at the capitol. All printing, postage, and other contingent
 8 office expenses necessarily incurred under the provisions of this chap-
 9 ter, shall be paid from said fund. Any balance of said funds remain-
 10 ing shall be turned over to the state treasurer for the use of the state.
 11 All expenses incurred under the provisions of this chapter shall be
 12 itemized, verified, and audited, and a warrant drawn therefor on the
 13 embalmers' fund in the same manner as other expenses of the state
 14 board of health.

[S., '13, § 2575-a44; 39 G. A., ch. 209, § 45.]

CHAPTER 9-A

DISINTERMENT OF DEAD BODIES

SECTION 1355-a1. Application required.

1 It shall be unlawful for any person, firm, corporation, or com-
 2 mittee to disinter the dead body of any human being or to open the
 3 casket or coffin of such dead body after burial, or to permit an autopsy
 4 thereon, or to aid, assist, encourage, or to incite any of the foregoing
 5 prohibited acts, except upon written application to the state board
 6 of health of the state of Iowa or the district court of the county in
 7 which the body is buried, and the procuring of a written permit for
 8 such disinterment.

[40 G. A., ch. 39, § 1.]

SEC. 1355-a2. Showing required.

1 All applications for permits shall specify:
 2 1. If it is the request of the next of kin, which shall include
 3 either the husband or wife of the deceased.
 4 2. Cause of death.
 5 3. Date of death.
 6 4. Age at death.
 7 5. Specific cause for application being made for such permit.
 8 6. Other pertinent information as may be required by the state
 9 board of health, or the district court.

[40 G. A., ch. 39, § 2.]

SEC. 1355-a3. Investigation.

1 The state board of health or district court shall thoroughly in-
2 vestigate the reasons set forth in the application, and in issuing a
3 permit the board or district court shall give proper respect for the
4 dead, due regard for the feelings of the relatives and friends, careful
5 consideration for the protection of the public health and public wel-
6 fare, and in no case shall the board issue a permit except under cir-
7 cumstances of extreme exigency.

[40 G. A., ch. 39, § 3.]

SEC. 1355-a4. Disinterment for autopsy.

1 Permits for the disinterment of the human dead shall be issued
2 for the purpose of performing an autopsy thereon only when such
3 person met death under circumstances as to cause the belief that
4 such person met death through foul play or the wrongful act of
5 another.

[40 G. A., ch. 39, § 4.]

SEC. 1355-a5. Violations.

1 A violation of any of the provisions of this chapter shall be a
2 felony, and any person found guilty thereof shall be punished by
3 imprisonment in the penitentiary for a term not exceeding two years,
4 or be fined not exceeding twenty-five hundred dollars, or both such
5 fine and imprisonment.

[40 G. A., ch. 39, § 5.]

SEC. 1355-a6. Applicability of act.

1 This chapter shall not apply to county coroners acting under or
2 pursuant to statutes prescribing the powers and duties of that official,
3 nor to the district court in actions at law or in equity pending in said
4 court, nor the next of kin of deceased.

[40 G. A., ch. 39, § 6.]

CHAPTER 11**VITAL STATISTICS****SECTION 1364. Registrar of vital statistics—duties.**

[Repealed by 39 G. A., ch. 229.]

SEC. 1365. Death certificates.

[Repealed by 39 G. A., ch. 229.]

SEC. 1366. Blanks.

[Repealed by 39 G. A., ch. 229.]

SEC. 1367. Original death certificates—transcripts.

[Repealed by 39 G. A., ch. 229.]

SEC. 1368. Births—duty of clerk.

[Repealed by 39 G. A., ch. 229.]

SEC. 1369. Certificates of birth.

[Repealed by 39 G. A., ch. 229.]

SEC. 1370. Certificates of birth—preservation—records and reports.

[Repealed by 39 G. A., ch. 229.]

SEC. 1371. Blanks.

[Repealed by 39 G. A., ch. 229.]

SEC. 1372. Marriages and divorces—duty of clerk.

[Repealed by 39 G. A., ch. 229.]

SEC. 1373. Certified copies of records—evidence.

[Repealed by 39 G. A., ch. 229.]

SEC. 1374. System exclusive.

[Repealed by 39 G. A., ch. 229.]

SEC. 1375. Appropriation.

[Repealed by 39 G. A., ch. 229.]

SEC. 1376. Penalties—duty of county attorney.

[This and the twelve preceding sections repealed by 39 G. A., ch. 229. The twenty-five following sections were enacted by 39 G. A., ch. 222, and are evidently in lieu of said repealed sections.]

SEC. 1376-a1. State registrar of vital statistics—duties.

1 The secretary of the state board of health shall be the state regis-
 2 trar of vital statistics and shall have charge of the registration of
 3 births and deaths; shall prepare the necessary instructions, forms and
 4 blanks for obtaining and preserving such records and shall procure
 5 the faithful registration of the same in each primary registration dis-
 6 trict as constituted in section thirteen hundred seventy-six-a three of
 7 this supplement, and in the central bureau of vital statistics at the
 8 capital of the state. The state registrar shall be charged with the
 9 uniform and thorough enforcement of the law throughout the state,
 10 and shall from time to time recommend any additional legislation that
 11 may be necessary for this purpose.

[39 G. A., ch. 222, § 1.]

SEC. 1376-a2. Clerical assistants—compensation—office—fireproof vault.

1 The state registrar shall provide for such clerical and other assist-
 2 ants as may be necessary for the purposes of this chapter, who shall
 3 serve during the pleasure of the state registrar, and may fix the com-
 4 pensation of persons thus employed within the amount appropriated
 5 therefor by the legislature. Suitable apartments shall be provided
 6 by the executive council for the bureau of vital statistics in the state

7 capitol at Des Moines, which shall be properly equipped with fireproof
8 vault and filing cases for the permanent and safe preservation of all
9 official records made and returned under this chapter.

[39 G. A., ch. 222, § 2.]

SEC. 1376-a3. Registration districts.

1 For the purpose of this chapter the state shall be divided into
2 registration districts as follows: Each city, incorporated town, and
3 township shall constitute a primary registration district.

4 The state registrar may combine two or more primary registra-
5 tion districts when necessary to facilitate registration.

[39 G. A., ch. 222, § 3.]

**SEC. 1376-a4. Local registrars—appointment—tenure—removal—
deputy—subregistrars—duties.**

1 The board of supervisors, in and for each county in the state,
2 shall appoint a local registrar of vital statistics for each registration
3 district in the state. The term of office of each local registrar so
4 appointed shall be four years, and until his successor has been
5 appointed and has qualified.

6 Any local registrar, who, in the judgment of the state registrar,
7 fails or neglects to discharge efficiently the duties of his office as laid
8 down in this chapter, or to make prompt and complete return of births
9 and deaths as required thereby, shall be forthwith removed by the
10 state registrar, and such other penalties may be imposed as are pro-
11 vided under section thirteen hundred seventy-six-a twenty-two of this
12 supplement.

13 Each local registrar shall, immediately upon his acceptance of
14 appointment as such, appoint a deputy, whose duty it shall be to act
15 in his stead in case of absence or disability; and such deputy shall
16 in writing accept such appointment, and be subject to all rules and
17 regulations governing local registrars. When it appears necessary
18 for the convenience of the people in any rural district, the local regis-
19 trar is hereby authorized, with the approval of the state registrar,
20 to appoint one or more suitable persons to act as subregistrars, who
21 shall be authorized to receive certificates and to issue burial or
22 removal permits in and for such portions of the district as may be
23 designated; and each subregistrar shall note, on each certificate, over
24 his signature, the date of filing, and shall forward all certificates to
25 the local registrar of the district within ten days, and in all cases
26 before the third day of the following month; provided, that all sub-
27 registrars shall be subject to the supervision and control of the state
28 registrar, and may be by him removed for neglect or failure to per-
29 form their duties in accordance with the provisions of this chapter
30 or the rules and regulations of the state registrar, and they shall be
31 subject to the same penalties for neglect of duty as the local registrar.

[39 G. A., ch. 222, § 4.]

**SEC. 1376-a5. Burial, removal or detention permit—conditions—
transit permit.**

1 The body of any person whose death occurs in the state or which
2 shall be found dead therein, shall not be interred, deposited in a vault
3 or tomb, cremated or otherwise disposed of, or removed from or into

4 any registration district or be temporarily held pending further dis-
5 position more than seventy-two hours after death, unless a permit for
6 burial, removal, or other disposition thereof, shall have been properly
7 issued by the local registrar of the registration district in which the
8 death occurred or the body was found.

9 No such burial or removal permit shall be issued by any registrar
10 until, wherever practicable, a complete and satisfactory certificate of
11 death has been filed with him as hereinafter provided.

12 When a dead body is transported from outside of the state into
13 a registration district in Iowa for burial, the transit or removal per-
14 mit, issued in accordance with the law and health regulations of the
15 place where the death occurred, shall be accepted by the local registrar
16 of the district into which the body has been transported for burial or
17 other disposition, as a basis upon which he may issue a local burial
18 permit; he shall note upon the face of the burial permit the fact that
19 it was a body shipped in for interment, and give the actual place of
20 death.

21 No local registrar shall receive any fee for the issuance of burial
22 or removal permits under this chapter other than the compensation
23 provided in section thirteen hundred seventy-six-a twenty of this sup-
24 plement.

25 A burial permit shall not be required from the local registrar of
26 the district in which the interment is made, when a body is removed
27 from one district in Iowa to another in the state, for purpose of burial
28 or other disposition.

[39 G. A., ch. 222, § 5.]

SEC. 1376-a6. Stillborn children.

1 A stillborn child shall be registered as a birth and also as a death,
2 and a certificate of both the birth and death shall be filed with the
3 local registrar, in the usual form and manner, the certificate of birth
4 to contain, in place of the name of the child, the word "stillbirth". A
5 certificate of birth and a certificate of death shall not be required for
6 a child that has not advanced to the fifth month of uterogestation.
7 The medical certificate of the cause of death shall be signed by the
8 attending physician, if any, and shall state the cause of death as "still-
9 born", with the cause of the stillbirth, if known, whether a premature
10 birth, and, if born prematurely, the period of uterogestation, in
11 months, if known; and a burial or removal permit of the prescribed
12 form shall be required. Midwives shall not sign certificates of death
13 for stillborn children; but such cases, and stillbirths occurring with-
14 out attendance of either physician or midwife, shall be treated as
15 deaths without medical attendance, as provided for in section thirteen
16 hundred seventy-six-a eight of this supplement.

[39 G. A., ch. 222, § 6.]

SEC. 1376-a7. Standard certificates of death—authentication.

1 The certificate of death shall be of a United States standard form,
2 as approved by the bureau of the census and shall contain the follow-
3 ing items, which are hereby declared necessary for the legal, social
4 and sanitary purposes subserved by registration records:

5 1. Place of death, including state, county, township or incor-
6 porated town or city. If in a city, the ward, street and house num-

7 ber; if in a hospital or other institution, the name of the same to be
8 given instead of the street and house number. If in an industrial
9 camp, the name of the camp to be given.

10 2. Full name of decedent. If an unnamed child, the surname
11 preceded by "unnamed".

12 3. Sex.

13 4. Color or race, as white, black, mulatto (or other negro
14 descent), Indian, Chinese, Japanese, or other.

15 5. Conjugal condition, as single, married, widowed or divorced.

16 6. Date of birth, including the year, month and day.

17 7. Age, in years, months and days. If less than one day, the
18 hours or minutes.

19 8. Occupation. The occupation to be reported of any person,
20 male or female, who had any remunerative employment, stating (a)
21 trade, profession or particular kind of work; (b) general nature of
22 industry, business or establishment in which employed (or employer).

23 9. Birthplace; at least state or foreign country, if known.

24 10. Name of father.

25 11. Birthplace of father; at least state or foreign country, if
26 known.

27 12. Maiden name of mother.

28 13. Birthplace of mother; at least state or foreign country, if
29 known.

30 14. Signature and address of informant.

31 15. Official signature of registrar, with the date when certificate
32 was filed, and registered number.

33 16. Date of death, year, month and day.

34 17. Certification as to medical attendance on decedent, fact and
35 time of death, time last seen alive, and the cause of death, with con-
36 tributory (secondary) cause or complication, if any, and duration of
37 each, and whether attributed to dangerous or insanitary conditions
38 of employment; signature and address of physician or official making
39 the medical certificate.

40 18. Length of residence (for inmates of hospitals and other
41 institutions, transients or recent residents) at place of death and in
42 the state, together with the place where disease was contracted, if
43 not at place of death, and former or usual residence.

44 19. Place of burial or removal; date of burial.

45 20. Signature and address of undertaker or person acting as
46 such.

47 The personal and statistical particulars (items one to thirteen,
48 inclusive), shall be authenticated by the signature of the informant
49 who may be any competent person acquainted with the facts. The
50 statement of facts relating to the disposition of the body shall be
51 signed by the undertaker or the person acting as such.

52 The medical certificate shall be made and signed by the physician,
53 if any, last in attendance on the deceased, who shall specify the time
54 in attendance, the time he last saw the deceased alive, and the hour of
55 the day at which death occurred. He shall further state the cause
56 of death, so as to show the course of disease or sequence of causes
57 resulting in the death, giving first the name of the disease causing
58 death (primary cause), and the contributory (secondary) cause, if
59 any, and the duration of each. Indefinite and unsatisfactory terms,

60 denoting only symptoms of disease or conditions resulting from dis-
 61 ease, will not be held sufficient for issuance of a burial or removal
 62 permit; and any certificate containing only such terms, as defined by
 63 the state registrar, shall be returned to the physician or official mak-
 64 ing the medical certificate for correction and more definite statement.
 65 Causes of death which may be the result of either disease or violence
 66 shall be carefully defined; and if from violence, the means of injury
 67 shall be stated, and whether (probably) accidental, suicidal, or homi-
 68 cidal. For deaths in hospitals, institutions, or of nonresidents, the
 69 physician shall supply the information required under this head (item
 70 eighteen), if he is able to do so, and may state where, in his opinion,
 71 the disease was contracted.

[39 G. A., ch. 222, § 7.]

SEC. 1376-a8. Deaths without medical attendance—procedure.

1 In case of any death occurring without medical attendance, it
 2 shall be the duty of the undertaker to notify the local registrar of
 3 such death, and when so notified the registrar shall, prior to the issu-
 4 ance of the permit, inform the local health officer and refer the case
 5 to him for immediate investigation and certification; provided, that
 6 when the local health officer is not a physician, or when there is no
 7 such official, and in such cases only, the registrar is authorized to
 8 make the certificate and return from the statement of relatives or
 9 other persons having adequate knowledge of the facts. If the regis-
 10 trar has reason to believe that the death may have been due to unlaw-
 11 ful act or neglect, he shall then refer the case to the coroner or other
 12 proper officer for his investigation and certification. The coroner or
 13 other proper officer whose duty it is to hold an inquest on the body
 14 of any deceased person, and to make the certificate of death required
 15 for a burial permit, shall state in his certificate the name of the dis-
 16 ease causing death, or if from external causes, the means of death
 17 and whether (probably) accidental, suicidal, or homicidal; and shall,
 18 in either case, furnish such information as may be required by the
 19 state registrar in order to classify the death.

[39 G. A., ch. 222, § 8.]

**SEC. 1376-a9. Duty of undertaker—record of sales of caskets—
 casket to contain blanks.**

1 The undertaker, or person acting as undertaker, shall obtain from
 2 and file the certificate of death with the local registrar of the district
 3 in which the death occurred, and shall procure from him a burial or
 4 removal permit, prior to any disposition of the body. He shall obtain
 5 the required personal and statistical particulars from the person best
 6 qualified to supply them, over the signature and address of his
 7 informant. He shall then present the certificate to the attending phy-
 8 sician, if any, or to the health officer or coroner, as directed by the
 9 local registrar for the medical certificate of the cause of death and
 10 other particulars necessary to complete the record, as specified in the
 11 two preceding sections. He shall then state the facts required rela-
 12 tive to the date and place of burial or removal, over his signature and
 13 with his address, and present the completed certificate to the local
 14 registrar in order to obtain a permit for burial, removal or other dis-
 15 position of the body.

16 The undertaker shall deliver the burial permit to the person in
 17 charge of the place of burial, before interring or otherwise disposing
 18 of the body; or shall attach the removal permit to the box containing
 19 the corpse, when shipped by any transportation company; said permit
 20 to accompany the corpse to its destination, where if within the state
 21 of Iowa, it shall be delivered to the person in charge of the place of
 22 burial.

23 Every person, firm or corporation selling a casket shall keep a
 24 record showing the name of the purchaser, purchaser's postoffice
 25 address, name of deceased, date and place of death of deceased, which
 26 record shall be open to inspection of the state registrar at all times.
 27 On the first day of each month the person, firm or corporation selling
 28 caskets shall report to the state registrar each sale for the preceding
 29 month, on a blank provided for that purpose; provided, however, no
 30 person, firm or corporation selling caskets to dealers or undertakers
 31 only shall be required to keep such record, nor shall such reports be
 32 required from undertakers when they have direct charge of the dis-
 33 position of a dead body.

34 Every person, firm or corporation selling a casket at retail, and
 35 not having charge of the disposition of the body shall inclose within
 36 the casket a notice furnished by the state registrar, calling attention
 37 to the requirements of the law, and a blank certificate of death, and
 38 the rules and regulations of the state board of health concerning the
 39 burial or other disposition of a dead body.

[39 G. A., ch. 222, § 9.]

NOTE: See §§ 1346-1348, 3448 of the compiled code.

SEC. 1376-a10. Permit when interment within state.

1 If the interment, or other disposition of the body is to be made
 2 within the state, the wording of the burial or removal permit may be
 3 limited to a statement by the registrar, and over his signature, that a
 4 satisfactory certificate of death having been filed with him, as required
 5 by law, permission is granted to inter, remove, or dispose otherwise
 6 of the body, stating the name, age, sex, cause of death, and other
 7 necessary details upon the form prescribed by the state registrar.

[39 G. A., ch. 222, § 10.]

SEC. 1376-a11. Duty of cemetery caretaker—absence of care- taker.

1 No person in charge of any premises on which interments are
 2 made shall inter or permit the interment or other disposition of any
 3 body unless it is accompanied by a burial, removal or transit permit,
 4 as herein provided. Such person shall indorse upon the permit the
 5 date of interment, over his signature, and shall return all permits so
 6 indorsed to the local registrar of his district within ten days from
 7 the date of the interment, or within the time fixed by the local board
 8 of health. He shall keep a record of all bodies interred or otherwise
 9 disposed of on the premises under his charge, in each case stating the
 10 name of each deceased person, place of death, date of burial or dis-
 11 posal, and name and address of the undertaker; which record shall at
 12 all times be open to official inspection; provided, that undertakers or
 13 persons acting as such, when burying a body in a cemetery or burial
 14 ground having no person in charge, shall sign the burial or removal

15 permit, giving the date of burial, and shall write across the face of
 16 the permit the words "No person in charge", and file the burial or
 17 removal permit within ten days with the registrar of the district in
 18 which the cemetery is located.

[39 G. A., ch. 222, § 11.]

NOTE: See §§ 3446, 3447 of the compiled code.

SEC. 1376-a12. Births.

1 The birth of each and every child born in the state shall be regis-
 2 tered as hereinafter provided.

[39 G. A., ch. 222, § 12.]

SEC. 1376-a13. Certificate of birth—who must prepare—signing.

1 Within ten days after the date of each birth there shall be filed
 2 with the local registrar of the district in which the birth occurred a
 3 certificate of such birth, which certificate shall be upon the form
 4 adopted by the state registrar with a view to procuring a full and
 5 accurate report with respect to each item of information as required
 6 in the following section. In each case where a physician, midwife, or
 7 person acting as midwife, was in attendance upon the birth, it shall
 8 be the duty of such physician, midwife, or person acting as midwife,
 9 to file in accordance herewith the certificate herein contemplated.

10 In each case where there was no physician, midwife, or person
 11 acting as midwife, in attendance upon the birth, it shall be the duty
 12 of the father or mother of the child, the householder or owner of the
 13 premises where the birth occurred, or the manager or superintendent
 14 of the public or private institution where the birth occurred, each in
 15 the order named, within ten days after the date of such birth, to
 16 report to the local registrar the fact of such birth. In such case and
 17 in case the physician, midwife, or person acting as midwife, in attend-
 18 ance upon a birth is unable, by diligent inquiry, to obtain any item
 19 or items of information contemplated in the following section, it shall
 20 then be the duty of the local registrar to secure from the person so
 21 reporting, or from any other person having the required knowledge,
 22 such information as will enable him to prepare the certificate of birth
 23 herein contemplated, and it shall be the duty of the person reporting
 24 the birth or who may be interrogated in relation thereto to answer
 25 correctly and to the best of his knowledge all questions put to him
 26 by the local registrar which may be calculated to elicit any informa-
 27 tion needed to make a complete record of the birth as contemplated
 28 by said following section, and it shall be the duty of the informant
 29 as to any statement made in accordance herewith to verify such state-
 30 ment by his signature, when requested to do so by the local registrar.

[39 G. A., ch. 222, § 13.]

SEC. 1376-a14. Standard certificate of birth.

1 The certificate of birth shall be of the United States standard
 2 form, as approved by the bureau of the census, and shall contain the
 3 following items, which are hereby declared necessary for the legal,
 4 social and sanitary use of registration record:

5 1. Place of birth, including state, county, township or incor-
 6 porated town, or city. If in the city, the ward, street, and the house

- 7 number; if in a hospital or other institution, the name of the same
8 to be given, instead of the street and house number.
- 9 2. Full name of child. If the child dies without a name, before
10 the certificate is filed, enter the words "died unnamed". If the living
11 child has not yet been named at the date of filing certificate of birth,
12 the space for "full name of child" is to be left blank, to be filled out
13 subsequently by a supplemental report, as hereinafter provided.
- 14 3. Sex of child.
- 15 4. Whether a twin, triplet, or other plural birth. A separate
16 certificate shall be required for each child in case of plural births.
- 17 5. For plural births, number of each child in order of birth.
- 18 6. Whether legitimate or illegitimate.
- 19 7. Date of birth, including the year, month and day.
- 20 8. Full name of father; provided, that if the child is illegiti-
21 mate, the name of the putative father shall not be entered without his
22 consent, but the other particulars relating to the putative father (items
23 nine to thirteen inclusive) may be entered if known, otherwise as
24 "Unknown".
- 25 9. Residence of father.
- 26 10. Color or race of father.
- 27 11. Age of father at last birthday, in years.
- 28 12. Birthplace of father; at least state or foreign country, if
29 known.
- 30 13. Occupation of father. The occupation to be reported if
31 engaged in any remunerative employment, stating (a) trade, profes-
32 sion, or particular kind of work; (b) general nature of industry, busi-
33 ness, or establishment in which employed (or employer).
- 34 14. Maiden name of mother.
- 35 15. Residence of mother.
- 36 16. Color or race of mother.
- 37 17. Age of mother at last birthday in years.
- 38 18. Birthplace of mother; at least, state or foreign country, if
39 known.
- 40 19. Occupation of mother. The occupation to be reported if
41 engaged in any remunerative employment, stating (a) trade, profes-
42 sion, or particular kind of work; (b) general nature of industry, busi-
43 ness, or establishment in which employed (or employer).
- 44 20. Number of children born to this mother, including present
45 birth.
- 46 21. Number of children of this mother living.
- 47 22. The certification of attending physician or midwife as to
48 attendance at birth, including statement of year, month, day (as given
49 in item seven) and hour of birth, and whether the child was born
50 alive or stillborn. This certification shall be signed by the attending
51 physician or midwife, with date of signature and address; if there is
52 no physician or midwife in attendance, then by the father or mother
53 of the child, householder, owner of the premises, or manager or super-
54 intendent of public or private institution where the birth occurred, or
55 other competent person, whose duty it shall be to notify the local regis-
56 trar of such birth, as required by the preceding section.
- 57 23. Exact date of filing in office of local registrar, attested by
58 his official signature, and registered number of birth, as hereinafter
59 provided.

SEC. 1376-a15. Lack of given name.

1 When any certificate of birth of a living child is presented without
2 the statement of the given name, then the registrar shall make out
3 and deliver to the parents of the child a special blank for the supple-
4 mental report of the given name of the child, which shall be filled out
5 as directed, and returned to the local registrar as soon as the child
6 shall have been named.

[39 G. A., ch. 222, § 15.]

SEC. 1376-a16. Registration of physicians, midwives, undertakers and casket dealers—returns.

1 Every physician, midwife, undertaker, and retail casket dealer,
2 shall without delay, register his or her name, address and occupation
3 with the local registrar of the district in which he or she resides, or
4 may hereafter establish a residence; and shall thereupon be supplied
5 by the local registrar with a copy of this chapter, together with such
6 rules and regulations as may be prepared by the state registrar rela-
7 tive to its enforcement. Within thirty days after the close of each
8 calendar year each local registrar shall make a return to the state
9 registrar of all physicians, midwives, undertakers or retail casket
10 dealers who have been registered in his district during the whole or
11 any part of the preceding calendar years. No fee or other compen-
12 sation shall be charged by local registrars to physicians, midwives,
13 undertakers or casket dealers for registering their names under this
14 section or making returns thereof to the state registrar.

[39 G. A., ch. 222, § 16.]

SEC. 1376-a17. Returns from public and private institutions.

1 All superintendents or managers, or other persons in charge of
2 hospitals, almshouses, lying-in or other institutions, public or private,
3 to which persons resort for treatment of diseases, confinement, or
4 are committed by process of law, shall make a record of all the per-
5 sonal and statistical particulars relative to the inmates in their insti-
6 tutions which are required in the forms of the certificates provided
7 for by this chapter, as directed by the state registrar; and such record
8 shall be, by them, made for all inmates at the time of their admittance;
9 and in case of persons admitted or committed for treatment of disease,
10 the physician in charge shall specify for entry in the record the nature
11 of the disease, and where, in his opinion, it was contracted. The per-
12 sonal particulars and information required by this section shall be
13 obtained from the individual himself if practicable to do so; and when
14 they cannot be so obtained, they shall be obtained in as complete a
15 manner as possible from relatives, friends, or other persons acquainted
16 with the facts.

[39 G. A., ch. 222, § 17.]

SEC. 1376-a18. Blanks and instructions—defective certificates—system of preservation—private records—transcripts.

1 The state registrar shall prepare, print and supply to all regis-
2 trars, all blanks and forms used in registering, recording and preserv-
3 ing the returns, or in otherwise carrying out the purpose of this
4 chapter; and shall prepare and issue such detailed instructions as may

5 be required to procure the uniform observance of its provisions and
6 the maintenance of a perfect system of registration.

7 No other blanks shall be used than those supplied by the state
8 registrar. He shall carefully examine the certificates received monthly
9 from the local registrars, and if any such are incomplete or unsatis-
10 factory he shall require such further information to be supplied as
11 may be necessary to make the record complete and satisfactory.

12 All physicians, midwives, informants or undertakers, and all
13 other persons having knowledge of the facts, are hereby required to
14 supply such information as they may possess, upon a form provided by
15 the state registrar or upon the original certificate, regarding any
16 birth or death upon demand of the state registrar, in person, by mail,
17 or through the local registrar. No certificate of birth or death, after
18 its acceptance for registration by the local registrar, and no other
19 record made in pursuance of this chapter, shall be altered or changed in
20 any respect otherwise than by amendments properly dated, signed
21 and witnessed.

22 The state registrar shall further arrange, bind and permanently
23 preserve the certificates in a systematic manner, and shall prepare
24 and maintain a comprehensive and continuous card index of all
25 births and deaths registered; said index to be arranged alphabet-
26 ically, in the case of deaths, by the names of decedents, and in the
27 case of births, by the names of fathers, mothers, and children.
28 He shall inform all registrars what diseases are to be considered in-
29 fectious, contagious, or communicable and dangerous to the public
30 health, as decided by the state board of health, in order that when
31 deaths occur from such diseases proper precautions may be taken to
32 prevent their spread.

33 If any cemetery company or association, or any church or his-
34 torical society or association, or any other company, society or asso-
35 ciation, or any individual, is in possession of any record of births or
36 deaths which may be of value in establishing the genealogy of any
37 resident of this state, such company, society, association or individual,
38 may file such record or a duly authenticated transcript thereof with
39 the state registrar, and it shall be the duty of the state registrar to
40 preserve such record or transcript and to make a record and index
41 thereof in such form as to facilitate the finding of any information
42 contained therein. Such record and index shall be open to inspection
43 by the public, subject to such reasonable conditions as the state regis-
44 trar may prescribe.

45 If any person desires a transcript of any record filed in accordance
46 herewith, the state registrar shall furnish the same upon application,
47 together with a certificate that it is a true copy of such record as filed
48 in his office, and for his services in so furnishing such transcript and
49 certificate he shall be entitled to a fee of (ten cents per folio) (fifty
50 cents per hour or fraction of an hour necessarily consumed in making
51 such transcript) and to a fee of twenty-five cents for the certificate,
52 which fees shall be paid by the applicant.

[39 G. A., ch. 222, § 18.]

SEC. 1376-a19. Duty of local registrar—contagious diseases.

1 Each local registrar shall supply blank forms of certificates to
2 such persons as require them. Each local registrar shall carefully

3 examine each certificate of birth or death when presented for record
4 in order to ascertain whether it has been made out in accordance with
5 the provisions of this chapter and the instructions of the state regis-
6 trar; and if any certificate of death is incomplete or unsatisfactory, it
7 shall be his duty to call attention to the defects in the return, and to
8 withhold the burial or removal permit until such defects are corrected.

9 All certificates, either of birth or of death, shall be written legibly,
10 in durable black ink and no certificate shall be held to be complete and
11 correct that does not supply all of the items of information called for
12 therein, or satisfactorily account for their omission. If the certificate
13 of death is properly executed and complete, he shall then issue a burial
14 or removal permit to the undertaker.

15 In case the death occurred from some disease which is held by the
16 state board of health to be infectious, contagious, or communicable and
17 dangerous to the public health, no permit for the removal or other dis-
18 position of the body shall be issued by the registrar, except under such
19 conditions as may be prescribed by the state board of health.

20 If a certificate of birth is incomplete, the local registrar shall im-
21 mediately notify the informant, and require him to supply the missing
22 items of information if they can be obtained.

23 He shall number consecutively the certificates of birth and death,
24 in two separate series, beginning with number one for the first birth
25 and the first death in each calendar year, and sign his name as regis-
26 trar in attest of the date of filing in his office. He shall also make a
27 complete and accurate copy of each birth and death certificate regis-
28 tered by him in a record book supplied by the state registrar, to be
29 preserved permanently in his office as the local record, in such manner
30 as directed by the state registrar.

31 He shall, on the tenth day of each month, transmit to the state
32 registrar all original certificates registered by him for the preceding
33 month. If no births or no deaths occurred in any month, he shall on
34 the tenth day of the following month, report that fact to the state
35 registrar, on a card provided for such purpose.

[39 G. A., ch. 222, § 19.]

SEC. 1376-a20. Fees—annual payment.

1 Each local registrar shall be paid the sum of twenty-five cents for
2 each birth certificate and each death certificate properly and completely
3 made out and registered with him, and correctly recorded and promptly
4 returned by him to the state registrar, as required by this chapter. In
5 case no births or no deaths were registered during any month, the
6 local registrar shall be entitled to be paid the sum of twenty-five cents
7 for each report to that effect, but only if such report be made promptly
8 as required by this chapter. All amounts payable to a registrar under
9 the provisions of this section shall be paid by the treasurer of the
10 county in which the registration district is located, upon certification
11 by the state registrar. The state registrar shall annually certify to
12 the treasurers of the several counties the number of births and deaths
13 properly registered, with the names of the local registrars and the
14 amounts due each at the rates fixed herein.

[39 G. A., ch. 222, § 20.]

SEC. 1376-a21. Certified copy of record—prima facie presumption.

1 The state registrar shall upon request supply to any applicant, for
 2 legal or other proper purposes, a certified copy of the record of any
 3 birth or death registered under the provisions of this chapter, for the
 4 making and certifying of which he shall be entitled to a fee of fifty
 5 cents, to be paid by the applicant. The United States census bureau
 6 may obtain, without expense to the state, transcripts of certified copies
 7 of births and deaths without payment of the fees herein prescribed.

8 Any such copy of the record of a birth or death when properly
 9 certified by the state registrar, shall be prima facie evidence in all
 10 courts and places of the facts therein stated.

11 For any search of the files and records when no certified copy is
 12 made the state registrar shall be entitled to a fee of fifty cents for each
 13 hour or fractional part of an hour of time of search, said fee to be
 14 paid by the applicant.

15 The state registrar shall keep a true and correct account of all
 16 fees by him received under these provisions, and turn the same over to
 17 the state treasurer each month. The state registrar shall, upon request
 18 of any parent or guardian, supply, without fee, a certificate limited to
 19 a statement as to the date of birth of any child when the same shall be
 20 necessary for admission to school, or for the purpose of securing em-
 21 ployment.

[39 G. A., ch. 222, § 21.]

SEC. 1376-a22. Violations—penalty.

1 Any person, who for himself or as an officer, agent or employee of
 2 any other person, or of any corporation or partnership, (a) shall inter,
 3 cremate, or otherwise finally dispose of the dead body of a human being,
 4 or permit the same to be done, or shall remove said body from the
 5 primary registration district in which the death occurred or the body
 6 was found, without the authority of a burial or removal permit issued
 7 by the local registrar of the district in which the death occurred or in
 8 which the body was found; or, (b) shall refuse or fail to furnish cor-
 9 rectly any information in his possession, or shall furnish false informa-
 10 tion affecting any certificate or record, required by this chapter; or, (c)
 11 shall wilfully alter, otherwise than is provided by section thirteen hun-
 12 dred seventy-six-a eighteen of this supplement, or shall falsify any
 13 certificate of birth or death, or any record established by this chapter;
 14 or, (d) being required by this chapter to fill out a certificate of birth
 15 or death and file the same with the local registrar, or deliver it, upon
 16 request, to any person charged with the duty of filing the same, shall
 17 fail, neglect, or refuse to perform such duty in the manner required by
 18 this chapter; or, (e) being a local registrar, deputy registrar or sub-
 19 registrar, shall fail, neglect, or refuse to perform his duty as required
 20 by this chapter and by the instructions and direction of the state regis-
 21 trar thereunder, shall be deemed guilty of a misdemeanor and upon
 22 conviction thereof shall for the first offense be fined not less than five
 23 dollars nor more than fifty dollars, and for each subsequent offense
 24 not less than ten dollars, nor more than one hundred dollars or be
 25 imprisoned in the county jail not more than sixty days, or be fined
 26 and imprisoned in the discretion of the court.

[39 G. A., ch. 222, § 22.]

SEC. 1376-a23. Duty of local registrar—powers of state registrar—duty of attorney general and county attorney.

1 Each local registrar is hereby charged with the strict and
2 thorough enforcement of the provisions of this chapter in his registra-
3 tion district, under the supervision and direction of the state registrar.
4 He shall make an immediate report to the state registrar of any viola-
5 tion of this law coming to his knowledge, by observation or upon
6 complaint of any person, or otherwise.

7 The state registrar is hereby charged with the thorough and
8 efficient execution of the provisions of this chapter in every part of the
9 state and is hereby granted supervisory power over local registrars,
10 deputy registrars, and subregistrars, to the end that all of the
11 requirements shall be uniformly complied with. The state registrar,
12 either personally or by an accredited representative, shall have author-
13 ity to investigate cases of irregularity or violation of law, and all
14 registrars shall aid him, upon request, in such investigations. When he
15 shall deem it necessary, he shall report cases of violation of any of the
16 provisions of this chapter to the county attorney of the county, with a
17 statement of the facts and circumstances; and when any such case is
18 reported to him by the state registrar, the county attorney shall forth-
19 with initiate and promptly follow up the necessary court proceedings
20 against the person or corporation responsible for the alleged violation
21 of law. Upon request of the state registrar, the attorney general shall
22 assist in the enforcement of the provisions of this chapter.

[39 G. A., ch. 222, § 23.]

SEC. 1376-a24. Appropriation—audit and payment of bills.

1 For the purpose of carrying into effect the provisions of this
2 chapter and the payment of all expenses connected therewith, including
3 necessary clerical assistance, there is hereby appropriated out of the
4 funds in the state treasury, not otherwise appropriated, the sum of ten
5 thousand dollars per annum, or so much thereof as may be necessary
6 to pay clerical assistance and such other expenses as may be incurred
7 by the state registrar in establishing a bureau of vital statistics, at the
8 capital of the state, for the proper registration of all births and deaths
9 throughout the state of Iowa, by means of certificates of births and
10 deaths, and burial and removal permits. All bills of whatsoever nature
11 or character shall be itemized, certified and approved by the state regis-
12 trar to the auditor of state, who shall draw warrants therefor, provided
13 that he finds the same to be true and correct.

[39 G. A., ch. 222, § 24.]

SEC. 1376-a25. System exclusive of all others.

1 No system for the registration of births and deaths shall be con-
2 tinued or maintained in any of the several municipalities of this state
3 other than the one provided for and established by this chapter.

[39 G. A., ch. 222, § 26.]

CHAPTER 12

DENTISTRY

SECTION 1383. Compensation.

1 Each member of the board shall receive the sum of seven dollars
 2 and fifty cents for each day he is actually engaged in the duties of his
 3 office, with the actual expenses incurred by him in the discharge of
 4 such duties, and, in addition thereto, the treasurer shall receive a
 5 salary not exceeding six hundred dollars per annum for his services
 6 as secretary and treasurer, which amounts shall be paid out of the
 7 fund received by the board under the provisions of this chapter, and
 8 from no other fund or source.

[S., '13, § 2600-g; 37 G. A., ch. 309, § 5; 40 G. A., ch. 40, § 1.]

CHAPTER 13

OPTOMETRY

SECTION 1410. Compensation of board of examiners—expenses.

1 Each member of the board of examiners, except the physician
 2 members and the secretary, shall be paid five dollars for each day
 3 actually engaged in the duties of his office, with actual expenses
 4 incurred by him in the discharge of such duties, from the fund created
 5 by the payment of fees by applicants for examination. The secretary
 6 shall receive his necessary expenses incurred for services which can-
 7 not be performed at the capitol. All printing, postage and other con-
 8 tingent expenses necessarily incurred under the provisions of this
 9 chapter shall be paid from said fund. All expenses incurred under the
 10 provisions of this chapter shall be itemized thereupon and audited and
 11 a warrant drawn therefor on the optometrists' fund in the same man-
 12 ner as other expenses of the state board of health.

[S., '13, § 2583-p; 39 G. A., ch. 209, § 47.]

CHAPTER 14

PHARMACY

SECTION 1413. Commission of pharmacy—appointment—duties.

1 The commission of pharmacy shall consist of three competent
 2 pharmacists who have been for the preceding five years residents of
 3 the state and engaged in practicing pharmacy, one of whom shall be
 4 annually appointed by the governor and hold office for three years
 5 and until his successor is appointed and qualified.

6 The Iowa pharmaceutical association may, on or before the first
 7 day of March of each year, submit to the governor the names of three
 8 persons each of whom shall possess the qualifications herein required
 9 for members of the commission of pharmacy, from which all com-

10 commissioners of pharmacy appointed by the governor during that year
11 shall be selected.

12 It shall be the duty of the commission to see that the laws re-
13 lating to the practice of pharmacy are enforced. The commission
14 shall have power to make all needed regulations for its government
15 and for the proper discharge of its duties, according to the provisions
16 of this chapter, the same to be done without expense to the state,
17 save the necessary blanks and stationery which shall, upon requisition,
18 be furnished by the superintendent of printing, and to make
19 such other regulations not inconsistent with and as authorized by
20 law, respecting the purchase, keeping, and use of intoxicating liquors
21 by registered pharmacists not permit holders, as may be required for
22 the prevention or abuse of trust reposed in them, and such other
23 matters as may be hereinafter specifically enumerated.

[C., '97, § 2584; S. S., '15, § 2584; 40 G. A., ch. 41.]

SEC. 1414. Secretary and treasurer.

1 The commissioners of pharmacy shall annually, on the first Mon-
2 day in May, elect a suitable person, who shall not be a member of said
3 board, and who shall be known as secretary and treasurer; said secre-
4 tary and treasurer shall enter upon the discharge of his duties as soon
5 as he shall have filed with the secretary of state a good and sufficient
6 bond in the penal sum of three thousand dollars signed by at least
7 two sureties, who shall justify in the aggregate to double the amount
8 of said bond, and which shall bear upon its face the approval of the
9 governor. The secretary shall have charge of the office of the commis-
10 sion and of all books, documents, records and other appurtenances
11 thereof. He shall keep a full and complete record of the proceedings of
12 the commission and of all matters required by law or by the rules of
13 the commission to be made of record and shall conduct and carry on
14 all correspondence pertaining to the affairs of the commission, and
15 when unable to adjust any matter by correspondence, he shall refer the
16 same to a member of the commission for investigation and determina-
17 tion.

[C., '97, § 2585; S., '13, § 2585; 38 G. A., ch. 183, § 1; 39 G.
A., ch. 209, § 49.]

SEC. 1415. Records open to inspection.

1 The books, accounts, vouchers, and funds belonging to or kept by
2 said board of pharmacy shall at all times be open or subject to the
3 inspection of the governor or any committee appointed by him.

[C., '97, § 2587; S. S., '15, § 2587; 39 G. A., ch. 209, § 48.]

SEC. 1420. Examination and registration fees.

1 Each person furnished a certificate under this chapter shall be
2 charged a fee of five dollars, which shall be in full for all services,
3 and in case the examination of said person shall prove defective or
4 unsatisfactory and his name be not registered, he shall be permitted
5 to present himself for reexamination within any period not exceeding
6 twelve months next thereafter, and no charge shall be made for
7 reexamination. The said commissioners are authorized to administer
8 oaths pertaining to their said office and take a certificate of acknowl-
9 edgment of instruments in writing.

10 After registration an annual fee of two dollars for renewal cer-
 11 tificate shall be paid on or before the twenty-second day of March by
 12 all pharmacists and assistants who continue in business. If such fee
 13 is not paid by the time specified, a penalty of one dollar shall be added
 14 and collected. One dollar of each annual fee and all penalties col-
 15 lected shall be paid into the state treasury as provided in section
 16 fourteen hundred twenty-one of the compiled code, and one dollar
 17 of such fee shall be paid to the treasurer of the Iowa pharmaceutical
 18 association, quarterly, on the first day of January, April, July, and
 19 October of each year to be used by said association for the advance-
 20 ment of the art and science of pharmacy, and the conduct of a phar-
 21 macy without the renewal herein provided for shall be a misdemeanor.

[C., '97, § 2590; S., '13, § 2589-d; 38 G. A., ch. 95, § 1; 40
 G. A., ch. 42.]

SEC. 1430. Cocaine and certain other drugs—sale.

1 No person, firm or corporation shall sell, exchange, deliver or have
 2 in his possession with intent to sell, exchange or expose or offer for
 3 sale or exchange any coca (*Erythroxyllum Coca*), cocaine, alpha or
 4 beta eucaine, cannabis indica, cannabis americana, or indian hemp, or
 5 derivatives of any of them, or any preparation containing coca, cocaine,
 6 alpha or beta eucaine, cannabis indica, cannabis americana, or indian
 7 hemp, or derivatives of any of them, or cotton root, ergot, oil of tansy,
 8 oil of savin or derivatives of any of them, except upon the original
 9 written prescription of a registered physician or veterinarian or
 10 licensed dentist, who is personally known to such person, firm or cor-
 11 poration, for medical, dental or veterinary purposes only, and no such
 12 prescription shall be refilled, provided that nothing in this section shall
 13 prevent the sale thereof to a wholesale or retail dealer in drugs, nor to
 14 a registered physician or veterinarian or licensed dentist for use in
 15 practice of his profession.

[S., '13, § 2596-a; 39 G. A., ch. 282.]

SEC. 1430-a1. Exceptions.

1 The provisions of the preceding section shall not be construed to
 2 apply to the sale, distribution, giving away, dispensing or possession of
 3 preparations and remedies which do not contain more than one-half
 4 grain solid extract of said cannabis indica, cannabis americana, or in-
 5 dian hemp or its equivalent of cannabis indica, cannabis americana or
 6 indian hemp in one ounce, or to liniments, ointments or other prepara-
 7 tions which are prepared for external use only; provided, that such
 8 remedies and preparations are sold, distributed, given away, dispensed
 9 or possessed as medicines and not for the purpose of evading the inten-
 10 tions and provisions of the preceding section.

[39 G. A., ch. 282.]

SEC. 1431. Penalty.

1 Anyone found guilty of violating the provisions of sections four-
 2 teen hundred thirty and fourteen hundred thirty-a one of this supple-
 3 ment, for the first offense, shall pay a fine of not less than twenty-five
 4 dollars and not more than one hundred dollars and cost of prosecution.
 5 For the second offense, and each subsequent offense, he shall pay on

6 conviction thereof, a fine of not less than one hundred dollars, and not
 7 more than three hundred dollars, or imprisonment in the county jail
 8 not to exceed three months. Any clerk, employee or agent, violating,
 9 or aiding in the violation of sections fourteen hundred thirty and four-
 10 teen hundred thirty-a one of this supplement shall be charged and con-
 11 victed as principal.

[S., '13, § 2596-b.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A.
 but reprinted to change form of cross reference.

SEC. 1432. Enforcement.

1 Peace officers shall see that the provisions of sections fourteen
 2 hundred thirty, fourteen hundred thirty-a one, and fourteen hundred
 3 thirty-one of this supplement are faithfully executed within their re-
 4 spective jurisdictions, and when they are informed, or have reason to
 5 believe that sections fourteen hundred thirty, fourteen hundred
 6 thirty-a one, and fourteen hundred thirty-one of this supplement have
 7 been violated, and the proof thereof can be had, they shall file informa-
 8 tion to that effect against the offending party before a magistrate,
 9 who thereupon shall proceed according to law. The county attorney
 10 shall prosecute violators of sections fourteen hundred thirty, fourteen
 11 hundred thirty-a one, and fourteen hundred thirty-one of this supple-
 12 ment.

[S., '13, § 2596-c.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A.
 but reprinted to change form of cross reference.

CHAPTER 14-A

NARCOTIC DRUGS

SECTION 1432-a1. Possession prohibited—exceptions.

1 No person shall have in his possession or under his control any
 2 opium, coca leaves, or any compound, manufacture, salt, derivative,
 3 or preparation thereof, including cocaine, morphine, heroin and co-
 4 deine, unless it be possessed through having been prescribed, or dis-
 5 pensed, in good faith, by a physician, dentist, or veterinary surgeon
 6 registered under the laws of Iowa and registered by the United States
 7 government under the Harrison act, an act of congress approved
 8 December seventeenth, nineteen hundred fourteen, as amended, to
 9 prescribe or dispense such drugs; provided that this section shall not
 10 apply to any person registered under the said Harrison act, or to any
 11 employee, or assistant of a registered person and under his super-
 12 vision, having such possession or control by virtue of his employ-
 13 ment and not on his own account; or to the possession of any of the
 14 aforesaid drugs by any corporation engaged in the wholesale of such
 15 drugs, or by manufacturers of pharmaceuticals, the said wholesalers
 16 and manufacturers being registered under the said Harrison act, or
 17 by any United States, state, city, county, or municipal official who
 18 has possession of any of said drugs by reason of his official duties,
 19 or by a warehouseman holding possession for a person so registered

20 and who has paid the tax under the aforementioned Harrison act,
21 or to common carriers engaged in transporting such drugs; provided
22 further, that it shall not be necessary to negative any of the afore-
23 said exemptions under any complaint, information, indictment,
24 or other writ or proceeding, brought under this chapter, and the
25 burden of proof of any such exemption shall be on the defendant.
26 Any person violating any provisions of this section shall be deemed
27 guilty of a misdemeanor and shall be fined not less than one hundred
28 dollars, or more than one thousand dollars, or be imprisoned in the
29 county jail not less than thirty days nor more than one year, or both
30 such fine and imprisonment.

[40 G. A., ch. 43, § 1.]

SEC. 1432-a2. Manufacture, import or sale prohibited.

1 No person, company, or corporation shall import, manufacture,
2 produce, compound, sell, deal in, dispense, or give away any of the
3 narcotic drugs mentioned in section fourteen hundred thirty-two-a one
4 of this supplement, excepting as otherwise hereinafter provided.

5 Any person who violates any of the provisions of this section
6 shall be deemed guilty of a felony and on conviction be imprisoned
7 in the state reformatory or state penitentiary for not more than ten
8 years, or a fine not to exceed one thousand dollars, or by both such
9 fine and imprisonment.

10 Any company or corporation violating any of the provisions of
11 this section shall, on conviction, be fined not more than five thousand
12 dollars or less than five hundred dollars, and costs of prosecution.

13 This section shall not apply to persons registered under the afore-
14 said Harrison narcotic act and authorized or permitted to possess,
15 sell, or use such narcotic drugs through compliance with said Harri-
16 son act, and all United States, state, county, and municipal officials
17 who in the exercise of their official duties are engaged in any business
18 or act herein described.

[40 G. A., ch. 43, § 2.]

SEC. 1432-a3. Seizure of vehicles and containers—sale.

1 Any motor vehicle or vehicle drawn by animals, or any con-
2 tainer, that is being used for transporting narcotic drugs, which
3 have been manufactured, sold, purchased, delivered, or received in
4 violation of the laws of the United States or of this chapter, may
5 be seized by any peace officer in any county in which such shipment
6 originates or through which it passes or in the county in which it is
7 to be delivered; said vehicle and the contents therein so seized shall
8 be taken to a magistrate who shall serve notice on the owner thereof
9 of such seizure and of the time set for a hearing thereon which shall
10 not be less than five days nor more than fifteen days, after said
11 seizure.

12 On the magistrate finding that such vehicle has been used in the
13 illegal transportation of narcotic drugs he shall order the vehicle for-
14 feited and direct a peace officer in charge thereof to sell the vehicle
15 so seized as chattels under execution and apply the money to the pay-
16 ment of the costs of the action and any other moneys remaining
17 shall go into the school fund of the county.

18 Any person owning such vehicle may file a claim for such vehicle

19 setting out under oath that he did not know, and that by the exercise
20 of due diligence he could not have known, that the vehicle was to be
21 used for any such purpose.

[40 G. A., ch. 43, § 3.]

SEC. 1432-a4. Remedies excepted.

1 The provisions of this chapter shall not be construed to apply
2 to the sale, distribution, giving away, dispensing, or possession of
3 preparations and remedies which do not contain more than two grains
4 of opium, or more than one-fourth grain of morphine, or more than
5 one-eighth of a grain of heroin, or more than one grain of codeine,
6 or any salt or derivative of any of them in one fluid ounce, or, if a
7 solid or semi-solid preparation, in one avoirdupois ounce; or to lini-
8 ments, ointments, or other preparations which are prepared for
9 external use only, except liniments, ointments, and other preparations
10 which contain cocaine or any of its salts or alpha or beta eucaine or
11 any of their salts or any synthetic substitute for them; provided that
12 such remedies and preparations are sold, distributed, given away, dis-
13 pensed, or possessed as medicines and not for the purpose of evading
14 the intentions and provisions of this chapter. The provisions of this
15 chapter shall not apply to decocainized coca leaves or preparations
16 made therefrom, or to other preparations of coca leaves which do not
17 contain cocaine.

[40 G. A., ch. 43, § 4.]

SEC. 1432-a5. Injunction—abatement—evidence.

1 Any building, erection or place resorted to by habitual users of
2 narcotic drugs, for the purpose of using such drugs, or which is used
3 for the illegal keeping of the same, and any building, erection, or
4 place in which narcotic drugs are kept, sold, or dispensed in violation
5 of the laws of Iowa or the laws of the United States, shall be deemed
6 a common nuisance, and it may be enjoined and abated through the
7 same laws and proceedings provided for enjoining and abating intox-
8 icating liquor nuisances, as provided for in title five, chapter eight
9 of the compiled code as amended, and evidence of the general repu-
10 tation of the place shall be competent to establish the existence of
11 the nuisance, and for the violation of any such injunction, temporary
12 or permanent, the offender may be punished for contempt of court
13 under the same laws and proceedings provided for punishment for
14 contempt of court for the violation of an injunction made and entered
15 against an intoxicating liquor nuisance, as provided in the aforemen-
16 tioned title and chapter.

[40 G. A., ch. 43, § 5.]

SEC. 1432-a6. Search warrant.

1 If any credible resident of the state makes affidavit before a
2 magistrate that he has reason to believe and does believe that nar-
3 cotic drugs are kept or deposited by any person in any building, erec-
4 tion, or place, and are intended to be sold, dispensed, or used unlaw-
5 fully, and such magistrate finds that the affiant has probable cause
6 for believing his allegations to be true, he shall issue a search war-
7 rant, directed to any peace officer in the county commanding him to
8 search the premises described in such affidavit or information, and to
9 seize and securely keep any such drugs found in the place described

10 until final action thereon, and return the warrant forthwith, with his
11 doings thereon, to the magistrate issuing the same.

[40 G. A., ch. 43, § 6.]

SEC. 1432-a7. Notice—hearing—disposal.

1 The magistrate issuing a search warrant upon which the peace
2 officer serving it, in his return thereon, shows the seizure of any nar-
3 cotic drugs, shall cause to be left at the place searched, a notice setting
4 out the kind and quantity of narcotic drugs so seized and fixing a
5 date of not less than five nor more than fifteen days after such seiz-
6 ure, at which time the said drugs will be forfeited on an order of
7 default unless the owner appears and files a written claim for the
8 same, when the drugs at issue shall be tried substantially as an
9 action in equity, and the claimant of the drugs may introduce evi-
10 dence to show that he possessed the drugs in question legally and
11 that they were not intended for illegal use.

12 The burden of proof shall be on the claimant of the drugs, and
13 if he establish the fact that the drugs were possessed legally and
14 were not intended for illegal sale or use, then the said drugs shall be
15 delivered to the claimant; otherwise the magistrate shall order such
16 drugs delivered to the state board of control, to be used in the state
17 hospitals under the direction of the superintendent or a physician of
18 the institution, or by his direction, and the costs taxed to the claimant.
19 The claimant of such drugs and the state shall have the right to
20 appeal as in ordinary civil actions.

[40 G. A., ch. 43, § 7.]

SEC. 1432-a8. Forms.

1 All forms necessary to carry out the provisions of this chapter
2 shall be prepared and provided by the attorney general.

[40 G. A., ch. 43, § 8.]

SEC. 1432-a9. Interpretative clause.

1 All provisions of this chapter shall be construed as mandatory
2 and not directory and all provisions shall be construed by the courts
3 so as to prevent evasion.

[40 G. A., ch. 43, § 9.]

SEC. 1432-a10. Forfeiture of exemption.

1 The provisions of this chapter shall not apply to any person,
2 company, or corporation exempted under section fourteen hundred
3 thirty-two-a one of this supplement unless it be shown by competent
4 evidence that such person, company, or corporation has purchased
5 or received any narcotic drugs, heretofore mentioned, from persons
6 not authorized to sell the same, and the possession of such narcotic
7 drugs, unaccounted for by the legal authority to purchase and have
8 possession of the same, or having in his possession any of such drugs
9 concealed or stored in any other place than that provided for the
10 storage of his stock of such drugs which have been purchased legally,
11 shall be prima facie evidence of the purchase of such narcotic drugs
12 from persons unauthorized to sell or dispense the same, in which case
13 the proceedings, penalties, and forfeitures provided in this chapter
14 shall apply.

[40 G. A., ch. 43, § 10.]

TITLE VII

DAIRY AND FOOD DEPARTMENT

CHAPTER 1

DAIRY AND FOOD COMMISSIONER

SECTION 1442. Appointment—bond—powers and duties.

1 On or before the first day of April, nineteen hundred twenty, the
2 governor shall appoint a dairy and food commissioner, who shall have
3 practical knowledge of and experience in the manufacture of dairy
4 products, and who shall hold his office for a term of four years from
5 the first day of May following his appointment and until his successor
6 is appointed and qualified, subject to removal by the governor for
7 inefficiency, neglect or violation of duty. He shall give bond in the
8 sum of ten thousand dollars conditioned for the faithful performance
9 of his duties, with sureties to be approved by and filed with the secre-
10 tary of state.

11 He shall keep on hand a supply of standard test tubes or bottles
12 and milk measures or pipettes adapted for use by each milk testing
13 machine. He shall furnish to any firm or corporation desiring the
14 same one such tube or bottle, and such milk measure or pipette for
15 each factory, of the kind adapted for the machine operated therein,
16 upon request therefor, certifying it to be reliable, accurate and stand-
17 ard, placing thereon the letters "D. C." as a permanent mark, the
18 tubes or bottles and pipettes to be furnished at the actual cost thereof.

19 He shall have and keep an office in the capitol, and preserve
20 therein all correspondence, documents, records, and all property of
21 the state pertaining thereto, and shall have authority to take all proper
22 educational measures to foster and promote the manufacture and sale
23 of pure food and dairy products.

24 The commissioner shall be allowed necessary postage, stationery,
25 and office supplies.

26 The commissioner may appoint a deputy commissioner and a state
27 dairy inspector.

28 He may also appoint, with the approval of the Iowa state college
29 of agriculture and mechanic arts, the director of the Iowa experiment
30 station and the professor of dairying, six assistants who shall devote
31 all their time to their duties and shall perform such duties as may be
32 assigned to them by the commissioner.

33 Such deputy, dairy inspector and assistants shall be allowed in
34 addition to their salaries, actual and necessary traveling expenses,
35 when in the performance of their official duties, said expenses to be
36 itemized, verified under oath, and when audited and approved by the
37 state board of audit, to be paid upon warrant of the state auditor upon
38 the state treasurer provided that such expenditure shall not exceed the
39 appropriation made for this purpose.

40 The commissioner may, with the approval of the executive coun-
41 cil, appoint a state chemist, who shall be an expert analytical, food
42 and pharmaceutical chemist, who shall be the official chemist of the
43 dairy and food department. He shall devote his whole time to the
44 duties of such office. The state chemist and the bacteriologist and
45 assistant chemist shall make all the examinations necessary in enforc-
46 ing the provisions of the various laws enforced by the dairy and food
47 department, shall be allowed actual and necessary traveling expenses,
48 and shall be furnished necessary laboratory, apparatus, supplies and
49 chemicals, to be paid for in the same manner as the accounts of assist-
50 ants.

51 The commissioner, the deputy commissioner, the state dairy
52 inspector, the assistants, the chemist and the bacteriologist and assist-
53 ant chemist shall be paid in the same manner as the salaries of other
54 state officers.

55 The commissioner shall, during his term of office, hold no other
56 official position or any professorship in any state educational institu-
57 tion, and on or before the first day of November he shall make annual
58 report to the governor, which shall contain a detailed account of all
59 his doings as commissioner and the receipts and disbursements of his
60 office since the preceding report, with such facts and statistics in
61 regard to the production, manufacture and sale of dairy products, with
62 such suggestions as he may regard of public importance in connection
63 therewith.

64 In the conduct of his office, he shall have power to issue sub-
65 poenas for witnesses, enforce their attendance and examine them
66 under oath by him to be administered, such witnesses to be allowed
67 fees as in justice courts, to be paid by the commissioner as part of the
68 expenses of his office and do such other acts and things as are neces-
69 sary and proper in the enforcement of the provisions of this and the
70 following chapter.

[C., '97, §§ 2515, 2528; S. S., '15, § 2515; 37 G. A., ch. 377,
§ 1; 38 G. A., ch. 206, § 1; 39 G. A., ch. 209, § 36.]

CHAPTER 2

DAIRY PRODUCTS

SECTION 1445. Impure or skimmed milk, or cheese—sale—labels.

1 No person shall sell, exchange, or expose for sale, or exchange, or
2 deliver or bring to another for domestic or potable use, or to be con-
3 verted into any product of human food, any adulterated, or mis-
4 branded milk, cream or skimmed milk, and no person shall purchase
5 any such substance to be converted into any human food product or
6 manufacture the same into food product, nor shall any persons offer
7 or expose for sale or have in his possession with intent to sell or sell
8 any skimmed milk unless each receptacle and carrying can containing
9 the same shall be kept plainly marked on the side thereof with the
10 words "Skimmed Milk" in the English language in plain letters not
11 less than one inch in height, provided that skimmed milk sold in

12 bottles shall be deemed to be properly marked if the cap shall be
13 plainly printed with the words "Skimmed Milk" in letters not smaller
14 than twelve point gothic caps.

15 For the purpose of this chapter, milk is the fresh, clean, lacteal
16 secretion obtained by the complete milking of one or more healthy
17 cows, properly fed and kept. For the purpose of this chapter, cream
18 is the portion of milk, rich in milk fat, which rises to the surface of
19 milk on standing, or is separated from it by centrifugal force, is fresh
20 and clean.

21 For the purpose of this chapter, skimmed milk is the portion of
22 milk, poor in fat, from which the cream has been removed. The term
23 "skimmed milk" shall also include the fresh, clean, lacteal secretion
24 of one or more healthy cows and containing less than three per cent
25 of milk fat or less than eleven and one-half per cent of milk solids.

26 For the purpose of this chapter, milk, cream and skimmed milk
27 shall be deemed to be adulterated:

28 In case of milk, cream and skimmed milk:

29 1. If water or any other substance has been added.

30 2. If it contains any visible dirt or be contained in any container
31 which is not clean.

32 3. If it be obtained from any animal having disease, sickness,
33 ulcer, abscess or running sore or which has been obtained from a cow
34 within fifteen days before or five days after calving.

35 4. If it be obtained from a cow stabled in an unhealthful place or
36 fed upon any substance in a state of putrefaction or of an unhealthful
37 nature.

38 In case of milk: If it contains less than three per cent of milk
39 fat or less than eleven and one-half per cent of milk solids.

40 In case of cream: If it contains less than sixteen per cent of
41 milk fat.

42 For the purpose of this chapter, milk, cream and skimmed milk
43 shall be deemed to be misbranded:

44 If it be labeled or branded so as to deceive or mislead the pur-
45 chaser, or if the package bears any statement, design or device which
46 is false or misleading in any particular.

47 For the purpose of this chapter, cheese is the sound, ripened
48 product made from milk or cream by coagulating the casein with
49 rennet or lactic acid with or without the addition of ripening ferments,
50 seasonings and color, and contains not less than thirty per cent of
51 milk fat. For the purpose of this chapter, skimmed milk cheese is the
52 sound and ripened product made from skimmed milk as defined in this
53 section, by coagulating the casein thereof with rennet or lactic acid,
54 with or without the addition of ripening ferments, seasoning, and color
55 and containing less than thirty per cent of milk fat.

56 No person shall offer or expose for sale any skimmed milk cheese
57 without the same being plainly and durably branded or marked on
58 the side or top of both cheese and package in the English language
59 with the words "Skimmed Milk Cheese" in letters to be not less than
60 one inch in height and one-half inch in width.

[C., '73, § 4042; C., '97, §§ 4989, 4990, 4991; S., '13, §§ 2515-b,
2515-c, 2515-d; 37 G. A., ch. 377, § 3; 38 G. A., ch. 206,
§ 2; 40 G. A., ch. 44, § 4.]

SEC. 1445-a1. "Filled" milk.

1 It shall be unlawful for any person, firm, or corporation, by him-
 2 self, or by any officer, servant, or agent, or as the servant or agent of
 3 another, to manufacture, sell or exchange, or have in possession with
 4 intent to sell or exchange, any milk, cream, ice cream, skim milk,
 5 buttermilk, condensed or evaporated milk, powdered or dessicated
 6 milk, condensed skim milk, or any fluid derivatives of any of them
 7 to which has been added any fat or oil other than milk fat, either
 8 under the name of said products or articles or the derivatives thereof,
 9 or under any fictitious or trade name whatsoever.

[40 G. A., ch. 44, § 1.]

SEC. 1445-a2. Violations.

1 Any person, firm, or corporation violating any provisions of the
 2 preceding section shall be guilty of a misdemeanor and upon convic-
 3 tion thereof shall be punished by imprisonment in the county jail
 4 for not more than thirty days, or by a fine of not less than twenty-five
 5 dollars nor more than one hundred dollars, or by both such fine and
 6 imprisonment.

[40 G. A., ch. 44, § 2.]

SEC. 1445-a3. Enforcement.

1 The dairy and food commissioner, by himself or by his assist-
 2 ants, chemists, inspectors, or agents, shall be charged with the
 3 enforcement of the provisions of the two preceding sections.

[40 G. A., ch. 44, § 3.]

CHAPTER 3
PURE FOODS**SECTION 1478. Food standards.**

1 For the purposes of this chapter, the following standards are
 2 hereby established:

FLAVORING EXTRACTS.

4 1. *Flavoring extract.* A flavoring extract is a solution in ethyl
 5 alcohol of proper strength of the sapid and odorous principles derived
 6 from an aromatic plant, or parts of the plant, with or without its
 7 coloring matter, and conforms in name to the plant used in its prep-
 8 aration.

9 2. *Almond extract.* Almond extract is the flavoring extract pre-
 10 pared from oil of bitter almonds, free from hydrocyanic acid, and con-
 11 tains not less than one per cent by volume of oil of bitter almonds.

12 3. *Anise extract.* Anise extract is the flavoring extract prepared
 13 from oil of anise, and contains not less than three per cent by volume
 14 of oil of anise.

15 4. *Celery seed extract.* Celery seed extract is the flavoring ex-
 16 tract prepared from celery seed or the oil of celery seed, or both, and
 17 contains not less than three-tenths per cent by volume of oil of celery
 18 seed.

- 19 5. *Cassia extract*. Cassia extract is the flavoring extract pre-
20 pared from oil of cassia and contains not less than two per cent by
21 volume of oil of cassia.
- 22 6. *Cinnamon extract*. Cinnamon extract is the flavoring extract
23 prepared from oil of cinnamon, and contains not less than two per
24 cent by volume of oil of cinnamon.
- 25 7. *Clove extract*. Clove extract is the flavoring extract prepared
26 from oil of cloves, and contains not less than two per cent by volume
27 of oil of cloves.
- 28 8. *Ginger extract*. Ginger extract is the flavoring extract pre-
29 pared from ginger and contains in each one hundred cubic centimeters,
30 the alcohol-soluble matters from not less than twenty grams of ginger.
- 31 9. *Lemon extract*. Lemon extract is the flavoring extract pre-
32 pared from oil of lemon, or from lemon peel, or both, and contains not
33 less than five per cent by volume of oil of lemon.
- 34 10. *Terpeneless extract of lemon*. Terpeneless extract of lemon
35 is the flavoring extract prepared by shaking oil of lemon with dilute
36 alcohol, or by dissolving terpeneless oil of lemon in dilute alcohol, and
37 contains not less than two-tenths per cent by weight of citral derived
38 from oil of lemon.
- 39 11. *Nutmeg extract*. Nutmeg extract is the flavoring extract
40 prepared from oil of nutmeg, and contains not less than two per cent
41 by volume of oil of nutmeg.
- 42 12. *Orange extract*. Orange extract is the flavoring extract pre-
43 pared from oil of orange, or from orange peel, or both, and contains
44 not less than five per cent by volume of oil of orange.
- 45 13. *Terpeneless extract of orange*. Terpeneless extract of orange
46 is the flavoring extract prepared by shaking oil of orange with dilute
47 alcohol, or by dissolving terpeneless oil of orange in dilute alcohol,
48 and corresponds in flavoring strength to orange extract.
- 49 14. *Peppermint extract*. Peppermint extract is the flavoring
50 extract prepared from oil of peppermint, or from peppermint, or both,
51 and contains not less than three per cent by volume of oil of pepper-
52 mint.
- 53 15. *Rose extract*. Rose extract is the flavoring extract prepared
54 from attar of roses, with or without red rose petals, and contains not
55 less than four-tenths per cent by volume of attar of roses.
- 56 16. *Savory extract*. Savory extract is the flavoring extract pre-
57 pared from oil of savory, or from savory, or both, and contains not
58 less than thirty-five hundredths per cent by volume of oil of savory.
- 59 17. *Spearmint extract*. Spearmint extract is the flavoring ex-
60 tract prepared from oil of spearmint, or from spearmint, or both, and
61 contains not less than three per cent by volume of oil of spearmint.
- 62 18. *Star anise extract*. Star anise extract is the flavoring ex-
63 tract prepared from oil of star anise, and contains not less than three
64 per cent by volume of oil of star anise.
- 65 19. *Sweet basil extract*. Sweet basil extract is the flavoring ex-
66 tract prepared from oil of sweet basil, or from sweet basil, or both,
67 and contains not less than one-tenth per cent by volume of oil of sweet
68 basil.
- 69 20. *Sweet marjoram extract*. Sweet marjoram extract, mar-
70 joram extract, is the flavoring extract prepared from the oil of mar-

71 joram, or from marjoram, or both, and contains not less than one per
72 cent by volume of oil of marjoram.

73 21. *Thyme extract.* Thyme extract is the flavoring extract pre-
74 pared from oil of thyme, or from thyme, or both, and contains not
75 less than two-tenths per cent by volume of oil of thyme.

76 22. *Tonka extract.* Tonka extract is the flavoring extract pre-
77 pared from tonka bean, with or without sugar or glycerin, and con-
78 tains not less than one-tenth per cent by weight of coumarin ex-
79 tracted from the tonka bean, together with a corresponding propor-
80 tion of the other soluble matters thereof.

81 23. *Vanilla extract.* Vanilla extract is the flavoring extract pre-
82 pared from vanilla bean, with or without sugar or glycerin, and con-
83 tains in one hundred cubic centimeters the soluble matters from not
84 less than ten grams of the vanilla bean, and contains not less than
85 thirty per cent by volume of absolute ethyl alcohol.

86 24. *Wintergreen extract.* Wintergreen extract is the flavoring
87 extract prepared from oil of wintergreen, and contains not less than
88 three per cent by volume of oil of wintergreen.

VINEGAR.

90 1. All vinegar shall be made by the alcoholic and subsequent
91 acetous fermentation of fruits, grain, vegetables, sugar or syrups, and
92 if not distilled must carry in solution the extractive matter derived
93 solely from the substances indicated on the label as its source.

94 2. No vinegar shall be sold or exposed for sale as vinegar, apple
95 vinegar or cider vinegar which is not the legitimate product of apples.
96 The term "cider vinegar" as used herein shall be construed to mean
97 vinegar derived by the alcoholic and subsequent acetous fermentation
98 of the expressed juice of apples, the acidity, solids and ash of which
99 have been derived exclusively from apples, and which contains not
100 less than four per cent of absolute acetic acid. Cider vinegar which,
101 during the course of manufacture, has developed in excess of four per
102 cent acetic acid may be reduced to a strength of not less than four per
103 cent, and cider vinegar so reduced shall not be regarded as adulter-
104 ated if so branded.

105 3. Sugar vinegar sold or exposed for sale as such shall be strictly
106 and distinctly fermented from sucrose.

107 4. No vinegar shall be sold or exposed for sale as malt vinegar
108 which is not fermented strictly and distinctly from barley malt, or
109 cereals whose starch has been converted by malt.

110 5. No vinegar shall be sold or exposed for sale in which foreign
111 substances, drugs or acids have been introduced. No vinegar shall
112 contain any artificial coloring matter, and all vinegar shall have an
113 acidity of not less than four per cent by weight of absolute acetic
114 acid. If vinegar contains any artificial matter, or less than the re-
115 quired amount of acidity, it shall be deemed to be adulterated.

116 6. All vinegar made by fermentation and oxidation without the
117 intervention of distillation shall be branded with the name of the fruit
118 or substance from which such vinegar has been made.

119 7. All vinegar made by acetous fermentation of dilute distilled
120 alcohol shall be branded "distilled" vinegar, together with the name
121 of the substance from which it is made, and shall not have a brown
122 color in imitation of cider vinegar.

123 8. Corn sugar vinegar is the product made by the alcoholic and
124 subsequent acetous fermentation of solutions of starch sugar.

125 BUTTER.

126 1. *Butter*. Butter shall contain not less than eighty per cent
127 by weight of butter fat.

128 OYSTERS.

129 1. *Oysters*. Oysters shall not contain ice, nor more than six-
130 teen and two-thirds per cent by weight of free liquid.

131 ICE CREAM.

132 1. *Ice cream*. Ice cream is the frozen product made from pure
133 wholesome sweet cream, and sugar, with or without flavoring, and,
134 if desired, the addition of not to exceed one per cent by weight of a
135 harmless thickener, and contains not less than twelve per cent by
136 weight of milk fat, and the acidity shall not exceed three-tenths of
137 one per cent.

138 2. *Fruit ice cream*. Fruit ice cream is the frozen product made
139 from pure wholesome sweet cream, sugar, and sound, clean, mature
140 fruits, and, if desired, the addition of not to exceed one per cent by
141 weight of a harmless thickener, and contains not less than ten per
142 cent by weight of milk fat.

143 3. *Nut ice cream*. Nut ice cream is the frozen product made
144 from pure wholesome sweet cream, sugar, and sound, nonrancid nuts,
145 and, if desired, the addition of not to exceed one per cent by weight
146 of harmless thickener, and contains not less than ten per cent by
147 weight of milk fat.

[S. S., '15, § 4999-a31.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to correct error in printing of compiled code.

CHAPTER 7

COMMERCIAL FEEDS

NOTE: "Agricultural Seeds" has been eliminated from the above chapter heading because 39 G. A., ch. 236 repealed practically all of this chapter which dealt with agricultural seeds and enacted a substitute therefor which appears herein as chapter 7-A on "Agricultural Seeds".

SECTION 1514. Commercial feeding-stuffs—labels required.

1 Every lot in bulk, barrel, bag, pail, parcel or package of concen-
2 trated commercial feeding-stuffs as defined in section fifteen hundred
3 sixteen of the compiled code, and containing one pound or more, offered
4 or exposed for sale in the state of Iowa for use within this state, shall
5 have affixed thereto, in a conspicuous place on the outside thereof, dis-
6 tinctly printed in the English language in legible type not smaller than
7 eight point heavy gothic caps, or plainly written, a statement certi-
8 fying:

- 9 1. The number of net pounds of feeding-stuffs in the package.
- 10 2. The name, brand or trademark under which the article is sold.
- 11 3. The name and address of the manufacturer, importer, dealer
- 12 or agent.

13 4. The place of manufacture.

14 5. Except in the case of condimental stock food; patented, pro-
 15 prietary or trade-marked stock and poultry foods, claimed to possess
 16 medicinal or nutritive properties, or both, the chemical analysis of the
 17 feeding-stuffs, stating the percentages of crude protein, crude fat, and
 18 crude fiber, allowing one per cent of nitrogen to equal six and twenty-
 19 five one-hundredths per cent of protein, all three constituents to be
 20 determined by the latest methods adopted by the association of official
 21 agricultural chemists of the United States.

[S., '13, § 5077-a6; 39 G. A., ch. 236, § 17.]

NOTE: There has been stricken from this section the following words: "and every parcel, package, or lot of agricultural seeds as defined in section fifteen hundred twenty-two," in order to eliminate therefrom the matter fully covered by 39 G. A., ch. 236.

SEC. 1520. Analyses—fee.

1 Any person purchasing any concentrated commercial feeding-
 2 stuffs in this state for his own use may submit fair samples of said
 3 feeding-stuffs to the state dairy and food commissioner, who, upon
 4 receipt of an analysis fee of one dollar for each sample of concentrated
 5 commercial feeding-stuff, shall cause an analysis of the same to be
 6 made.

[S., '13, § 5077-a12.]

NOTE: There has been stricken from this section all reference to agricultural seeds. See 39 G. A., ch. 236, § 9.

CHAPTER 7-A

AGRICULTURAL SEEDS

SECTION 1522. Agricultural seeds defined.

[Repealed by 39 G. A., ch. 236, § 18.]

SEC. 1523. Impure seeds.

[Repealed by 39 G. A., ch. 236, § 18.]

SEC. 1524. Impure seeds defined.

[Repealed by 39 G. A., ch. 236, § 18.]

SEC. 1525. Other impurities.

[Repealed by 39 G. A., ch. 236, § 18.]

SEC. 1526. Mixed or adulterated seeds.

[Repealed by 39 G. A., ch. 236, § 18.]

SEC. 1527. Misbranded seed.

[Repealed by 39 G. A., ch. 236, § 18.]

SEC. 1528. Exemptions.

[Repealed by 39 G. A., ch. 236, § 18.]

SEC. 1529. Standards of purity.

[Repealed by 39 G. A., ch. 236, § 18.]

SEC. 1530. Enforcement.

[Repealed by 39 G. A., ch. 236, § 18.]

SEC. 1531. Penalty.

[Repealed by 39 G. A., ch. 236, § 18.]

SEC. 1532. Fees paid into state treasury.

[This and the ten preceding sections repealed by 39 G. A., ch. 236, § 18, and the sixteen following sections enacted in lieu thereof.]

SEC. 1532-a1. Definitions and rules of construction.

1 1. "Agricultural seed" shall mean the seeds of Canada bluegrass,
2 Kentucky bluegrass, brome grass, fescues, millet, tall meadow oat
3 grass, orchard grass, redtop, Italian rye grass, perennial rye grass,
4 kaffir corn, sorghum, or cane, sudan grass, timothy, alfalfa, alsike
5 clover, crimson clover, mammoth or sapling clover, red clover, sweet
6 clover, white clover, Canada field peas, cowpeas, soy beans, vetches,
7 and other grasses and forage plants, buckwheat, flax, rape, barley,
8 field corn, oats, rye, wheat and other cereals.

9 2. "Weed seed" shall mean the seeds of noxious weeds listed
10 herein, and all seeds not listed above as agricultural seeds.

11 3. "Noxious weeds" shall mean quack grass, Canada thistle, com-
12 mon wild mustard or charlock, Indian mustard, buckhorn, perennial
13 sow thistle, sour curled or smooth dock, wild oats, corn cockle, dodder
14 (clover, alfalfa or field), sheep sorrel, and wild carrot, and such other
15 plants as may be declared to be noxious weeds as provided in the next
16 succeeding section.

17 4. "Commissioner" shall mean the state dairy and food commis-
18 sioner, or his agents thereunto duly authorized as the context may re-
19 quire.

20 5. "Purity" of agricultural seed shall mean freedom from inert
21 matter, and from other agricultural or weed seed distinguishable by
22 their appearance.

[S., '13, §§ 5077-a14, 5077-a15, 5077-a16, 5077-a17; 39 G. A.,
ch. 236, § 1.]

**SEC. 1532-a2. Additional noxious weeds—hearing and determina-
tion.**

1 Whenever it shall appear to the commissioner that any plant,
2 other than those specifically enumerated in the last preceding section
3 has become, or threatens to become, a menace to the agricultural indus-
4 try of this state, he shall call a committee of three experts in plant
5 life, one of whom shall be the botanist of the state college of agricul-
6 ture and mechanics arts. If the said committee shall find that such
7 plant or plants have become, or threaten to become a menace to the
8 agricultural industry, they shall so report to the commissioner, who
9 shall then declare the same to be a noxious weed. Notice of such
10 declaration shall be given by posting same at the courthouse in each
11 county of the state and the provisions of this chapter shall apply to
12 such plants from and after thirty days from the posting of said notice.

[39 G. A., ch. 236, § 2.]

SEC. 1532-a3. Labeling agricultural seed.

1 All agricultural seed offered or exposed for sale, or sold in package
 2 or wrapped form for seeding purposes shall be labeled on the package
 3 or container as provided in sections fifteen hundred thirty-two-a four
 4 and fifteen hundred thirty-two-a five of this supplement, and in addi-
 5 tion thereto shall have printed on the label prescribed in said sections:

6 1. The approximate percentage by weight of the purity of the
 7 seed.

8 2. The approximate total percentage by weight of weed seed.

9 3. The name of each kind of seeds or bulblets of noxious weeds
 10 which are present, singly or collectively, as follows:

11 (a) In excess of one seed or bulblet in each five grams (approxi-
 12 mately one-fifth ounce) of timothy, redtop, tall meadow oatgrass,
 13 orchard grass, crested dogstail, Canada bluegrass, Kentucky bluegrass,
 14 fescues, brome grass, perennial and Italian ryegrass, western
 15 ryegrass, crimson clover, mammoth clover, red clover, white clover,
 16 alsike clover, sweet clover, alfalfa, and all other grasses and clover
 17 not otherwise classified.

18 (b) One in twenty-five grams (approximately one ounce) of millet,
 19 rape, flax, and other agricultural seeds not specified in "a" or "c" of
 20 this subsection.

21 (c) One in one hundred grams (approximately four ounces) of
 22 wheat, oats, rye, barley, buckwheat, vetches, and other agricultural
 23 seeds as large or larger than wheat.

24 4. The approximate percentage of germination of such agricul-
 25 tural seeds, together with the month and year said seed was tested
 26 and, if corn, the county and state where grown.

[S., '13, §§ 5077-a18, 5077-a19, 5077-a21; 39 G. A., ch. 236,
 § 3.]

SEC. 1532-a4. Labeling of certain mixed seeds.

1 Mixtures of alsike and timothy, alsike and white clover, redtop
 2 and timothy, alsike and red clover, offered or exposed for sale or sold
 3 as mixtures in package or wrapped form for seeding purposes and in
 4 lots of ten pounds or more shall be labeled on the package or container
 5 as to the quantity, percentage of weed seed present, the name of
 6 vendor, in the manner prescribed for pure agricultural seed and in
 7 addition the label shall contain the following specific items:

8 1. The fact that such seed is a mixture.

9 2. The name and approximate percentage by weight of each kind
 10 of agricultural seed present in such mixture in excess of five per cent
 11 by weight of the total mixture.

12 3. The name of each kind of seeds or bulblets of noxious weeds,
 13 which are present singly or collectively in excess of one seed or bulblet
 14 in each fifteen grams (approximately three-fifths ounce) of such mix-
 15 ture.

16 4. The approximate percentage of germination of each kind of
 17 agricultural seed present in such mixture in excess of five per cent by
 18 weight, together with the month and year said seed was tested.

[S., '13, §§ 5077-a18, 5077-a19, 5077-a21; 39 G. A., ch. 236,
 § 4.]

SEC. 1532-a5. Labeling other mixtures of seeds.

1 Special mixtures of agricultural seed except as provided in the
 2 preceding section, offered or exposed for sale, or sold in package or
 3 wrapped form for seeding purposes and in quantities of eight ounces
 4 or more shall be labeled on the package or container prescribed in the
 5 preceding section, except that the percentage of germination need not
 6 be stated, but the label shall contain a statement showing the approxi-
 7 mate percentage by weight of inert matter.

[S., '13, §§ 5077-a18, 5077-a19, 5077-a21; 39 G. A., ch. 236,
 § 5.]

SEC. 1532-a6. Written labels—legibility.

1 The label on a package or container of agricultural seed may be
 2 written instead of being printed, but when written, the writing must
 3 be plain and legible.

[S., '13, § 5077-a6; 39 G. A., ch. 236, § 6.]

SEC. 1532-a7. Sales from bulk and placarding thereof.

1 In case agricultural seed or mixtures of the same are offered or
 2 exposed for sale in bulk, or sold from bulk, there shall be conspicuously
 3 displayed in connection therewith a placard containing the items re-
 4 quired on the label of such seed when offered or exposed for sale, or
 5 sold in package or wrapped form, or in lieu of this requirement the
 6 vendor may furnish the vendee with a printed or written statement
 7 containing the said items.

[S., '13, § 5077-a6; 39 G. A., ch. 236, § 7.]

SEC. 1532-a8. Presumption of purity.

1 In every sale of agricultural seeds or mixture of the same it shall
 2 be presumed that the said seeds are free from weed seeds unless the
 3 label on the package or container specifies the presence of such weed
 4 seeds or the purchaser is informed of the presence of the same in the
 5 manner provided in the preceding section.

[39 G. A., ch. 236, § 8.]

SEC. 1532-a9. Analyses of seed for personal use—fee.

1 Any person purchasing any agricultural seed in this state for his
 2 own use may submit fair samples of said seed to the dairy and food
 3 commissioner, accompanied by an analysis fee of fifty cents for each
 4 sample and a proper analysis of the same shall be made and furnished.

[S., '13, § 5077-a12; 39 G. A., ch. 236, § 9.]

SEC. 1532-a10. Exemptions.

1 Agricultural seeds or mixtures of same shall be exempt from the
 2 provisions of this chapter:
 3 1. When possessed, exposed or offered for sale, or sold for food
 4 purposes only.
 5 2. When sold or in store for the purpose of recleaning or not
 6 possessed, offered or exposed for sale, or sold for seeding purposes
 7 within this state.
 8 3. When sold by one farmer to another and delivered upon the
 9 vendor's premises; but if such seed is advertised for sale or is delivered
 10 through a common carrier, then the seed shall be subject to all the re-
 11 quirements of this chapter, provided, however, that this exemption

12 shall in no event be construed as permitting the sale of agricultural
 13 seed containing the seed of Canada thistle, quack grass, dodders
 14 (clover, alfalfa or field) buckhorn and wild carrot in violation of the
 15 next succeeding section.

[S., '13, § 5077-a20; 39 G. A., ch. 236, § 10.]

SEC. 1532-a11. Certain sales prohibited.

1 No person shall sell, offer or expose for sale or distribution for
 2 the purpose of seeding, any agricultural seed unless such seed is free
 3 from the seed of Canada thistle, quack grass and dodders (clover,
 4 alfalfa or field) buckhorn and wild carrot.

[S., '13, § 5077-a15; 39 G. A., ch. 236, § 11.]

SEC. 1532-a12. Duty and power of commissioner to enforce.

1 It shall be the duty of the commissioner to administer this law
 2 and enforce its provisions, and he shall assign such of his agents, offi-
 3 cers and employees as may be necessary without additional compensa-
 4 tion. He shall maintain a laboratory and shall publish the results of
 5 any examination, analysis, or test of any seed as provided in the next
 6 succeeding section together with such other information as he may
 7 deem of public interest. He may make and promulgate such rules and
 8 regulations as may be necessary effectively to carry out the purposes
 9 of this chapter.

[S., '13, § 5077-a22; 39 G. A., ch. 236, § 12.]

SEC. 1532-a13. Duty of commissioner to examine, analyze and test.

1 It shall be the duty of the commissioner to examine, analyze and
 2 test agricultural seed sold, offered, or exposed for sale within this
 3 state. For the purpose of such examination, analysis or test he shall
 4 have free access at all reasonable times to any and all premises and to
 5 any railroad car, automobile or other means of transportation where-
 6 upon such seed is kept or stored or being transported. He may take
 7 from such seed two composite samples, thoroughly mixed, which shall
 8 be securely sealed. One sample shall be given to the owner or his
 9 agent in person if present, and if not present shall be promptly for-
 10 warded thereunto, and the other shall be retained by the commissioner
 11 for analysis. If it is found that such sample does not conform to the
 12 standards upon the label attached to the lot from which it was obtained,
 13 the vendor or consignee, if known, shall be immediately notified, and
 14 a copy of said notice shall be mailed to the person, firm or corporation
 15 whose label was affixed thereto. The commissioner may make such
 16 further investigation as he may deem proper.

[S., '13, § 5077-a22; 39 G. A., ch. 236, § 13.]

SEC. 1532-a14. Duty of attorney general.

1 It shall be the duty of the attorney general to prosecute or cause
 2 to be prosecuted, all persons, firms or corporations violating the pro-
 3 visions of this chapter as provided in the next succeeding section, and
 4 for that purpose may require any county attorney to appear on behalf
 5 of the state.

[39 G. A., ch. 236, § 14.]

SEC. 1532-a15. Violations—penalty.

1 Any person, firm or corporation violating any of the provisions of
 2 this chapter, except those contained in the three last preceding sec-
 3 tions, or in any manner interfering with the commissioner or his
 4 agents in the discharge of their duties shall be guilty of a misdemeanor
 5 and upon conviction thereof shall be fined in a sum not less than one
 6 hundred dollars nor more than five hundred dollars.

[S., '13, § 5077-a23; 39 G. A., ch. 236, § 15.]

SEC. 1532-a16. Interpretative clause.

1 The provisions of this chapter shall not be construed in any way
 2 to abridge or limit any remedy which a vendee may now have against
 3 the vendor for misrepresentation or breach of warranty.

[39 G. A., ch. 236, § 16.]

CHAPTER 12
TURPENTINE**SECTION 1564. Substitutes—how labeled.**

1 No person, firm or corporation shall expose for sale, sell, or take
 2 orders for sale and delivery within this state, any compound or mixture
 3 of oil of turpentine with other products, or any product which is in-
 4 tended to be used as a substitute for oil of turpentine unless it is ex-
 5 posed for sale and sold under the name, "substitute for oil of turpen-
 6 tine", and, if the word "turpentine" is used other than in the name,
 7 the true name of each and every ingredient of said product shall also
 8 appear, giving preference of order to the ingredients present in the
 9 greater proportion, but all letters used in naming the ingredients shall
 10 be of the same size and color, using the style of type as hereinafter
 11 specified. Each tank car, tank, barrel, keg, can, jug or vessel, both
 12 wholesale and retail, also all storage receptacles containing said prod-
 13 uct, shall be distinctly and durably marked in a conspicuous place,
 14 using the English language and kind of type as hereinafter specified,
 15 giving the name under which it is sold, the names of ingredients when
 16 required and the name and place of business of the manufacturer or
 17 jobber thereof, in continuous list, with no intervening matter of any
 18 kind, using ordinary bold-faced capital letters not less than five-line
 19 pica in size, and there shall be such a contrast between the color of
 20 the type and the background of the label as to render the same easily
 21 and plainly legible.

[S., '13, § 2510-v2.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A.
 but reprinted to correct error in printing of compiled code.

CHAPTER 13
WEIGHTS AND MEASURES**SECTION 1572. Standards of weight.**

1 The units or standards of weight, from which all other weights
 2 shall be derived and ascertained, shall be the standard weights desig-

3 nated in this chapter. The hundredweight consists of one hundred
4 avoirdupois pounds, and twenty hundredweight are a ton. When-
5 ever, hereafter, in this chapter, the word "pound" is used, it shall
6 mean the avoirdupois pound unless otherwise distinctly specified.

[C., '51, § 938; R., '60, § 1776; C., '73, §§ 2042, 2043; C., '97,
§ 3012; S., '13, § 3009-e.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A.
but reprinted to correct error in printing of compiled code.

**SEC. 1586. Automatic weighing or measuring device—license tag
and fee.**

1 It shall be unlawful for any person, firm or corporation by himself,
2 or as the officer, servant, agent, or employee of any person, firm or
3 corporation to operate or use or display for use any scale or scales,
4 known as money in the slot or automatic scale or scales or any weighing
5 device, apparatus, or machine, which is used or intended for use to
6 determine the weight of any person or persons, where compensation
7 is derived, or any public or custom scale for which a fee is charged or
8 accepted for weighing, or any gasoline pump or meter, unless said scale
9 or device, or gasoline pump or meter, is licensed by the commissioner.

10 Upon payment of the license fee of three dollars, the commissioner
11 shall issue a metal license tag bearing the words "Licensed by the
12 Dairy and Food Commissioner, State of Iowa, No. _____", each tag to
13 be numbered consecutively and bear the year for which license is valid.

14 The tag shall be displayed prominently on the front of the weigh-
15 ing device or gasoline pump or meter and the defacing or wrongful
16 removal of such a tag shall be deemed a misdemeanor.

17 Absence of the tag shall be prima facie evidence that the weigh-
18 ing device or gasoline pump or meter is being operated contrary to
19 law.

20 No license shall be issued until the annual fee of three dollars is
21 paid to the commissioner for each scale or weighing device, or gasoline
22 pump or meter, operated or used.

23 Any person desiring to secure said license shall make application
24 therefor upon blanks to be furnished by the commissioner. The com-
25 missioner may withhold or revoke any license for cause.

26 All licenses issued under this section shall expire on December
27 thirty-first of each year, except in the case of gasoline pumps and
28 meters the license shall become due on the first day of July of each
29 year. All license and inspection fees collected under this section shall
30 be paid into the state treasury by the commissioner.

31 Products weighed upon any scale bearing inspection card, issued
32 by the dairy and food commission, shall not be required to be re-
33 weighed by any ordinance of any city or town or city under special
34 charter or under the commission form of government nor shall their
35 sale, at the weights so ascertained, and because, thereof, be, by such
36 ordinance, prohibited or restricted.

[S. S., '15, § 3009-m; 39 G. A., ch. 182, § 1.]

TITLE VIII

DEPARTMENT OF AGRICULTURE, HORTICULTURE, AND ANIMAL INDUSTRY

CHAPTER 1

STATE BOARD OF AGRICULTURE

SECTION 1622. Salary of secretary.

1 The secretary shall receive as salary such compensation as may
 2 be fixed and allowed by the state board of agriculture from the funds
 3 derived from the state fair, but said salary shall not be increased more
 4 than four hundred dollars in any one year, and, in no event, be more
 5 than four thousand dollars.

[S., '13, § 1657-n; 38 G. A., ch. 365, § 1; 40 G. A., ch. 45.]

SEC. 1629. Statistics—duty of assessors.

[Repealed by 39 G. A., ch. 178, § 8. See sections 1653-a3 and 1653-a4 of this supplement for substitute.]

CHAPTER 1-A

DEPARTMENT OF AGRICULTURE

SECTION 1631-a1. Department of agriculture.

1 The following administrative agencies of the state and the laws
 2 regulating and governing the same are hereby consolidated into one
 3 department which shall be known as the state department of agricul-
 4 ture, to wit:

5 1. The existing department of agriculture as provided in section
 6 sixteen hundred thirteen of the compiled code; also all statutory
 7 activities and duties now imposed upon the state board of agriculture
 8 or upon the secretary thereof, except such activities and duties as
 9 relate to the state fair grounds, the improvements thereon, the con-
 10 trol and management of such grounds and improvements, and to the
 11 conduct and management of the annual state fair.

12 2. The state weather and crop service department.

13 3. The dairy and food department, embracing all the administra-
 14 tive agencies heretofore under the control and management of the
 15 state dairy and food commissioner.

16 4. The department of animal health, embracing all the adminis-
 17 trative agencies heretofore under the control and management of the
 18 commission of animal health.

19 5. State veterinarian department.

20 6. State horticultural society.

21 7. Iowa corn and small grain growers' association.

- 22 8. Iowa beef and cattle producers' association.
 23 9. Iowa state dairy association.
 24 10. State poultry associations receiving financial aid from the
 25 state.
 26 11. The statutory agency which embraces the licensing and in-
 27 specting of hotels and restaurants.
 28 12. The petroleum oil inspection service.

[40 G. A., ch. 46, § 1.]

SEC. 1631-a2. Secretary of agriculture.

1 The office of secretary of agriculture is hereby created. It shall
 2 be the duty of said officer, in addition to any other duty which may be
 3 prescribed by law:

4 1. To encourage, promote, and advance the interests of agricul-
 5 ture, including horticulture, live stock industry, dairying, cheese mak-
 6 ing, poultry raising, bee keeping, forestry, production of wool, and
 7 other kindred and allied industries.

8 2. To promote and devise methods of conducting said industries
 9 with the view of increasing production and facilitating an adequate
 10 distribution of the same at the least cost to the producer.

11 3. To compile statistics and information, in cooperation with
 12 the federal government, relative to crop production, farm economics,
 13 the production and marketing of beef, pork, mutton, wool, poultry,
 14 milk, butter, cheese and all other agricultural products, in so far as
 15 such statistical information may be deemed of value to agriculture
 16 and its allied interests in the state, which statistics when published
 17 shall constitute the official agricultural statistics of the state.

18 4. To cooperate with the Iowa state college of agriculture and
 19 mechanic arts in all ways that may be beneficial to the agricultural
 20 interests of the state, but without duplicating research or educational
 21 work conducted by the Iowa state college of agriculture and mechanic
 22 arts.

23 5. To include in his compilation and publications, the reports of
 24 agriculture, horticultural, live stock associations, and other like asso-
 25 ciations or societies organized for the promotion of the agricultural
 26 interests of the state.

27 Nothing herein contained shall be construed as to subordinate
 28 the state department of agriculture, as provided for by this chapter,
 29 to the Iowa state college of agriculture and mechanic arts.

[40 G. A., ch. 46, § 2.]

SEC. 1631-a3. Election.

1 At each general election, commencing with nineteen hundred
 2 twenty-four, there shall be elected by the electors of the state a secre-
 3 tary of agriculture who shall hold office for the period of two years
 4 from the second secular day of January following said election.

[40 G. A., ch. 46, § 4.]

SEC. 1631-a4. Nomination.

1 All statutes relating or pertaining to the nomination of candi-
 2 dates for state officers, by primary election or by petition, shall apply,
 3 in so far as practicable, to the nomination of candidates for secretary
 4 of agriculture.

[40 G. A., ch. 46, § 5.]

SEC. 1631-a5. Vacancies.

1 Vacancies in the office of secretary of agriculture shall be filled
 2 by the governor by appointment. Such appointee shall hold office
 3 until the next general election.

[40 G. A., ch. 46, § 6.]

SEC. 1631-a6. Qualification—bond—salary.

1 The secretary of agriculture shall, before entering upon the
 2 duties of his office, qualify in the same manner in which officers gen-
 3 erally are required to qualify, and shall give bond in the sum of five
 4 thousand dollars, which bond, when approved by the governor, shall
 5 be filed with the secretary of state. The secretary of agriculture shall
 6 receive a salary of four thousand dollars per annum.

[40 G. A., ch. 46, § 7.]

SEC. 1631-a7. Office and equipment.

1 The secretary of agriculture shall be provided at the seat of gov-
 2 ernment by the executive council with all necessary offices, supplies
 3 and equipment.

[40 G. A., ch. 46, § 8.]

SEC. 1631-a8. Deputies and assistants.

1 Said secretary shall have authority, in the performance of his
 2 duties, to appoint such deputies and assistants as shall be authorized
 3 by law.

[40 G. A., ch. 46, § 9.]

SEC. 1631-a9. State fair.

1 Nothing in this chapter shall be construed as in any manner
 2 limiting the authority of the state board of agriculture over the state
 3 fair grounds or over the management and control of the state fair
 4 held thereon, except that the secretary of agriculture shall be, by
 5 virtue of his office, a member of said board.

[40 G. A., ch. 46, § 10.]

SEC. 1631-a10. Abolition of offices.

1 On July first, nineteen hundred twenty-three, the following offi-
 2 cial positions are abolished and the incumbents of said positions on
 3 said date are ordered to turn over to the secretary of agriculture all
 4 books, documents, records, and property pertaining to their respec-
 5 tive positions, to wit:

- 6 1. State dairy and food commissioner.
- 7 2. State veterinarian.
- 8 3. Commission of animal health.
- 9 4. Inspector of petroleum products including the chief oil in-
 10 spector.

[40 G. A., ch. 46, § 11.]

SEC. 1631-a11. Duty and power of secretary.

1 The secretary of agriculture shall receive the matters and things
 2 enumerated in the last preceding section, and from and after said date
 3 shall be invested with and shall perform and execute all the powers

4 and duties theretofore performed and executed by the several officers
5 enumerated in said last preceding section.

[40 G. A., ch. 46, § 12.]

SEC. 1631-a12. Hotel license and inspection.

1 On July first, nineteen hundred twenty-three, the state board of
2 health and the hotel inspector shall deliver to the secretary of agri-
3 culture all books, documents, records, and property pertaining to the
4 licensing and inspecting of hotels and restaurants, and from and after
5 said date the hotel inspector and said board of health are relieved of
6 all right or duty to administer said agency.

[40 G. A., ch. 46, § 13.]

SEC. 1631-a13. Duty and power of secretary.

1 The secretary of agriculture shall receive the matters and
2 things enumerated in the last preceding section and from and after
3 said date shall be invested with and shall perform and execute all
4 the powers and duties heretofore performed and executed either by
5 the state board of health or by the hotel inspector with reference to
6 the licensing and inspecting of hotels and restaurants.

[40 G. A., ch. 46, § 14.]

SEC. 1631-a14. State board of agriculture.

1 On July first, nineteen hundred twenty-three, the state board of
2 agriculture and the secretary thereof shall deliver to the secretary of
3 agriculture all books, documents, records, and property pertaining to
4 the statutory agencies and duties heretofore imposed either upon said
5 board or upon the secretary thereof, except the books, documents,
6 records, and property relating to the state fair grounds, the improve-
7 ments thereon, and the annual fair held on such grounds. From and
8 after said date the state board of agriculture and the secretary
9 thereof shall be relieved of all right or duty in relation to said sur-
10 rendered agencies.

[40 G. A., ch. 46, § 15.]

Sec. 1631-a15. Duty and power of secretary.

1 The secretary of agriculture shall receive the matters and things
2 enumerated in the last preceding section and from and after said date
3 shall be invested with and shall perform and execute all the powers
4 and duties pertaining to said surrendered agencies as fully and to the
5 same extent as was formerly performed and executed by said board
6 or the secretary thereof.

[40 G. A., ch. 46, § 16.]

CHAPTER 2

COUNTY AND DISTRICT FAIRS AND AGRICULTURAL SOCIETIES

SECTION 1632. County and district fairs.

[Repealed by 39 G. A., ch. 264, § 1.]

SEC. 1633. State aid—forfeiture.

[Repealed by 39 G. A., ch. 264, § 1.]

SEC. 1634. Statement filed with state board.

[Repealed by 39 G. A., ch. 264, § 1.]

SEC. 1635. Payment of state aid.

[Repealed by 39 G. A., ch. 264, § 1.]

SEC. 1636. Fair defined.

[This and the four preceding sections repealed and the twelve following sections enacted by 39 G. A., ch. 264.]

SEC. 1636-a1. County and district fairs—premiums.

1 Any county or district fair or agricultural society may annually
2 offer and award premiums to further the interest in, and to encourage
3 the improvement of, live stock, agricultural and educational products,
4 implements and mechanical devices, articles of domestic industry and
5 such other articles as they may think proper, and to regulate the
6 amount thereof and the classification as to induce general competition.

[R., '60, § 1697; C., '73, § 1109; C., '97, § 1658; S., '13, § 1658;
38 G. A., ch. 175, §§ 1, 2; 39 G. A., ch. 264, § 2.]

SEC. 1636-a2. State aid—limitations—forfeiture—delegate from nonreporting society.

1 Any county or district fair or agricultural society upon filing with
2 the secretary of the state board of agriculture a report as herein pro-
3 vided for, shall be entitled to receive from the state treasury a sum
4 equal to eighty per cent of the first one thousand dollars, seventy per
5 cent of the second one thousand dollars, sixty per cent of the third one
6 thousand dollars and forty per cent of all amounts in excess of three
7 thousand dollars paid in cash premiums at its annual fair for the cur-
8 rent year, but in no case shall the amount paid to any fair or society
9 exceed the sum of two thousand dollars in any one year.

10 When any county or district fair or agricultural society fails to
11 report according to law on or before the first day of November, that
12 fair or society shall not receive a warrant from the state auditor for
13 that year, but the secretary of the state board of agriculture shall
14 notify the county auditor of the county in which the fair or society is
15 located of such failure and the board of supervisors may appoint a
16 delegate to the state agricultural convention, said delegate to be a
17 resident of said county; and any county or district fair or agricultural
18 society failing to have an accredited delegate in attendance at the state
19 agricultural convention the second Wednesday in December of the
20 year in which said fair was held shall have the amount of state aid
21 which it would have otherwise received diminished in the sum of one
22 hundred dollars.

[R., '60, § 1704; C., '73, § 1112; C., '97, § 1661; S. S., '15, §
1661-a; 38 G. A., ch. 175, §§ 1, 3; 39 G. A., ch. 264, § 3.]

SEC. 1636-a3. Annual statement as basis for state aid—publication of list of awards.

1 On or before the first day of November of each year, the presi-
2 dent, secretary and treasurer of each county or district fair or agri-
3 cultural society claiming the benefit under this chapter shall file with
4 the secretary of the state board of agriculture a sworn statement of
5 the actual amount of cash premiums paid at the fair of the current
6 year, which must correspond with the published offer of premiums, and
7 a further sworn statement that none of the amounts were paid for
8 speed events or to secure games or amusements, and that no gambling
9 devices, sales of intoxicating liquors or other violation of the law were
10 permitted on the grounds of such county or district fair or agricultural
11 society.

12 The said statement shall also contain a full and complete statement
13 of receipts and expenditures and other statistics relative to exhibits
14 and attendance for the current year.

15 Each county or district fair or agricultural society shall annually
16 publish an itemized list of the awards, and a financial statement of re-
17 cepts and disbursements for the current years in one or more news-
18 papers of the county. A copy of the published list of awards and
19 financial statement, with proof of publication, shall accompany the
20 statement filed with the secretary of the state board of agriculture.

[R., '60, §§ 1698, 1704; C., '73, §§ 1110, 1112; C., '97,
§§ 1659, 1661; S., '13, § 1659; S. S., '15, § 1661-a; 38 G.
A., ch. 175, §§ 1, 4; 39 G. A., ch. 264, § 4.]

SEC. 1636-a4. Payment of state aid—conditions.

1 The auditor of state is hereby authorized and directed to draw
2 warrants on the state treasurer for the funds hereinabove appropriated
3 in favor of the several county or district fairs or agricultural societies
4 who shall have complied with the provisions of this chapter.

5 The auditor of state, before issuing a state warrant in favor of
6 such county or district fair or agricultural society for any amount,
7 shall demand the certificate of the secretary of the state board of agri-
8 culture that said fair or society has filed a report as provided for in
9 this chapter, and upon the receipt of said certificate the auditor of
10 state shall issue his warrant for the amount to which said fair or
11 society is entitled, less the sum of one hundred dollars, which amount
12 shall be withheld and paid to said fair or society by warrant of the
13 state auditor only upon certificate of the secretary of the state board
14 of agriculture that said fair or society had an accredited delegate in
15 attendance upon the state agricultural convention as hereinbefore
16 required.

[R., '60, § 1698; C., '73, § 1110; C., '97, § 1659; S., '13, § 1659;
38 G. A., ch. 175, §§ 1, 5; 39 G. A., ch. 264, § 5.]

SEC. 1636-a5. Fair defined.

1 Wherever the term "county or district fair or agricultural society"
2 occurs in this chapter it shall be held to mean a bona fide exhibition of
3 live stock, together with agricultural products and farm implements
4 and one duly incorporated under the laws of the state of Iowa.

[38 G. A., ch. 175, § 6; 39 G. A., ch. 264, § 6.]

SEC. 1636-a6. Report to supervisors.

1 Each society receiving such appropriation shall, through its
 2 secretary, make to the board of supervisors a detailed statement,
 3 accompanied with vouchers, showing the legal disbursement of all
 4 moneys so received.

[C., '73, § 1113; C., '97, § 1662; 39 G. A., ch. 264, § 7.]

SEC. 1636-a7. Permits to vendors.

1 The president of a county or district fair or an agricultural society
 2 may grant a written permit to such persons as he thinks proper, to sell
 3 fruit, provisions, and other articles not prohibited by law, under such
 4 regulations as the board of directors may prescribe.

[C., '73, § 1115; C., '97, § 1663; 39 G. A., ch. 264, § 8.]

SEC. 1636-a8. Appointment of police.

1 The president or proper officer of any such fair or society may
 2 appoint such number of peace officers as may be necessary, and may
 3 arrest or cause to be arrested any person violating any of the provisions
 4 of this chapter, and cause him to be taken before some justice of the
 5 peace to be dealt with as provided by law; and he may seize or cause to
 6 be seized all intoxicating liquors, wine, or beer of any kind, with the
 7 vessels containing the same, and all tools or other implements used in
 8 any gambling, and remove or cause to be removed all shows, swings,
 9 booths, tents, carriages, vessels, boats, or any other thing that may
 10 obstruct or cause to be obstructed, by collecting persons around or
 11 otherwise, any thoroughfare leading to the inclosure in which such
 12 agricultural fair is held. Any person owning, occupying or using any
 13 of such things causing such obstructions, who shall refuse or fail to
 14 remove the same when ordered to do so by the president or other officer,
 15 shall be liable to a fine of not less than five nor more than one hundred
 16 dollars for every such offense. During the time the fair is held, no
 17 ordinance or resolution of any city or town shall in any way impair
 18 the authority of the society, but it shall have sole and exclusive control
 19 over and management thereof.

[C., '73, § 1116; C., '97, § 1664; 39 G. A., ch. 264, § 9.]

SEC. 1636-a9. Fraudulent entries of horses.

1 No person, partnership, company or corporation shall knowingly
 2 enter or cause to be entered any horse of any age or sex under an
 3 assumed name, or out of its proper class, to compete for any purse,
 4 prize, premium, stake or sweepstake offered or given by any agricul-
 5 tural or other society, association, person or persons in the state, or
 6 drive any such horse under an assumed name, or out of its proper class,
 7 where such prize, purse, premium, stake or sweepstake is to be decided
 8 by a contest of speed.

[C., '97, § 1665; 39 G. A., ch. 264, § 10.]

SEC. 1636-a10. Violations—penalty.

1 Any person convicted of a violation of the preceding section shall
 2 be imprisoned in the penitentiary for a period of not more than three
 3 years, or in the county jail for not more than one year, and be fined in
 4 a sum not exceeding one thousand dollars.

[C., '97, § 1666; 39 G. A., ch. 264, § 11.]

SEC. 1636-a11. Entry under changed name.

1 The name of any horse for the purpose of entry for competition
 2 in any contest of speed, shall not be changed after having once con-
 3 tested for a prize, purse, premium, stake or sweepstake, except as
 4 provided by the code of printed rules of the society or association under
 5 which the contest is advertised to be conducted, unless the former name
 6 is given.

[C., '97, § 1667; 39 G. A., ch. 264, § 12.]

SEC. 1636-a12. Class determined.

1 The class to which a horse belongs for the purpose of an entry in
 2 any contest of speed, as provided by the printed rules of the society or
 3 association under which such contest is to be made, shall be determined
 4 by the public record of said horse in any such former contest.

[C., '97, § 1668; 39 G. A., ch. 264, § 13.]

SEC. 1637. County aid to county or district fairs—tax authorized.

1 When a district or county agricultural society or fair shall have
 2 procured in fee simple, land for fair grounds, not less than ten acres
 3 in extent, or shall hold and occupy such amount of land by virtue of
 4 a lease, and own and have thereon buildings and improvements worth
 5 not less than two thousand dollars, the board of supervisors of the
 6 county wherein such agricultural society or fair is located, may appro-
 7 priate and pay to it a sum not exceeding one hundred dollars for every
 8 thousand inhabitants in the county, to be expended by it in fitting up
 9 or purchasing such fair grounds, but for no other purpose, but the
 10 aggregate amount so appropriated shall not exceed one thousand dol-
 11 lars to any one society or fair in any one year.

12 The board of supervisors are further authorized to purchase real
 13 estate for county or district fair purposes, in sums exceeding one thou-
 14 sand dollars; provided, however, that the board of supervisors shall
 15 first have submitted to the legal voters of the county a proposition
 16 therefor, and voted for by a majority of all persons voting for and
 17 against such proposition at a general or special election; notice to be
 18 given as provided in section thirty-two hundred forty-two of the com-
 19 piled code.

20 The board of supervisors shall not exceed in the purchase of such
 21 real estate the amount so voted for; the title of such real estate when
 22 purchased to be taken in the name of the county, and the board of
 23 supervisors shall place such real estate under the control and manage-
 24 ment of an incorporated county or district fair society, as long as an
 25 annual county or district fair is maintained by such corporation on
 26 said real estate; and said corporation is authorized to erect and main-
 27 tain buildings and make such other improvements on said real estate
 28 as is necessary, but the county shall not be liable for such improve-
 29 ments, or the expenditures therefor.

30 The right of such county or district fair society to the control
 31 and management of said real estate may be terminated by the board
 32 of supervisors whenever well-conducted agricultural fairs are not an-
 33 nually held thereon.

34 The board of supervisors of any county which has acquired real
 35 estate for county or district fair purposes and which has a county or

36 district fair association using said real estate may levy a direct tax
 37 upon all of the property of the county not to exceed one-half mill;
 38 which money shall be expended only for the erection and repair of
 39 buildings or other permanent improvements on the fair grounds or for
 40 the payment of debts contracted in the erection of such buildings or
 41 other permanent improvements.

[C., '73, § 1111; C., '97, § 1660; S. S., '15, § 1660; 37 G. A.,
 ch. 89, § 1; 38 G. A., ch. 140; 39 G. A., ch. 213, § 1.]

SEC. 1638. Report to supervisors.

[Impliedly repealed by 39 G. A., ch. 264, § 1, and re-enacted
 by the same chapter, see § 1636-a6 of this supplement.]

SEC. 1639. Permits.

[Impliedly repealed by 39 G. A., ch. 264, § 1, and re-enacted by
 the same chapter, see § 1636-a7 of this supplement.]

SEC. 1640. Appointment of police.

[Impliedly repealed by 39 G. A., ch. 264, § 1, and re-enacted by the
 same chapter, see § 1636-a8 of this supplement.]

SEC. 1641. Fraudulent entries of horses.

[Impliedly repealed by 39 G. A., ch. 264, § 1, and re-enacted by
 the same chapter, see § 1636-a9 of this supplement.]

SEC. 1642. Penalty.

[Impliedly repealed by 39 G. A., ch. 264, § 1, and re-enacted by
 the same chapter, see § 1636-a10 of this supplement.]

SEC. 1643. Entry under changed name.

[Impliedly repealed by 39 G. A., ch. 264, § 1, and re-enacted by
 the same chapter, see § 1636-a11 of this supplement.]

SEC. 1644. Class determined.

[Impliedly repealed by 39 G. A., ch. 264, § 1, and re-enacted by
 the same chapter, see § 1636-a12 of this supplement.]

CHAPTER 4

WEATHER AND CROP SERVICE

SECTION 1649. Establishment.

[Repealed by 39 G. A., ch. 178, § 8.]

SEC. 1650. Director.

[Repealed by 39 G. A., ch. 178, § 8.]

SEC. 1651. Stations—observers—bulletins—speakers.

[Repealed by 39 G. A., ch. 178, § 8.]

SEC. 1652. Report.

[Repealed by 39 G. A., ch. 178, § 8.]

SEC. 1653. Appropriation.

[This and the four preceding sections repealed by 39 G. A., ch. 178, § 8, and the seven following sections enacted in lieu thereof. This section also repealed by 39 G. A., ch. 209, § 1.]

SEC. 1653-a1. Weather and crop service bureau.

1 There is hereby established the state weather and crop service
2 bureau which shall cooperate with the national agencies for the pur-
3 pose of collecting and disseminating weather, crop and livestock
4 statistics and meteorological data, and of promoting knowledge of
5 meteorology and the climatology of the state.

[C., '97, § 1677; 39 G. A., ch. 178, § 1.]

SEC. 1653-a2. Supervision—director—appointment.

1 Said bureau shall be under the supervision of the state board of
2 agriculture. The central station shall be at the seat of government and
3 in charge of a director who shall be appointed by the governor, and
4 shall be an officer of the United States weather bureau, if one be
5 detailed for that purpose.

[C., '97, § 1678; 39 G. A., ch. 178, § 2.]

SEC. 1653-a3. Assessors to collect statistics—publication.

1 Agricultural statistics shall be collected each year through town-
2 ship assessors under the supervision of the director of the Iowa weather
3 and crop service bureau who shall design and distribute blank forms
4 and instructions therefor, and verify, tabulate and disseminate such
5 statistics, and arrange the same for publication in the Iowa year book
6 of agriculture.

[C., '97, § 1363; S., '13, § 1363; 39 G. A., ch. 178, § 3.]

SEC. 1653-a4. Duty of assessors.

1 The assessor shall require each person whose property is listed,
2 to make answers to such inquiries as may be necessary to enable him
3 to return the foregoing statistics carefully footed and summarized to
4 the director of the Iowa weather and crop service on or before the fif-
5 teenth day of April.

[C., '97, § 1363; S., '13, § 1363; 39 G. A., ch. 178, § 4.]

SEC. 1653-a5. Duties of director.

1 The director shall:

2 1. Employ such assistants as shall be necessary efficiently to dis-
3 charge the duties devolving upon him, and within the appropriation
4 provided by this chapter.

5 2. Cooperate with said board of agriculture in establishing volun-
6 teer stations in one or more places in each county, and appoint observ-
7 ers thereat.

8 3. Supervise such stations, receive reports of meteorological
9 events and crop conditions and tabulate the same for permanent record.

10 4. Issue weekly weather and crop bulletins from April first to
11 October first of each year.

12 5. Edit and cause to be published monthly weather, crop and live-
13 stock reports, containing meteorological and agricultural matter of
14 public interest.

15 6. Make an annual report to the governor reviewing and sum-
16 marizing the result of the service for the year. Said report may in-
17 clude articles on meteorological science and climatology, and extracts
18 from approved works thereon.

19 7. Cooperate with farmers' institute organizations in providing
20 speakers for them on agricultural and kindred topics.

[C., '97, §§ 1679, 1680; S., '13, § 1679; 39 G. A., ch. 178, § 5.]

SEC. 1653-a6. Blanks.

1 Monthly and annual reports, blank forms for assessors' reports
2 and all other forms, circulars and stationery shall be printed and pro-
3 vided by the state as in the case of general state printing.

[39 G. A., ch. 178, § 6.]

SEC. 1653-a7. Annual appropriation.

1 There is hereby appropriated, out of any money in the state
2 treasury not otherwise appropriated the sum of seventy-five hundred
3 dollars annually, to be drawn and expended upon the order of the
4 director, approved by the secretary of the department of agriculture,
5 for the service provided in this chapter, including the salary of the
6 director, which shall not exceed twenty-five hundred twenty dollars
7 per annum.

[C., '97, § 1681; S., '13, § 1681; 38 G. A., ch. 363, § 1; 39 G. A., ch. 178, § 7.]

CHAPTER 6

CORN AND SMALL GRAIN ASSOCIATIONS

SECTION 1674. Inspectors and instruction.

1 The said board may employ one or more competent persons who
2 shall devote their entire time, while employed by the association, to
3 carrying out the provisions as provided for in this chapter, and the
4 said board shall pay all expenses of conducting the annual exhibition,
5 including premiums.

[37 G. A., ch. 187, § 12; 38 G. A., ch. 350, § 4; 39 G. A., ch. 304, § 3.]

SEC. 1674-a1. Appropriation.

1 There is biennially appropriated out of any funds in the state
2 treasury not otherwise appropriated, the sum of seventy-five hundred
3 dollars for the purpose of paying the compensation and expenses of
4 the employees authorized by the preceding section.

[40 G. A., ch. 47, § 4.]

SEC. 1675. Salaries and expenses.

1 The salaries of all persons employed under the provisions of this
 2 and the two following chapters shall be paid monthly out of the appro-
 3 priation therein provided, and all traveling expenses and all general
 4 expenses incurred by the associations in carrying out the purposes of
 5 this and the two following chapters shall be paid out of the said appro-
 6 priations and in the manner provided by sections seven hundred four-
 7 teen, seven hundred fifteen and seven hundred seventeen of the
 8 compiled code, and upon statements filed with the executive council,
 9 as therein provided, but no bill shall be paid until after the executive
 10 committee of the board, under whose authority such expense was
 11 incurred, have audited and approved the bill in such manner as the
 12 committee shall provide.

[37 G. A., ch. 187, § 13.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted in order to change cross references to conform to the provisions of 40th G. A., ch. 47.

CHAPTER 7
DAIRY ASSOCIATIONS**SECTION 1678. Inspectors and instructors.**

1 They may employ two or more competent persons who shall de-
 2 vote their entire time, while employed by said association, to such
 3 inspection and instruction under the direction of the said executive
 4 committee, and who shall hold office at the pleasure of the committee,
 5 and who shall each receive a salary not to exceed three thousand dollars
 6 per annum and actual expenses while engaged in such work. The
 7 officers of said association shall serve without compensation, but their
 8 necessary expenses while engaged in the business of the association
 9 shall be paid out of said fund.

[37 G. A., ch. 187, § 3; 38 G. A., ch. 350, § 2; 39 G. A., ch. 304,
 § 1.]

SEC. 1678-a1. Appropriation.

1 There is biennially appropriated out of any funds in the state
 2 treasury not otherwise appropriated, the sum of twelve thousand five
 3 hundred dollars for the purpose of paying the compensation and actual
 4 expenses of the inspectors and instructors authorized by the preced-
 5 ing section.

[40 G. A., ch. 47, § 2.]

CHAPTER 8
BEEF CATTLE ASSOCIATIONS**SECTION 1682. Inspectors—compensation.**

1 The said board may employ two or more competent persons who
 2 shall devote their entire time while employed by the association in

3 carrying out the provisions of this chapter under direction of said
4 board. The officers of said association shall serve without compen-
5 sation, but their necessary expenses, while engaged in the business of
6 the association, shall be paid out of said fund. Such inspectors and
7 instructors shall hold office at the pleasure of the board and shall each
8 receive a salary not to exceed three thousand dollars per annum and
9 actual expenses while engaged in the work.

[37 G. A., ch. 187, § 7; 38 G. A., ch. 350, § 3; 39 G. A., ch. 304,
§ 2.]

SEC. 1682-a1. Appropriation.

1 There is biennially appropriated out of any funds in the state
2 treasury not otherwise appropriated, the sum of twelve thousand five
3 hundred dollars for the purpose of paying the compensation and
4 actual expenses of the inspectors and instructors authorized by the
5 preceding section.

[40 G. A., ch. 47, § 3.]

CHAPTER 10

STATE HORTICULTURAL SOCIETY

SECTION 1691. Horticultural society—meetings—officers—vacancies.

1 The state horticultural society shall hold meetings each year, at
2 such times as it may fix, for the transaction of business. The officers
3 and board of directors shall be chosen as provided for in the constitu-
4 tion of the society for the period and in the manner prescribed therein.
5 Any vacancies may be filled by appointment by the executive committee
6 for unexpired terms.

[C., '73, § 1117; C., '97, § 1669; 39 G. A., ch. 254, § 1.]

SEC. 1692. Affiliation with allied societies.

1 The society shall encourage the affiliation with itself of societies
2 organized for the purpose of furthering any horticultural, honey bee,
3 or forestry interest of the state.

[C., '73, § 1118; C., '97, § 1670; 39 G. A., ch. 254, § 2.]

SEC. 1693. Annual report.

[Repealed by 40 G. A., ch. 234.]

SEC. 1694. Printing and distribution.

[Repealed by 40 G. A., ch. 234.]

SEC. 1695. Appropriation.

[This section of the compiled code, and the two preceding sections of the 1921 supplement to said code (together with sections 1698-a2 and 1698-a3 of said 1921 supplement) repealed by 40 G. A., ch. 234, and sections 1698-a4, 1698-a5, and 1698-a6 of this supplement enacted in lieu thereof.]

SEC. 1696. Horticultural exposition—assistants.

[Repealed by 39 G. A., ch. 254, § 3.]

SEC. 1697. Annual report of exposition.

[Repealed by 39 G. A., ch. 254, § 3.]

SEC. 1698. Appropriation.

[This and the two preceding sections repealed by 39 G. A., ch. 254, § 3, and sections 1698-a1 to 1698-a3, inclusive, enacted in lieu thereof.]

SEC. 1698-a1. Exposition—powers.

1 The state horticultural society is authorized to hold at such time
 2 and in such place in Iowa as it may select, a horticultural exposition,
 3 including honey products and manufactured plant products, with prac-
 4 tical and scientific demonstrations of approved methods of crop produc-
 5 tion, grading, packing, marketing, and establishment of standard
 6 market grades pertaining to horticulture. It may delegate to its
 7 executive committee, consisting of the president, secretary, and treas-
 8 urer of said society, the duty and power to make and execute all plans
 9 for the holding of such an exposition.

[38 G. A., ch. 395, § 1; 39 G. A., ch. 254, § 3.]

SEC. 1698-a2. Report.

[Repealed by 40 G. A., ch. 234.]

SEC. 1698-a3. Biennial appropriation.

[This section and sections 1693, 1694, and 1698-a2 of the 1921 supplement to the compiled code (together with section 1695 of the compiled code) repealed by 40 G. A., ch. 234, and the three following sections enacted in lieu thereof.]

SEC. 1698-a4. Annual report.

1 The secretary shall, at the time provided by law, make an annual
 2 report to the governor, containing the proceedings of the society, and
 3 the affairs of the exposition, with an itemized account showing all the
 4 expenditures during the year, and the purpose for which the same
 5 were made, the general condition of horticultural, honey bee, and for-
 6 estry interests throughout the state, together with such statements
 7 and recommendations as he may think useful.

[C., '73, § 1119; C., '97, § 1671; 38 G. A., ch. 395, § 2; 39 G. A., ch. 254, §§ 3, 4; 40 G. A., ch. 234, § 1.]

SEC. 1698-a5. Appropriation.

1 There is appropriated annually, out of any unappropriated funds
 2 in the state treasury, the following sum: thirty-seven hundred fifty
 3 dollars for the use and benefit of said society, which shall be paid on
 4 the warrant of the auditor of state, upon the order of the president
 5 of said society, in such sums and at such times as may be for the
 6 interests of said society.

[C., '73, § 1121; C., '97, § 1673; S., '13, § 1673; 40 G. A., ch. 234, § 2.]

SEC. 1698-a6. Appropriation for exposition.

1 There is appropriated, biennially, out of any unappropriated funds
 2 in the state treasury the following sum: fourteen thousand dollars
 3 for the purpose of holding the horticultural exposition and all expenses
 4 connected therewith. Warrants therefor shall be issued from time
 5 to time by the auditor of state, on the order of the president and sec-
 6 retary of said society, but no such warrant shall be issued until said
 7 president and secretary shall certify to the auditor of state that the
 8 same is actually necessary for disbursement.

[38 G. A., ch. 395, § 3; 39 G. A., ch. 254, § 3; 40 G. A., ch.
 234, § 3.]

CHAPTER 11
FOREST AND FRUIT-TREE RESERVATIONS**SECTION 1700. Forest and fruit-tree reservations.**

1 On any tract of land in the state of Iowa, the owner or owners
 2 may select a permanent forest reservation or reservations, each not
 3 less than two acres in continuous area, or a fruit-tree reservation or
 4 reservations, not less than one nor more than ten acres in total area,
 5 or both, and upon compliance with the provisions of this chapter, such
 6 owner or owners shall be entitled to the benefits provided by law.

[S., '13, § 1400-c; 38 G. A., ch. 224, § 1; 40 G. A., ch. 234,
 § 4.]

SEC. 1701. Forest reservation.

1 A forest reservation shall contain not less than two hundred
 2 growing forest trees on each acre. If the area selected is a forest
 3 containing the required number of growing forest trees, it shall be
 4 accepted as a forest reservation under the provisions of this chapter.
 5 If the area selected is a forest containing less than two hundred for-
 6 est trees to the acre, or if it is a grove, the owner or owners thereof
 7 shall have planted, cultivated, and otherwise properly cared for the
 8 number of forest trees necessary to bring the total number of grow-
 9 ing trees to not less than two hundred on each acre, during a period
 10 of not less than two years before it can be accepted as a forest reser-
 11 vation within the meaning of this chapter. No ground upon which
 12 any farm buildings stand shall be recognized as part of any such
 13 reservation.

[S., '13, § 1400-d; 40 G. A., ch. 234, § 5.]

SEC. 1705. Fruit-tree reservation.

1 A fruit-tree reservation shall contain on each acre, at least forty
 2 apple trees, or seventy other fruit trees, growing under proper care
 3 and annually pruned and sprayed. Such reservation may be claimed
 4 as such, under this chapter, for a period of eight years after planting.

[S., '13, § 1400-h; 38 G. A., ch. 224, § 2; 40 G. A., ch. 234, § 6.]

SEC. 1711. Duty of county auditor.

- 1 It shall be the duty of the county auditor in every county to keep
- 2 a record of all forest and fruit-tree reservations within his county;
- 3 and to make report of the same to the secretary of the Iowa state
- 4 horticultural society on or before June fifteenth of each year.

[S., '13, § 1400-o; 40 G. A., ch. 234, § 7.]

CHAPTER 12
STATE VETERINARY SURGEON**SECTION 1712. State veterinary surgeon—appointment.**

- 1 The state veterinary surgeon shall be appointed by the governor,
- 2 subject to removal by him for cause, who shall hold office for four
- 3 years. He shall be a graduate of some regularly established veter-
- 4 inary college, skilled in that science. He shall maintain an office at
- 5 the capitol in a room assigned for his use by the executive council,
- 6 and his postage, stationery and office supplies shall be furnished by
- 7 the state.

[C., '97, § 2529; S., '13, § 2529; 39 G. A., ch. 146, § 1.]

SEC. 1713. Ex officio secretary and executive officer—expenses.

- 1 The state veterinarian shall be the secretary and executive
- 2 officer of the commission of animal health. He shall receive actual
- 3 traveling and hotel expenses necessarily incurred and paid by him in
- 4 the discharge of his duties, and such amount shall be paid out of the
- 5 funds appropriated for the work of the commission of animal health.

[38 G. A., ch. 287, § 2; 39 G. A., ch. 209, § 37.]

CHAPTER 13
VETERINARY MEDICINE AND SURGERY**SECTION 1717. Compensation—expenses.**

[Repealed by 39 G. A., ch. 209, § 1.]

CHAPTER 14
COMMISSION OF ANIMAL HEALTH**SECTION 1729-a1. Term of office.**

- 1 The term of office of all members of the commission of animal
- 2 health hereafter appointed shall be four years. The term of office of
- 3 all members whose term expires in nineteen hundred twenty-two shall

4 be extended for one year or until June thirtieth, nineteen hundred
5 twenty-three.

[39 G. A., ch. 146, § 2.]

SEC. 1730. Compensation—expenses.

[Repealed by 39 G. A., ch. 209, § 1.]

SEC. 1733. Assistants—supplies.

1 The commission of animal health is hereby empowered to appoint
2 such assistants as may be required, and to purchase such supplies and
3 materials as may be necessary from the funds provided in this chapter.
4 The commission is further empowered to appoint one or more veteri-
5 narians in each county as assistants, and fix the compensation thereof
6 which may be collected of and paid by the owner of the stock inspected
7 by said veterinarians. Said veterinarians are hereby authorized to
8 perform the work provided for in chapter fifteen of this title under
9 the direction of the commission of animal health, and shall be furnished
10 by said commission with the necessary supplies and materials to carry
11 out the provisions of chapter fifteen of this title, and the commission
12 and assistants herein provided for are empowered to administer oaths
13 or affirmations to any appraisers appointed under chapter fifteen of
14 this title.

[38 G. A., ch. 287, § 9; 39 G. A., ch. 209, § 38.]

SEC. 1734. Appropriation.

1 It is hereby declared that the carrying out of the provisions of
2 this section and sections seventeen hundred thirty-two, seventeen hun-
3 dred thirty-five to seventeen hundred thirty-nine, inclusive, seventeen
4 hundred forty-one to seventeen hundred fifty, inclusive, of the com-
5 piled code, and seventeen hundred thirty-three, seventeen hundred
6 forty and seventeen hundred forty-two-a one of this supplement, is
7 necessary for the public health and public welfare, and there is hereby
8 appropriated out of any money in the state treasury, not otherwise
9 appropriated, the sum of two hundred fifty thousand dollars annually.

[38 G. A., ch. 287, § 17; 39 G. A., ch. 302, § 1.]

CHAPTER 15

INFECTIOUS AND CONTAGIOUS DISEASES AMONG ANIMALS

**SECTION 1740. Examination for tuberculosis—destruction—in-
demnity.**

1 Owners of herds who desire to have their herds examined and
2 tested with a view to detecting the presence of tuberculosis, and with
3 a further view of freeing their herds from such disease, may apply
4 to the commission for testing and examination. A blank for such appli-
5 cation shall be furnished by the commission and shall include such an
6 agreement on the part of the person making the said application that
7 he will conform to and abide by the rules and regulations laid down
8 by said commission and follow the instructions of said commission

9 designated to prevent the reinfection of the herd and to suppress the
10 disease or prevent the spread thereof. Upon receiving such applica-
11 tion, or if herds or animals are examined on the commission's own
12 motion, the commission shall, as soon as practicable, cause such test
13 or an examination to be made.

14 The commission of animal health in passing upon applications
15 shall first consider and give prior action to all applicants for the testing
16 of dairy herds from which milk and milk products are sold, or offered
17 for sale in liquid or condensed form for human consumption in cities
18 and incorporated towns.

19 If, after such an examination, tubercular animals are found
20 therein, the said commission shall have authority to order such dis-
21 position of them as it considers most desirable and economical. Before
22 being tested, such animals shall be appraised at their cash value for
23 breeding, dairy or beef purposes by a representative of the commis-
24 sion, or a representative of the United States bureau of animal indus-
25 try, or both together, with the owner. If these cannot agree as to
26 the amount of the appraisal, there shall be appointed three competent
27 and disinterested men, one appointed by the commission, one by the
28 owner, and the third by the first two, to appraise such animals, which
29 appraisal shall be final.

30 The expense of such appraisal shall be borne by the state. In the
31 case of pure-bred cattle, the pedigree shall be proved by certificate of
32 registry from the herd books where registered. If it is deemed advis-
33 able to slaughter an animal reacting to the tuberculin test, the owner
34 shall be paid from the funds of the state treasury not otherwise appro-
35 priated, a sum equal to one-third of the difference between the pro-
36 ceeds from the sale of the salvage, which the owner receives, and the
37 appraised breeding value of the animal, provided the state does not
38 pay to the owner a sum in excess of fifty dollars for any pure-bred
39 animal and twenty-five dollars for any grade. In all cases, it is pro-
40 vided the animal has been owned at least six months, in the state, by
41 the applicant, prior to the condemnation thereof.

[38 G. A., ch. 287, § 10; 39 G. A., ch. 44; 40 G. A., ch. 49, § 1.]

SEC. 1740-a1. When compensation denied.

1 Any person, firm or corporation importing into the state of Iowa
2 any cattle which have not been tested, and which cattle are found to
3 be infected with tuberculosis, shall not be permitted to participate in
4 any such compensation.

[40 G. A., ch. 49, § 2.]

SEC. 1740-a2. County area plan.

1 There is hereby established for the purpose of the eradication of
2 bovine tuberculosis, the county area plan, and the county accredited
3 area plan.

[40 G. A., ch. 48.]

SEC. 1740-a3. County area testing unit—establishment.

1 Whenever a petition signed by fifty-one per cent of the owners of
2 breeding cattle within the county, as shown by the assessor's reports,
3 together with agreements as provided in section seventeen hundred
4 forty of this supplement, shall be presented to the board of supervis-

5 ors, the board shall make application to the commission of animal
6 health of the state for the enrollment of said county under the county
7 area plan and shall, at the same time, forward to the commission of
8 animal health the agreements signed as provided herein.¹

9 The commission of animal health shall, when it receives agree-
10 ments signed by fifty-one per cent of the owners of breeding cattle
11 within such county, designate such county as a county area testing
12 unit and it shall forthwith proceed with the eradication of bovine
13 tuberculosis in such county under the county area plan as provided
14 herein.¹

[40 G. A., ch. 48.]

¹ The word "herein" probably embraces only ch. 48 of 40 G. A.

SEC. 1740-a4. County eradication fund—election.

1 Or upon the receipt of a petition signed by fifteen per cent of the
2 voters of any county, as shown by the vote on the head of the ticket
3 in the last general election, the board of supervisors shall submit at
4 the next general election the following proposition: "Shall
5 county levy a tax of not more than three mills on the taxable value
6 of the county for the purpose of establishing a county area tubercu-
7 losis eradication fund and entering upon the county area tuberculosis
8 eradication plan?" Should such a proposition carry in the next gen-
9 eral election, the board shall proceed as in this section provided,¹ to
10 establish the county area tuberculosis eradication plan.

[40 G. A., ch. 48.]

¹ Section 1740-a3 is probably intended.

SEC. 1740-a5. Tax.

1 The board of supervisors of such county shall, when it makes the
2 next regular levy for taxation purposes, levy a tax upon the taxable
3 value of all the property in such county at a rate of not more than
4 three mills, to be placed upon the tax list by the county auditor and
5 collected by the county treasurer in the same manner and at the same
6 time as the other taxes of the county, said moneys, when collected,
7 to be placed in a fund to be known as the county tuberculosis eradi-
8 cation fund.

[40 G. A., ch. 48.]

SEC. 1740-a6. Disbursement of fund.

1 The county tuberculosis eradication fund shall be expended only
2 on the order of the board of supervisors on warrants drawn by the
3 county auditor and in payment for the purchase of materials, for com-
4 pensation of employees and expenses of tuberculosis inspectors as
5 hereinafter provided, and for indemnity for cattle slaughtered as pro-
6 vided herein.¹

[40 G. A., ch. 48.]

¹ The word "herein" probably embraces only ch. 48 of 40 G. A.

SEC. 1740-a7. Inspectors—appointment—compensation:

1 The commission of animal health shall, when it has designated
2 any county as a unit for the eradication of bovine tuberculosis under
3 the county area plan, appoint one or more accredited veterinarians

4 as tuberculosis inspectors for such county, and such inspectors shall
 5 operate under the direction and control of the commission of animal
 6 health and shall test the breeding cattle of such owners as shall have
 7 signed agreements with the commission of animal health as provided
 8 in section seventeen hundred forty of this supplement. They shall
 9 receive as compensation not to exceed ten dollars per diem and ten
 10 cents for every mile traveled while engaged in such work. Such
 11 claims shall be first certified by the executive officers of the commis-
 12 sion of animal health and filed with the county auditor. The county
 13 auditor shall present same to the board of supervisors and same shall
 14 be allowed and paid in the same manner as are other claims against
 15 the county.

[40 G. A., ch. 48.]

SEC. 1740-a7a. Accredited practicing veterinarian defined.

1 An accredited practicing veterinarian is one who has successfully
 2 passed an examination of the bureau of animal industry of the United
 3 States department of agriculture and the commission of animal health
 4 of this state and is authorized to make tuberculin tests of accredited
 5 herds of cattle under the provisions of section six of the uniform
 6 methods and rules governing accredited herd work which was
 7 approved by the bureau of animal industry of the United States
 8 department of agriculture, December six, nineteen hundred twenty.

[37 G. A., ch. 342, § 1; 39 G. A., ch. 169, § 3.]

NOTE: This section appeared in the 1921 supplement as section 3595-a3. Said section is omitted as section 3595-a3 and is reprinted here in order that closely related matters may appear in the same chapter.

SEC. 1740-a8. Tuberculin furnished—payment.

1 The commission of animal health shall furnish each such inspec-
 2 tor with the necessary tuberculin or other material, not including
 3 instruments and utensils which shall be furnished by the inspector.
 4 All such expenses incurred shall be paid from the county tuberculosis
 5 eradication fund on proper claim being presented in the same manner
 6 as hereinbefore¹ provided for the payment of compensation and
 7 expenses to inspectors.

[40 G. A., ch. 48.]

¹The word "hereinbefore" probably embraces only ch. 48 of 40 G. A.

SEC. 1740-a9. Funds to fulfill agreements.

1 The commission of animal health shall, each fiscal year hereafter,
 2 set aside a sum from the state and federal funds available, sufficient
 3 to fulfill such agreements as may heretofore have been entered into
 4 under the provisions of this chapter, and shall also reserve such addi-
 5 tional amount as said commission deems necessary for its use in the
 6 administration of the general provisions of this chapter, but any
 7 owner, who may hereafter sign any agreement with the commission
 8 of animal health for testing of cattle under chapter fifteen of this
 9 title, shall be subject to the provisions of section seventeen hundred
 10 forty-a twelve of this supplement, whether such testing be under the
 11 county area plan or not.

[40 G. A., ch. 48.]

SEC. 1740-a10. Allotment of funds.

1 After such sums shall have been set aside, the commission of
 2 animal health shall prorate the remainder of any state or federal
 3 funds available among the counties of the state in proportion to the
 4 number of breeding cattle owned in each county, as shown by the last
 5 preceding assessor's books. Such moneys shall be expended in the
 6 county where allotted, provided, however, that the commission of ani-
 7 mal health, whenever it deems it necessary for the welfare of the
 8 state, or whenever such moneys are not needed in any county, transfer
 9 such moneys so remaining in any county's allotment, to any other
 10 county.

[40 G. A., ch. 48.]

SEC. 1740-a11. Inspectors—use of allotted funds.

1 The commission of animal health may employ the inspectors
 2 appointed under the county area plan or it may employ other inspec-
 3 tors to make tests in any county and to pay indemnities to owners
 4 of animals ordered slaughtered in the manner provided in section
 5 seventeen hundred forty of this supplement, out of the county's allot-
 6 ment. However, if any county is operating under the county area
 7 plan, the allotment made to such county must be expended before the
 8 county tuberculosis eradication fund may be used.

[40 G. A., ch. 48.]

SEC. 1740-a12. Waiver of indemnity.

1 Any owner who shall sign an agreement with the commission of
 2 animal health for testing in any county under the county area plan,
 3 whose loss as determined under the provisions of section seventeen
 4 hundred forty of this supplement shall be five per cent or less of the
 5 total appraised value of the animals tested, shall, in consideration of
 6 the free test as herein¹ provided, be considered to have waived all
 7 claims to indemnity as provided in such section, and any owner, where
 8 the loss shall exceed five per cent of the appraised value of his animals
 9 tested, shall first deduct the said five per cent in consideration of such
 10 free test and shall then receive indemnity for the excess of such loss
 11 as provided in section seventeen hundred forty of this supplement.

[40 G. A., ch. 48.]

¹ The word "herein" probably embraces only ch. 48 of 40 G. A.

SEC. 1740-a13. Use of county eradication fund.

1 Should either the state or federal funds, available for the purpose
 2 of sections seventeen hundred forty-a two to seventeen hundred forty-a
 3 seventeen, inclusive, of this supplement, in any county, become ex-
 4 hausted, the board of supervisors of such county shall authorize the
 5 use of the county tuberculosis eradication fund as a substitute for
 6 either or both such funds; provided, however, that the board of super-
 7 visors shall, whenever the county tuberculosis eradication fund bal-
 8 ance becomes less than ten thousand dollars, notify the commission
 9 of animal health in writing of such fact and no warrant shall be drawn
 10 against said fund and no expense incurred on such account in excess of
 11 the cash available in such fund.

[40 G. A., ch. 48.]

SEC. 1740-a14. Accredited area—conditions.

1 Whenever seventy-five per cent of the owners of breeding cattle
 2 in any county operating under the county area plan, shall have signed
 3 agreements with the commission of animal health, said commission
 4 shall notify the board of supervisors of such county of such fact and
 5 such board of supervisors, shall, at its next regular meeting, by reso-
 6 lution, declare such county's intention to become an accredited area
 7 and it shall thereafter become the duty of every owner of breeding
 8 cattle within said county to cause his breeding cattle to be tested
 9 under the accredited area plan.

[40 G. A., ch. 48.]

SEC. 1740-a15. Duty to have cattle tested—penalty.

1 Any owner of breeding cattle in any county which has come
 2 under the county area accredited plan as provided in the preceding
 3 section, who fails or neglects to apply for such test or to have his
 4 cattle tested as provided herein¹ within a period of ninety days from
 5 the publication of the resolution by the board of supervisors provided
 6 for in the preceding section, which publication shall be deemed legal
 7 notice, shall be guilty of a misdemeanor and upon conviction shall be
 8 punished by a fine of not more than one hundred dollars or by impris-
 9 onment in the county jail for not more than thirty days, or both, or
 10 any part of both; provided, however, that before any action is com-
 11 menced under the provisions of sections seventeen hundred forty-a
 12 two to seventeen hundred forty-a seventeen, inclusive, of this supple-
 13 ment, the board of supervisors of such county shall cause such owner
 14 of breeding cattle to be served with a written notice of the terms of
 15 said last named sections fifteen days before the commencement of
 16 such action.

[40 G. A., ch. 48.]

¹The word "herein" probably embraces only ch. 48 of 40 G. A.

SEC. 1740-a16. Additional head tax.

1 Should it become apparent that the funds provided by state and
 2 federal appropriations and by the county tuberculosis eradication
 3 fund as herein provided, will not be sufficient to complete the testing
 4 of breeding cattle in any county which shall have adopted the county
 5 area plan, within a reasonable time, the board of supervisors of such
 6 county is hereby authorized and empowered to levy an additional tax
 7 of not more than twenty-five cents on each bovine animal and not
 8 more than five cents on each swine, within such county as shown by
 9 the last preceding assessor's books. Said fund shall be collected by
 10 the treasurer of the county in the same manner as other taxes and
 11 placed in the county tuberculosis eradication fund to be used as pro-
 12 vided herein.¹

[40 G. A., ch. 48.]

¹The word "herein" probably embraces only ch. 48 of 40 G. A.

SEC. 1740-a17. Rule of construction.

1 In the event that any one or more provisions of this act [40 G. A.,
 2 ch. 48] shall be held unconstitutional by any court, the decision hold-
 3 ing such provision unconstitutional shall not affect the validity of the

4 remaining provisions of this act, it being the intention of the legisla-
5 ture that the provisions of this act are separable.

[40 G. A., ch. 48.]

NOTE: The word "act" in the above section is retained because of the diffi-
culty in converting it into supplement numbers. The bracketed citation follow-
ing the word indicates the act referred to.

SEC. 1742-a1. Forfeiture of claim—records public.

1 Any animal retained by its said owner under the provisions of
2 section seventeen hundred forty-two of the compiled code for a period
3 of ninety days or longer after said animal has been adjudged affected
4 with tuberculosis shall not thereafter be made the basis of any claim
5 for a compensation out of the funds of the state of Iowa. All records
6 pertaining to animals affected by tuberculosis shall be open for public
7 inspection and the state veterinarian shall furnish such information
8 whenever requested.

[39 G. A., ch. 194.]

CHAPTER 17

HOG CHOLERA SERUM AND OTHER BIOLOGICAL PRODUCTS

SECTION 1778. Biological products—license—sale—penalty.

[Repealed by 39 G. A., ch. 173, § 27.]

SEC. 1779. Virus—sale and distribution.

[Repealed by 39 G. A., ch. 173, § 27.]

SEC. 1780. Seizure for examination.

[Repealed by 39 G. A., ch. 173, § 27.]

SEC. 1781. Unlawful sales.

[Repealed by 39 G. A., ch. 173, § 27.]

SEC. 1782. Use—violation—penalty.

[Repealed by 39 G. A., ch. 173, § 27.]

SEC. 1783. Limitations of chapter.

[This and the five preceding sections repealed by 39 G. A., ch. 173,
§ 27, and sections 1783-a1 to 1783-a26, inclusive, enacted in lieu
thereof. The repeal of C. C. 1783 is only by implication.]

**SEC. 1783-a1. Biological products—manufacture, sale and distri-
bution.**

1 It shall be the duty of the commission of animal health and it
2 shall have the power and authority to make and promulgate such rules
3 and regulations governing the manufacture, sale and distribution of
4 hog cholera serum, virus and other biological products for use upon

5 domestic animals, as it deems necessary to maintain the potency and
6 purity of such serum, virus and biological products.

[S. S., '15, § 2538-w3; 38 G. A., ch. 379, § 1; 39 G. A., ch. 173,
§ 1.]

SEC. 1783-a2. Definitive section.

1 Whenever used in this chapter:

2 The word "commission" shall refer to the commission of animal
3 health.

4 The word "person" shall include individuals, firms, partnerships,
5 companies and corporations.

6 The words "biological products" shall include and refer to hog
7 cholera serum and virus.

8 The word "manufacturer" shall include all persons engaged in
9 the preparation of biological products as construed by this section in
10 this state at any stage of the process; except those engaged under the
11 provisions of sections twenty-four hundred twenty-two to twenty-four
12 hundred twenty-four, inclusive, of this supplement, or in any other
13 state or governmental institution.

14 The word "dealer" shall include any person engaged in the sale,
15 dispensation, or other distribution for profit, or who shall offer for
16 sale, dispensation, or other distribution for profit biological products
17 whether as principal or agent or manufacturer, other than manufac-
18 turers selling direct to dealers licensed under the provisions of this
19 chapter, provided that a regularly licensed veterinarian who has in his
20 possession biological products for use in the practice of his profession,
21 but not for sale to other veterinarians or permit holders, shall not be
22 considered a dealer as herein defined.

[S. S., '15, § 2538-w12; 38 G. A., ch. 379, § 6; 39 G. A., ch.
173, § 2; 40 G. A., ch. 50.]

SEC. 1783-a3. Permission to manufacture, sell or distribute.

1 No person shall manufacture, sell, offer for sale or otherwise
2 distribute within this state any biological products unless he shall have
3 been granted permission to manufacture or sell such products by the
4 commission, upon application as provided in this chapter.

[S. S., '15, § 2538-w3; 38 G. A., ch. 379, § 1; 39 G. A., ch.
173, § 3.]

SEC. 1783-a4. Application for permission.

1 Application for permission to manufacture, sell or otherwise dis-
2 tribute biological products shall be made, by any person desiring to
3 manufacture, sell, or otherwise distribute such products, which applica-
4 tion shall give the applicant's name, his place of business, and such
5 other information as may be required by the commission.

[S. S., '15, § 2538-w3; 38 G. A., ch. 379, § 1; 39 G. A., ch.
173, § 4.]

SEC. 1783-a5. Evidence to accompany application.

1 Application to manufacture biological products shall be accom-
2 panied by evidence satisfactory to the commission that the applicant
3 is holder of a valid and unrevoked United States government license

4. for the manufacture and sale of biological products and was such
5 holder at the time the same biological products were made.

[S. S., '15, § 2538-w3; 38 G. A., ch. 379, § 1; 39 G. A., ch. 173, § 5.]

SEC. 1783-a6. Bond by dealer—conditions.

1 Application for dealer's permit shall be accompanied by an under-
2 taking on the part of the applicant faithfully to comply with the law
3 governing the warehousing, handling, sale and distribution of biolog-
4 ical products and the rules and regulations of the commission promul-
5 gated thereunder, and by a bond in the penal sum of five thousand
6 dollars, to be approved by the commission for the use and benefit of all
7 persons using the biological products sold by the permit holder, who
8 may be damaged by reason of his negligence in the warehousing, hand-
9 ling or distribution of such products, and for the use and benefit of the
10 state for all penalties adjudged against the principal thereon in any
11 actions instituted in the name of the state.

[39 G. A., ch. 173, § 6.]

**SEC. 1783-a7. Liability of principal—additional bonds—revoca-
tion of permit.**

1 The provisions of the preceding section shall be construed only to
2 limit the liability of the surety upon the respective bonds, and any
3 party damaged by the negligence of the principal thereon may recover
4 damages to the full amount suffered by such injured party by reason
5 of negligence of the dealer in the discharge of any of the duties imposed
6 by this chapter or by the rules promulgated by the commission there-
7 under or in the warehousing, handling or distribution, as the case may
8 be, of such biological products, and in the event of judgment being
9 obtained upon any bond provided in this chapter the commission may
10 immediately revoke the permit issued, if in its judgment the conditions
11 warrant such revocation, and shall in any event require a further bond
12 the amount of the penalty upon which shall be such as to afford the
13 same security to all persons entitled thereto as is provided in bonds
14 originally filed, and upon failure to furnish such additional bond the
15 said permit shall be thereby revoked without further action by the
16 commission.

[39 G. A., ch. 173, § 7.]

SEC. 1783-a8. Liability of manufacturer.

1 Any party damaged by the negligence of a manufacturer may
2 recover damages to the full amount suffered by such injured party, by
3 reason of negligence of such manufacturer in the discharge of any
4 duties imposed by this chapter or by the rules promulgated by the
5 commission thereunder or in the manufacture, warehousing, handling
6 or distribution, as the case may be, of such biological products.

[39 G. A., ch. 173, § 8.]

SEC. 1783-a9. Inspection of premises.

1 Before the issuance of an original permit to any manufacturer or
2 dealer the commission may cause the premises upon which it is pur-
3 posed to manufacture or sell biological products to be inspected, and

4 shall make such requirements regarding the physical condition and
 5 sanitation of such premises as in its judgment are necessary to insure
 6 the maintenance of the potency and purity of the said products; pro-
 7 vided, that such inspection shall be made of all such plants and agencies
 8 prior to the renewal after the passage of this chapter of permits here-
 9 tofore issued, and such premises shall be subject to inspection at such
 10 time and in such manner as the commission may consider proper and
 11 necessary to insure compliance with its rules and regulations and the
 12 statutes relative thereto.

[S. S., '15, § 2538-w3; 38 G. A., ch. 379, § 1; 39 G. A., ch. 173,
 § 9.]

SEC. 1783-a10. Fee—duration of permit—renewals.

1 A fee of twenty-five dollars shall accompany applications for
 2 manufacturer's permit for each plant where it is proposed to manu-
 3 facture biological products, and a fee of fifteen dollars shall accom-
 4 pany applications for dealer's permit for each warehouse or distribut-
 5 ing agency it is proposed to maintain. All permits shall be valid for
 6 one year from the date of issuance and renewals thereof shall be sub-
 7 ject to like conditions, including fees as are imposed in the case of
 8 original permits.

[S. S., '15, § 2538-w3; 38 G. A., ch. 379, § 1; 39 G. A., ch.
 173, § 10.]

SEC. 1783-a11. Reports as to manufacture and sale.

1 Manufacturers and dealers to whom permits to manufacture and
 2 distribute have been issued shall make such written report concern-
 3 ing manufacture and sale of biological products to the commission as
 4 it may from time to time require.

[S. S., '15, § 2538-w5; 37 G. A., ch. 329, § 1; 38 G. A., ch. 379,
 § 2; 39 G. A., ch. 173, § 11; 40 G. A., ch. 51, § 2.]

SEC. 1783-a12. Revocation of permit.

1 The commission may revoke any permit issued by it to manufac-
 2 turers and dealers for violation of the terms and conditions under
 3 which it was issued, upon proper notice being given and hearing held
 4 as hereinafter provided.

[S. S., '15, § 2538-w3; 38 G. A., ch. 379, § 1; 39 G. A., ch.
 173, § 12; 40 G. A., ch. 51, § 3.]

SEC. 1783-a13. Prohibited sales.

1 No biological products shall be sold or otherwise distributed, or
 2 offered for sale or other distribution, or be used in this state except
 3 such as have been produced at a plant holding a United States gov-
 4 ernment license for the manufacture of biological products or of such
 5 of said products as are offered for sale, distribution or use, at the
 6 time said products were made.

[S. S., '15, § 2538-w3; 38 G. A., ch. 379, § 1; 39 G. A., ch.
 173, § 13.]

SEC. 1783-a14. Sales to permit holders only.

1 No person shall sell, offer for sale or otherwise distribute or offer
 2 for distribution virulent blood or virus from cholera-infected hogs
 3 other than to holders of valid permits to use the same.

[S. S., '15, § 2538-w5; 37 G. A., ch. 329, § 1; 38 G. A., ch. 379,
 § 2; 39 G. A., ch. 173, § 14.]

SEC. 1783-a15. Permits to administer—cancellation.

1 Written permits to administer virulent blood or virus from
 2 cholera-infected hogs shall be issued by the commission only to such
 3 persons as present satisfactory evidence that they have attended the
 4 school of instruction and passed the examination provided for in
 5 section seventeen hundred eighty-three-a seventeen of this supple-
 6 ment, and are qualified to administer the same. All permits hereto-
 7 fore or hereafter issued shall be valid until revoked by the com-
 8 mission. The commission may revoke such permits only upon it
 9 appearing that the holder is no longer a proper person to administer
 10 such virulent blood or virus. No person shall administer such viru-
 11 lent blood or virus unless he is the holder of a valid unrevoked permit.

[S. S., '15, § 2538-w5; 37 G. A., ch. 329, § 1; 38 G. A., ch. 379,
 § 2; 39 G. A., ch. 173, § 15; 40 G. A., ch. 51, § 4.]

SEC. 1783-a16. School of instruction.

1 Provision shall be made by the extension department of the state
 2 college of agriculture and mechanic arts for instruction in the
 3 use of serum and virus in each county and the said department is
 4 hereby authorized and directed to make all necessary arrangements
 5 for such instruction at a convenient time and place, when there are
 6 ten or more applicants for such instruction. Persons who desire to
 7 avail themselves of such courses of instruction shall make application
 8 to the county agent. A fee of three dollars shall accompany the
 9 application which fee shall be refunded if no permit is granted.

[39 G. A., ch. 173, § 16; 40 G. A., ch. 51, § 5.]

SEC. 1783-a17. Instructors—examinations—permits—compensation and expenses.

1 The county agent shall forward such applications to the exten-
 2 sion department and said department shall within thirty days send
 3 competent instructors to such county to hold a school of instruction.
 4 Such instructor or instructors shall give all instruction and demon-
 5 strations necessary and conduct examinations and forward his report
 6 to the department immediately. Such report shall contain the names
 7 and addresses of those who have passed the examinations and shall
 8 be accompanied by the fees of those who desire permits.

9 The extension department shall immediately certify the names
 10 and addresses of those who have passed the examination and paid
 11 their fees to the commission which shall forthwith issue and transmit
 12 permits to those whose names are included in said certified list.

13 Such permits shall authorize the holder to use virulent blood or
 14 virus only upon animals owned by himself.

15 The compensation of the instructors and other expenses con-
 16 nected with such instruction shall be paid out of said fees, and any

17 surplus shall be paid into the general fund of the state, July first of
18 each year.

[39 G. A., ch. 173, § 17; 40 G. A., ch. 51, § 6.]

SEC. 1783-a18. Instruction at Ames.

1 The state college may hold such schools of instruction at Ames
2 at such times as they deem proper upon the application of ten or
3 more persons for such schools, and at such schools no fees shall be
4 charged, and permits shall be granted to applicants as provided in
5 section seventeen hundred eighty-three-a seventeen of this supple-
6 ment.

[39 G. A., ch. 173, § 18; 40 G. A., ch. 51, § 7.]

SEC. 1783-a18a. List of manufacturers.

1 The commission shall, without additional charge, and when it
2 issues a permit to administer virus, enclose with such permit in every
3 case a complete list of manufacturers and dealers authorized to manu-
4 facture and distribute biological products. Similar lists shall also
5 be sent to all county agents, and any necessary corrections or changes
6 shall be sent to the said county agents not less frequently than once
7 every three months. The commission shall also upon the request of
8 any manufacturer, dealer, or other person furnish a complete list of
9 holders of unrevoked permits to administer virus, including both
10 names and addresses. The commission shall make such charge for
11 lists of holders of permits to administer virus as shall cover the cost
12 of preparation and distribution.

[40 G. A., ch. 51, § 9.]

SEC. 1783-a18b. Annual reports by permit holders.

1 All holders of permits to administer virus shall make an annual
2 report to the commission. Such reports shall be on forms furnished
3 by the commission and shall include the following information:
4 1. The number of hogs treated, and the date of treatment.
5 2. The result of such treatment.
6 3. The amount of serum and virus used.
7 4. The name and address of the manufacturer of the serum and
8 virus, and from whom purchased.
9 5. The price paid for serum and virus used.
10 6. Whether said permit holder took the temperature of such hogs
11 treated and the temperatures recorded.

12 Such reports shall be delivered or mailed to the county agent of
13 the county of the residence of the permit holder and immediately
14 forwarded by him to the commission. The commission may suspend
15 the permit to administer of any permit holder failing to make such
16 report until he has complied with the provisions of this section.

[40 G. A., ch. 51, § 9.]

SEC. 1783-a19. Seizure of samples.

1 The commission, or its duly authorized deputies, assistants, or
2 agents may seize, at any time or place, for examination samples of
3 biological products manufactured or kept for use or sale within the
4 state.

[S., '13, § 2538-w6; 38 G. A., ch. 379, § 3; 39 G. A., ch. 173,
§ 19.]

SEC. 1783-a20. Seizure and destruction.

1 The commission shall have power to seize, condemn or destroy
2 any biological products which it deems unsafe.

[S., '13, § 2538-w6; 38 G. A., ch. 379, § 3; 39 G. A., ch. 173,
§ 20.]

SEC. 1783-a21. Defacing labels.

1 No person shall remove or deface any label upon the bottles or
2 packages containing any biological products or change the contents
3 from the original container except for immediate use.

[S. S., '15, § 2538-w8; 38 G. A., ch. 379, § 5; 39 G. A., ch. 173,
§ 21.]

SEC. 1783-a22. Examination at Ames not exclusive.

1 The examination of applicants provided for in section seventeen
2 hundred eighty-three-a seventeen of this supplement shall be in addi-
3 tion to the examination of applicants for permits made at the Iowa
4 state college of agriculture and mechanic arts.

[39 G. A., ch. 173, § 22; 40 G. A., ch. 51, § 8.]

SEC. 1783-a23. Rebates prohibited—violation—penalty.

1 It shall be unlawful for any person, firm, company or corporation
2 authorized under this chapter to manufacture, sell or distribute serum
3 or virulent blood or virus to grant any rebate, either directly or indi-
4 rectly, to any person or to sell said products at any other than a uni-
5 form price to all persons, and any person, firm, company or corpora-
6 tion violating the provisions of this section shall forfeit their license
7 to manufacture or sell such products and the same shall not be renewed
8 for a period of one year.

[39 G. A., ch. 173, § 23.]

SEC. 1783-a24. Collection of rebates or commission.

1 Any regularly licensed veterinarian who shall receive or collect,
2 directly or indirectly, any rebate or commission or compensation for
3 the handling and sale or use of any hog cholera serum or virus other
4 than his charges for services rendered in administering the same,
5 unless said amount if requested is made known to the customer using
6 the same in writing, shall forfeit his license as a veterinarian, and the
7 same shall not be renewed for a period of one year.

[39 G. A., ch. 173, § 24.]

SEC. 1783-a25. Solicitation prohibited—penalty.

[Repealed by 40 G. A., ch. 51, § 1.]

SEC. 1783-a26. Violations—penalty.

1 Any person who shall violate any of the preceding provisions of
2 this chapter, or any of the rules of the commission legally promul-
3 gated, or who shall hinder or attempt to hinder the commission or
4 any duly authorized agent or official thereof in the discharge of his
5 duty, shall be fined in a sum not less than one hundred dollars nor

6 more than five hundred dollars, or in default thereof shall be impris-
7 oned not less than thirty nor more than one hundred fifty days.

[S., '13, § 2538-w7; 38 G. A., ch. 379, § 4; 39 G. A., ch. 173,
§ 26.]

CHAPTER 18

USE AND DISPOSAL OF DEAD ANIMALS

SECTION 1794. Transportation of dead animals—driving upon premises without consent—disinfection.

1 Any person, firm or corporation holding a license under the pro-
2 visions of this chapter may haul and transport the carcasses of hogs
3 and other animals that have died from disease, except those prohib-
4 ited by the commission of animal health, in a covered wagon bed or
5 tank which is water-tight and is so constructed that no drippings or
6 seepings from such carcasses or hogs can escape from such wagon
7 bed or tank.

8 Such wagon bed or tank or vehicle used for conveying such car-
9 casses, shall not be driven into any farmer's yard or on his premises
10 unless first obtaining his permission to do so, and when loaded, all
11 vehicles used for such purpose shall be driven directly to place of
12 disposal unless by permission as above stated and for additional car-
13 casses.

14 After unloading at such place of disposal, he shall immediately
15 cause to be disinfected, such wagon bed, tank or vehicle, together
16 with all canvassing and coverings, the outer clothing of persons who
17 have handled such carcasses together with the wheels, and the feet
18 of the horses or mules used to draw such vehicles, with a solution of
19 not less than one part of cresol dip to four parts of water or some
20 equally effective disinfectant.

21 Said carcasses shall not be removed from said wagon bed, tank
22 or vehicle except at the place of final disposal.

[38 G. A., ch. 248, § 10; 39 G. A., ch. 99, § 2.]

SEC. 1795. Dead bodies—duty to dispose of.

1 It shall be unlawful for any person caring for or owning live stock
2 or swine that have died to allow the carcasses to lie about the fields,
3 yards, pens, and hog houses. Such carcasses shall be disposed of
4 within twenty-four hours from such death by cooking, burying, or
5 burning as provided in section seventeen hundred eighty-eight of the
6 compiled code, or by disposing of them to a state-licensed person, firm,
7 or corporation authorized to render such carcasses under the rules and
8 regulations of the commission of animal health; provided that farmers
9 shall be permitted to feed to their hogs dead animals that have not
10 died of contagious diseases.

[38 G. A., ch. 248, § 12; 39 G. A., ch. 99, § 1.]

CHAPTER 19

REGISTRATION OF ANIMALS

SECTION 1802-a1. Prohibition as to certificate.

1 No enrollment certificate shall be issued by the secretary of the
 2 state board of agriculture for any stallion which, upon verification of
 3 pedigree or certificate of breeding, is determined to be other than pure
 4 bred; provided that no stallion entitled, at the time of taking effect
 5 of this section, under the provisions of section eighteen hundred
 6 eleven of the compiled code to a permanent state certificate of sound-
 7 ness shall be denied enrollment. It shall be unlawful for the owner
 8 or keeper of any stallion or jack to offer same for public service until
 9 said stallion or jack has been enrolled and certificate of such enroll-
 10 ment issued by the secretary of the state board of agriculture.

[40 G. A., ch. 52, § 1.]

NOTE: See 40 G. A., ch. 52, § 3 for time when said amendatory act takes effect.

SEC. 1805. Posting certificate.

1 Any owner or keeper of a registered stallion or jack over two
 2 years old offered for public service or for sale, exchange or transfer
 3 who represents or holds such animal as registered, shall keep a copy
 4 of the state certificate of enrollment and certificate of soundness upon
 5 the door or stall of the stable where such animal is usually kept, and
 6 where such animals are advertised each and every advertisement shall
 7 contain a copy of such certificates or the substance thereof. Where
 8 state certificate of enrollment has heretofore been issued by the state
 9 board of agriculture an additional state certificate of enrollment shall
 10 not be required, but application for certificate of soundness shall be
 11 made as hereinbefore provided. Any owner or keeper of a jack over
 12 two years old other than registered offered for public service or for
 13 sale, exchange, or transfer must secure certificates of soundness from
 14 the secretary of the state board of agriculture.

[S. S., '15, § 2341-i; 40 G. A., ch. 52, § 2.]

NOTE: See 40 G. A., ch. 52, § 3 for time when said amendatory act takes effect.

CHAPTER 20

LIEN FOR SERVICES OF ANIMALS

SECTION 1814. Lien on progeny of stallion.

[Repealed by 39 G. A., ch. 267, § 1.]

SEC. 1815. Limitation of lien.

[Repealed by 39 G. A., ch. 267, § 1.]

SEC. 1816. Enforcement of lien.

[This and the two preceding sections repealed by 39 G. A., ch. 267, § 1, and sections 1816-a1 to 1816-a5, inclusive, enacted in lieu thereof.]

SEC. 1816-a1. Lien for service—forfeiture.

1 The owner or keeper of any stallion or jack kept for public serv-
 2 ice shall have a prior lien on the progeny of such stallion or jack, to
 3 secure the amount due such owner or keeper for the service resulting
 4 in such progeny, but no such lien shall obtain where the owner or
 5 keeper misrepresents his animal by a false or spurious pedigree, or
 6 fails to substantially comply with the laws of Iowa relating to such
 7 animals.

[S., '13, § 2341-s; 39 G. A., ch. 267, § 2.]

SEC. 1816-a2. When lien attaches—duration—effect of sale or removal.

1 The lien herein provided for shall attach at the birth of such
 2 progeny and shall remain in force on such progeny for one year and
 3 shall not be lost by reason of any sale, exchange or removal from the
 4 county of the animals subject to such lien.

[S., '13, § 2341-t; 39 G. A., ch. 267, § 3.]

SEC. 1816-a3. Sale or removal prohibited—penalty.

1 It shall be unlawful to sell, exchange or remove permanently from
 2 the county any animal subject to the lien herein provided for, without
 3 the written consent of the holder of such lien, and any person violat-
 4 ing this provision, shall, on conviction be punished by a fine of not
 5 less than twenty-five dollars nor more than fifty dollars.

[39 G. A., ch. 267, § 4.]

SEC. 1816-a4. Foreclosure—notice.

[Repealed by 40 G. A., ch. 235, and the four following sections enacted in lieu thereof.]

SEC. 1816-a4a. Affidavit of foreclosure.

1 Liens may be enforced by the holder filing with any constable of
 2 the county in which the progeny is kept, or with the sheriff of such
 3 county, an affidavit which shall, in addition to a demand for fore-
 4 closure, contain:

- 5 1. A description of the stallion or jack, and of the dam and its
- 6 progeny.
- 7 2. The time and terms of said service.
- 8 3. A statement of the amount due for said service.

[S., '13, § 2341-u; 39 G. A., ch. 267, § 5; 40 G. A., ch. 235, § 1.]

SEC. 1816-a4b. Possession and notice.

1 The constable or sheriff shall, under said affidavit, take immediate
 2 possession of said progeny, and give written notice of the sale thereof,
 3 which notice shall contain:

- 4 1. A copy of the said affidavit.
- 5 2. The date and hour when, and the particular place at which,
- 6 said property will be sold.

[S., '13, § 2341-u; 39 G. A., ch. 267, § 5; 40 G. A., ch. 235, § 2.]

SEC. 1816-a4c. Service.

1 Said notice shall be served as follows:

2 1. By posting a duplicate copy for ten days prior to the day of
3 sale in three public places in the township in which the sale is to take
4 place, and

5 2. If the owner of the progeny resides in the said county, by
6 also serving a duplicate copy on the owner in the manner in which
7 original notices are served, at least ten days prior to the day of sale.

[S., '13, § 2341-u; 39 G. A., ch. 267, § 5; 40 G. A., ch. 235,
§ 3.]

SEC. 1816-a4d. Joinder of liens.

1 A foreclosure may embrace liens on more than one progeny of
2 the same stallion or jack when all of said progenies are owned by the
3 same person. In such case there shall be separate sales until an
4 amount is realized sufficient to pay all liens and costs.

[40 G. A., ch. 235, § 4.]

SEC. 1816-a5. Sale—application of proceeds.

1 If payment of the service fee, and constable costs, be not made
2 prior to the time of sale, as fixed in such notice, the constable may
3 sell property so held by him, or so much thereof as may be necessary,
4 at public auction to the highest bidder, and the proceeds shall be
5 applied, first, to the payment of the costs, and second, in payment of
6 amount due for service fee. Any surplus arising from such sale shall
7 be forthwith paid to the owner of the property sold.

[S., '13, § 2341-u; 39 G. A., ch. 267, § 6.]

CHAPTER 22
ESTRAYS AND TRESPASSING ANIMALS**SECTION 1848. Dogs running at large.**

[Repealed by 39 G. A., ch. 140, § 15.]

SEC. 1849. Registration of dogs—fee—penalty.

[Repealed by 39 G. A., ch. 140, § 15.]

SEC. 1850. Trespassing dogs may be killed—exception.

[This and the two preceding sections repealed by 39 G. A., ch. 140, § 15, and sections 3139-a1 to 3139-a14, inclusive, enacted in lieu thereof.]

TITLE IX

CHARITABLE, CORRECTIONAL AND PENAL INSTITUTIONS

CHAPTER 1

BOARD OF CONTROL OF STATE INSTITUTIONS

SECTION 1852. Nomination—removal—vacancies.

1 The governor shall, prior to the adjournment of the twenty-
2 seventh general assembly, nominate and, with the consent of two-
3 thirds of the members of the senate in executive session, appoint three
4 electors of the state, not more than two of whom shall belong to the
5 same political party, and no two of whom shall reside at the time of
6 their appointment in the same congressional district, as members of
7 a board to be known as a board of control of state institutions. Said
8 members shall hold office, as designated by the governor, for two,
9 four, and six years, respectively. Subsequent appointments shall be
10 made as above provided and, except to fill vacancies, shall be for a
11 period of six years. The board shall at all times be subject to the
12 above limitations and restrictions. No nomination shall be consid-
13 ered by the senate until the same shall have been referred to a com-
14 mittee of five, not more than three of whom shall belong to the same
15 political party, to be appointed by the president of the senate without
16 the formality of a motion, which committee shall report to the senate
17 in executive session, which report shall be made at any time when
18 called for by the senate. The consideration of nominations, by the
19 senate, shall not be had on the same legislative day the nominations
20 are referred. The chairman of the board for each biennial period
21 shall be the member whose term first expires. The governor may, by
22 and with the consent of the senate, during a session of the general
23 assembly, remove any member of the board for malfeasance or non-
24 feasance in office, or for any cause that renders him ineligible to
25 appointment, or incapable or unfit to discharge the duties of his office,
26 and his removal when so made shall be final. When the general
27 assembly is not in session the governor may suspend any member so
28 disqualified, and shall appoint another to fill the vacancy thus created,
29 subject, however, to the action of the senate when next in session.
30 All vacancies on said board that may occur while the general assembly
31 is not in session shall be filled by appointment by the governor, which
32 appointment shall expire at the end of thirty days from the time the
33 general assembly next convenes, and vacancies occurring during a ses-
34 sion of the general assembly shall be filled as regular appointments
35 are made and before the end of said session.

36 The term of office of the member of the board whose term expires
37 April, nineteen hundred twelve, is hereby extended to June thirtieth,
38 nineteen hundred thirteen; the term of office of the member of the

39 board whose term expires April, nineteen hundred fourteen, is hereby
 40 extended to June thirtieth, nineteen hundred fifteen; and the term of
 41 office of the member of the board whose term expires April, nineteen
 42 hundred sixteen, is hereby extended to June thirtieth, nineteen hun-
 43 dred seventeen.

[S., '13, § 2727-a1; 39 G. A., ch. 209, § 24.]

SEC. 1854. Secretary—supplies.

1 The board shall be provided by the proper authorities with suit-
 2 ably furnished offices at the seat of government, and shall employ a
 3 competent secretary. In the absence or disability of the secretary,
 4 and the business of the board requires it, the board of control may
 5 appoint a member of the board as acting secretary during such absence
 6 or disability, who shall at such time have the powers of the secretary
 7 of the board. Said appointment shall be made of record in the pro-
 8 ceedings of the board, and no additional compensation shall be paid
 9 because of the service of such acting secretary.

10 This board shall, by the proper authorities, be also furnished with
 11 all necessary books, blanks, stationery, printing, postage stamps, and
 12 such other office supplies as are furnished other state officers. It shall
 13 present to each general assembly an itemized account of its expendi-
 14 tures, to the end that the legislature may, for the future, fix the maxi-
 15 mum amount of such expenditures.

[S. S., '15, § 2727-a3; 39 G. A., ch. 209, § 25.]

SEC. 1858. Appropriation.

1 There is hereby appropriated from any funds in the state treas-
 2 ury not otherwise appropriated sufficient thereof to pay the expendi-
 3 tures hereby authorized.

[S., '13, § 2727-a4; 39 G. A., ch. 209, § 26.]

SEC. 1872. State architect—expenses—consulting architect.

1 The board may employ an architect who shall be skilled in the
 2 most improved method of sanitation, and competent to prepare plans,
 3 specifications, estimates and details for the buildings, betterments,
 4 and every item of equipment which may be necessary in any of the
 5 institutions, whose duty shall be to perform the work usually done
 6 by architects in preparing plans and specifications, and supervising
 7 the work of construction on all the buildings, betterments and improve-
 8 ments done at institutions under the control of the board.

9 In cases of sufficient magnitude, the board may secure the advice
 10 of a consulting architect, or may procure plans and specifications and
 11 drawings from other architects, but the expense thereof shall not
 12 exceed fifteen hundred dollars in any one year. The state architect
 13 shall be entitled to receive in addition to the compensation for his
 14 services, his necessary traveling expenses within the state when
 15 engaged in official business.

[S., '13, § 2727-a23; 39 G. A., ch. 209, § 27.]

SEC. 1889. Monthly statement and pay roll—balances combined.

1 When the monthly statement is so made, approved, and verified,
 2 it shall be forwarded to the board of control, together with the orig-

3 inal invoices of the purchases and a complete and itemized state-
4 ment of every expense of said institution, including the receipted pay
5 roll, for the examination and audit of the board, which board shall
6 fix a regular time for the auditing of the accounts of the institution
7 for the preceding month.

8 The monthly pay roll of each institution shall show the name of
9 each officer and employee, when first employed, the monthly pay, time
10 paid for, the amount of pay, and any deductions for the careless loss
11 or destruction of property. This requirement shall be observed in
12 all cases, and in no event shall a substitute be permitted to receive
13 compensation in the name of the employee for whom he is acting.

14 When the said accounts are audited the secretary of the board of
15 control shall, under the seal of the board, prepare in duplicate an
16 abstract showing the name, residence, and amount due each claimant,
17 and the institution and fund thereof on account of which the payment
18 is made, which abstract shall also be certified by at least one member
19 of the board, who shall be so authorized by the board, and the pro-
20 ceedings granting such authority shall be preserved in the records of
21 the board. He shall deliver the original thereof to the auditor of
22 state, the duplicate to be retained in the office of the board.

23 Upon such certificate the auditor of state shall, if the institution
24 named has sufficient funds, issue his warrants upon the treasurer of
25 state for the amounts and to the claimants indicated thereon. The
26 auditor of state shall deliver the warrants thus issued to the board,
27 who will cause same to be transmitted to the payees thereof.

28 The pay roll of each institution may be paid by a single warrant
29 sent to the superintendent or other officer designated by the board of
30 control, upon proper voucher therefor being filed with the auditor of
31 state.

32 The auditor of state is authorized to combine the balances carried
33 in all specific appropriations existing when this section takes effect,
34 and such appropriations as may in the future be made, into a special
35 account for each institution under the control of the board of control,
36 except that the support fund for each institution shall be carried as
37 a separate account.

[S., '13, § 2727-a43; 40 G. A., ch. 53.]

SEC. 1913. State agents—appointment—supplies.

1 The board of control of state institutions is hereby authorized to
2 appoint the number of persons designated by law to act as state agents
3 for the soldiers' orphans' home, the training schools and the women's
4 reformatory. The board shall procure and furnish the agents with
5 office room and such furniture, books, blanks and supplies as may be
6 necessary for the proper discharge of their duties, in the same manner
7 as supplies are now furnished other officers of the board. The board
8 may furnish such office room and supplies to said agents at one or
9 more of the institutions for which they are to act, and may require
10 the institutions to furnish the agents with room, board and facilities
11 for transacting business when stopping therein, without charge.

[S. S., '15, § 2692-a; 37 G. A., ch. 54, § 1; 37 G. A., ch. 349,
§ 1; 37 G. A., ch. 370, § 1; 37 G. A., ch. 427, § 1; 38 G.
A., ch. 105, § 1; 39 G. A., ch. 209, § 22.]

SEC. 1915. Expense—money advanced.

1 The board of control may cause to be advanced from the funds
2 appropriated to each agent from time to time the sums to be used in
3 defraying the official expenses of such agent, but the aggregate amount
4 of money so advanced and not expended at any time shall not exceed
5 the sum of two hundred fifty dollars, and the agent shall give security
6 to be approved by the board for the proper use and accounting each
7 month of all money so advanced.

[S. S., '15, § 2692-c; 37 G. A., ch. 349, § 2; 37 G. A., ch. 370,
§ 2; 38 G. A., ch. 105, §§ 2, 3; 39 G. A., ch. 209, § 23.]

CHAPTER 2**SOLDIERS' HOME****SECTION 1916. Object.**

1 The Iowa soldiers' home, located at Marshalltown, shall be main-
2 tained for dependent honorably discharged United States soldiers,
3 sailors or marines and army and navy nurses, their dependent widows
4 and wives.

[C., '97, § 2601; S., '13, § 2601; 39 G. A., ch. 148, § 1.]

SEC. 1917. Admission.

1 All persons named in the preceding section, not having sufficient
2 means for his or her support, who are disabled by disease, wounds,
3 old age or otherwise, who served in Iowa regiments or batteries, or
4 were accredited to the state of Iowa, or who were residents of the
5 state of Iowa at the time of his or her enlistment or induction into the
6 United States army, navy, marine or nurses corps, or who have been
7 residents of the state for three years next preceding the date of appli-
8 cation, shall be eligible to admission into said home.

[C., '97, § 2602; S., '13, § 2602; 39 G. A., ch. 148, § 2.]

SEC. 1920. Rules for admission.

1 The board of control of state institutions may receive into the
2 home, under such rules and regulations, and subject to such conditions
3 as said board may prescribe, the dependent persons not having suffi-
4 cient means or ability to support themselves, designated as follows:

5 1. Honorably discharged United States soldiers, sailors, marines
6 and army and navy nurses.

7 2. Women who, prior to the year nineteen hundred five, married
8 honorably discharged United States soldiers, sailors or marines and
9 who have ceased to be the wives of such soldiers, sailors or marines
10 by reason of their death or because divorced from them without fault
11 on the part of the wives, and a subsequent marriage shall not deprive
12 such women of the right to the benefits of the home, nor shall such
13 right depend upon the presence of the husband in the home as a
14 member of it.

15 3. Women who are the lawful wives of honorably discharged sol-

16 diers, sailors or marines at the time such soldiers, sailors or marines
17 are admitted to the said soldiers' home.

18 The board may permit husbands and wives to occupy together
19 cottages or other quarters on the home grounds.

[C., '97, § 2606; S. S., '15, § 2606; 38 G. A., ch. 196, § 1;
39 G. A., ch. 148, § 3.]

SEC. 1928. Annual appropriation—support.

1 For the general support of said home, there is hereby appropri-
2 ated the sum of twenty-eight dollars per month for each member, and
3 fifteen dollars per month for each officer and employee not a member
4 of the home, or so much thereof as may be necessary, to be estimated
5 by the average number present for the preceding month, these appro-
6 priations to be drawn monthly from the state treasury and expended
7 in the manner provided by chapter one, title nine. If the average
8 number of members shall be less than seven hundred fifty in any
9 month, the auditor of state and treasurer of state shall credit the home
10 with the sum of twenty-one thousand dollars for that month in addi-
11 tion to the monthly allowance for each officer and employee, and the
12 sum so credited shall be drawn from the state treasury in the same
13 manner and for the same purposes as the regular monthly per capita
14 allowance is drawn.

[C., '97, § 2608; S., '13, § 2608; 37 G. A., ch. 266, § 2; 38 G.
A., ch. 37, §§ 1, 3; 39 G. A., ch. 297, § 1.]

CHAPTER 3

STATE SANATORIUM FOR THE TREATMENT OF TUBERCULOSIS

SECTION 1936. Per capita allowance.

1 The board of control of state institutions shall fix the per capita
2 allowance which may be charged by the said institution for the care,
3 treatment and maintenance of each patient therein, which shall not
4 exceed the sum of sixty-five dollars per capita per month, which shall
5 be certified by the superintendent to said board of control and paid out
6 as provided by the law as it appears in this chapter of the supplement
7 to the code, 1907; provided that if the aggregate per capita allowance
8 for the patients shall not equal the sum of four thousand dollars for
9 any month, the auditor of state and treasurer of state shall credit the
10 institution with that sum for that month.

[S., '13, § 2727-a85; 38 G. A., ch. 37, § 8; 39 G. A., ch. 297,
§ 4.]

NOTE: The above reference to the supplement of 1907 is retained because it does not pertain to the subject matter indicated.

CHAPTER 4

INSTITUTION FOR FEEBLE MINDED

SECTION 1943. Admission of women.

1 All feeble-minded women who are residents of the state of Iowa
2 may be admitted to the institution for feeble-minded children at Glen-
3 wood.

[S., '13, § 2695-a; 39 G. A., ch. 129, § 1.]

SEC. 1945. Admission of men.

1 All feeble-minded men who are residents of the state of Iowa,
2 may be admitted to the institution for feeble-minded children at Glen-
3 wood.

[S., '13, § 2695-c; 39 G. A., ch. 129, § 2.]

SEC. 1951. Support.

1 For the support of the institution, there is appropriated out of
2 any money in the state treasury not otherwise appropriated, the sum
3 of twenty-one dollars monthly for each inmate therein supported by
4 the state, counting the actual time such person is an inmate and so
5 supported. Upon the presentation to the state auditor of a sworn
6 statement of the average number of inmates supported in the institu-
7 tion by the state for the preceding month, he shall draw his warrant
8 upon the state treasurer for such sum.

[C., '97, § 2700; S., '13, § 2700; 37 G. A., ch. 266, § 3; 38 G.
A., ch. 37, §§ 1, 4; 39 G. A., ch. 297, § 2.]

CHAPTER 4-A

CARE OF FEEBLE MINDED IN HOSPITAL FOR EPILEPTICS AND SCHOOL FOR
FEEBLE MINDEDSECTION 1951-a1. Conditions under which persons entitled to
care.

1 Feeble-minded persons entitled to admission or subject to com-
2 mitment to the institution for feeble minded at Glenwood may be
3 admitted or committed to the hospital for epileptics and school for
4 feeble minded at Woodward whenever said institution at Glenwood
5 is overcrowded with inmates and the facilities are inadequate to care
6 for those received at said institution.

[39 G. A., ch. 5, § 1; 40 G. A., ch. 54.]

SEC. 1951-a2. Rules governing admissions or commitments.

1 Admissions or commitments of feeble-minded persons to said hos-
2 pital for epileptics and school for feeble minded shall be granted or
3 made under the laws and rules governing admissions and commit-
4 ments to said institution for feeble minded.

[39 G. A., ch. 5, § 2; 40 G. A., ch. 54.]

SEC. 1951-a3. Transfer of inmates.

1 Under the conditions prescribed in the second preceding section,
 2 the board of control may transfer any inmate in said institution for
 3 feeble minded to said hospital for epileptics and school for feeble
 4 minded. It may also transfer feeble-minded persons from said hospi-
 5 tal for epileptics and school for feeble minded to said institution for
 6 feeble minded when satisfied that such transfer will be to the best
 7 interest of the institutions and of the inmates.

[39 G. A., ch. 5, § 3; 40 G. A., ch. 54.]

SEC. 1951-a4. Applicability of other laws.

1 All the provisions of law relating to inmates of said institution
 2 at Glenwood, including the law relative to training, instruction, care,
 3 and support, shall be applicable to feeble-minded persons admitted or
 4 committed to said hospital and school at Woodward.

[39 G. A., ch. 5, § 4; 40 G. A., ch. 54.]

CHAPTER 6
HOSPITAL FOR EPILEPTICS AND SCHOOL FOR FEEBLE MINDED**SECTION 1978. Object—management—transfer of patients.**

1 The hospital for epileptics and school for feeble minded shall be
 2 devoted to securing humane, curative, scientific, and economical care
 3 and treatment of epileptics and shall be under the management, care
 4 and control of the board of control of state institutions, which board
 5 shall make and enforce such rules and regulations as it may deem
 6 necessary for the management and control of the institution and for
 7 the admission and retention of all voluntary, involuntary, and private
 8 patients to such hospital, and for their treatment, care, education, and
 9 discharge, and shall fix the rate of compensation to be paid by private
 10 patients. The board shall have full power to transfer epileptics from
 11 any other state hospital or institution under the control of said board
 12 to the hospital for epileptics and school for feeble minded, to transfer
 13 insane epileptics from the said hospital and school to other state
 14 institutions, and to retransfer such epileptics if deemed expedient.

[S. S., '15, § 2727-a96; 40 G. A., ch. 54.]

SEC. 1980. Officers and employees—appointment—salaries.

1 The officers and employees of the hospital for epileptics and
 2 school for feeble minded shall consist of a superintendent and such
 3 other officers and employees to be appointed by the superintendent
 4 as the board of control of state institutions may deem necessary for
 5 the proper operation and management of said institution, the number
 6 and compensation of such officers and employees to be fixed by the
 7 board of control. The superintendent shall be a well-educated physi-
 8 cian with at least five years' experience in the actual practice of medi-
 9 cine, and shall be appointed by the board of control for a term of four
 10 years, and shall receive such salary as the board may fix, not exceed-
 11 ing three thousand dollars per annum, and shall be furnished with a

12 dwelling house and the necessary household provisions and supplies
13 for himself, wife and minor children.

[S. S., '15, § 2727-a96; 40 G. A., ch. 54.]

SEC. 1981. Duty of superintendent—discipline.

1 In addition to the duties which may now be imposed by law, the
2 superintendent shall oversee and secure the individual treatment and
3 professional care of each and every patient residing in the hospital
4 for epileptics and school for feeble minded, and shall enforce such
5 rules as may be adopted by the board of control, for the reception,
6 examination, retention, and discharge of patients, and shall keep a
7 full and complete record of the condition of all patients and make
8 notations as to their prospects of recovery. He shall have the general
9 superintendency of the buildings, grounds and farm with their furni-
10 ture, equipment, stock, and fixtures, and the immediate direction and
11 control of all persons employed in and about the institution under such
12 rules as may be adopted by the board of control, and he shall main-
13 tain salutary discipline among all employees, patients, and inhabitants
14 of the said hospital and school and shall have the immediate custody
15 and control of every patient admitted to the institution until properly
16 discharged, and may restrain and discipline any patient in such man-
17 ner as he may deem best for the welfare of the patient, subject at all
18 times to such regulations as may be made by the board of control.

[S. S., '15, § 2727-a96; 40 G. A., ch. 54.]

SEC. 1982. Custody of patients.

1 All persons admitted to said hospital for epileptics and school for
2 feeble minded as sane epileptics shall, until paroled or discharged, be
3 under the custody and control of the superintendent of said hospital,
4 and said superintendent may restrain any such patient when he deems
5 it necessary for the welfare of the patient and the proper conduct of
6 the institution. Any person admitted as a sane epileptic, who is of
7 legal age, or the parent or guardian of such patient, if a minor, may
8 at any time obtain the discharge of such patient from the institution
9 by giving at least ten days' notice in writing to the superintendent
10 of the desire to obtain such discharge, and when the patient is thus
11 discharged he will not be again admitted except under a warrant of
12 commitment as herein provided. When a patient has been admitted
13 as sane and afterwards becomes violent or insane, the board of control
14 by and with the advice of the superintendent upon complaint being
15 made by an officer or employee of the institution may regularly com-
16 mit such patient after a hearing to said hospital and school as an
17 insane epileptic and note that fact upon the records of the institution,
18 and such action by the board shall have the same force and effect as
19 though the commitment was made by order of the commissioners of
20 insanity, and the person so committed shall have the same right to
21 appeal from the action of the board as in cases before an insane com-
22 mission.

[S. S., '15, § 2727-a96; 40 G. A., ch. 54.]

SEC. 1983. Commitments—procedure.

1 The commissioners of insanity in each county shall have the
2 same power and authority to commit persons to the hospital for epi-
3 leptics and school for feeble minded, except in cases of voluntary com-

4 mitments to such hospital and school, as is now conferred by law upon
 5 such commissioners in connection with the commitment of patients to
 6 the state hospital for the insane, and all laws relating to the admission
 7 of patients to the state hospital for the insane shall apply to admis-
 8 sion of patients to the hospital for epileptics and school for feeble
 9 minded in all cases where such laws may be applicable. Application
 10 for the commitment of any person to the said hospital and school,
 11 other than voluntary commitments, must be made in form of informa-
 12 tion verified by affidavit alleging that the person in whose behalf the
 13 application is made is believed by the informant to be afflicted with
 14 the disease known as epilepsy, and that such person is a fit subject for
 15 the care, custody, treatment, and control of the said hospital and
 16 school, and that such person is found within the county where the
 17 information is filed, and shall also state the place of residence of such
 18 person if known, and, if not known, the best information or belief of
 19 the informant as to such residence according to the facts in each case.

[S. S., '15, § 2727-a96; 40 G. A., ch. 54.]

SEC. 1984. Per capita allowance—appropriation.

1 The board of control of state institutions shall fix the per capita
 2 allowance which may be charged by the said hospital for epileptics and
 3 school for feeble minded for the care, treatment, and maintenance of
 4 each patient therein, which shall not exceed the sum of twenty-four
 5 dollars per capita per month, which shall be based upon reports of the
 6 superintendent to the board of control and shall be credited to said
 7 institution by the auditor and treasurer of state upon certificate of the
 8 board of control and may be drawn against as provided in chapter one,
 9 title nine; provided that until such time as the institution is actually
 10 treating and caring for four hundred fifty patients, the sum of ten
 11 thousand dollars per month, or so much thereof as may be necessary,
 12 is hereby appropriated out of any money in the state treasury not
 13 otherwise appropriated for the support and maintenance of said in-
 14 stitution.

[S. S., '15, § 2727-a96; 38 G. A., ch. 37, § 10; 39 G. A., ch.
 297, §§ 5, 6; 40 G. A., ch. 54.]

CHAPTER 7

INEBRIATES AND DRUG ADDICTS

SECTION 1986. Inebriate hospital abolished.

[Repealed by 39 G. A., ch. 187.]

SEC. 1987. Treatment and care of drug habituates.

[Repealed by 39 G. A., ch. 187.]

SEC. 1988. Commitment of drug habituates.

[Repealed by 39 G. A., ch. 187.]

SEC. 1989. Statutes applicable.

[This and the three preceding sections repealed by 39 G. A., ch.
 187, and the four following sections enacted in lieu thereof.]

SEC. 1989-a1. Care of inebriates and drug addicts.

1 The board of control shall provide and equip at such of the state
 2 institutions under its control as it may determine, a ward for the
 3 detention, care and treatment of such persons as may be committed
 4 to such institutions on account of being addicted to the excessive use
 5 of narcotic drugs or of intoxicating liquors, and notify the clerk of
 6 the district court of each county accordingly.

[38 G. A., ch. 366, § 2; 39 G. A., ch. 187, § 1.]

SEC. 1989-a2. Commitment.

1 All persons found to be addicted to the excessive use of narcotic
 2 drugs, or of intoxicating liquors, and to be proper subjects for deten-
 3 tion and treatment shall be committed to the institutions in which
 4 such wards are prepared.

[38 G. A., ch. 366, § 3; 39 G. A., ch. 187, § 2.]

SEC. 1989-a3. Statutes applicable.

1 All statutes providing for the trial, commitment, detention and
 2 treatment of persons addicted to the excessive use of drugs or of
 3 intoxicating liquors shall be applicable to the trial, detention, commit-
 4 ment and treatment of persons provided for in this chapter.

[38 G. A., ch. 366, § 4; 39 G. A., ch. 187, § 3.]

SEC. 1989-a4. Maintenance and support.

1 All persons committed to any institution under the provisions of
 2 this chapter shall be supported and maintained in the same manner as
 3 other persons regularly received at such institution and all provisions
 4 of law relative to such support and maintenance shall be applicable to
 5 persons committed under this chapter.

[39 G. A., ch. 187, § 4.]

CHAPTER 8
STATE HOSPITALS FOR INSANE**SECTION 2038. Amount allowed for care of patients.**

1 The board of control of state institutions of Iowa may from time
 2 to time fix the monthly sum for the board and care of each patient in
 3 the state hospitals for the insane at Mount Pleasant, Independence,
 4 Clarinda, and Cherokee, which sum shall not exceed twenty dollars
 5 for each of said patients therein. Said sum shall be placed to the
 6 credit of the hospital entitled thereto upon the certificate of the board
 7 of control of state institutions, based upon reports of the superin-
 8 tendent, and paid from the state treasury as provided by the law as
 9 it appears in chapter one, title nine; and the certificate of the board
 10 shall be competent evidence of the amount due for the time therein
 11 stated.

[R., '60, § 1486; C., '73, § 1427; C., '97, § 2291; S., '13, §
 2291-b; 37 G. A., ch. 266, § 1; 38 G. A., ch. 37, §§ 1, 2;
 40 G. A., ch. 55, § 2.]

CHAPTER 13

CARE OF NEGLECTED, DEPENDENT, AND DELINQUENT CHILDREN

SECTION 2094. Probation officers—nurses—salaries.

1 The judge of the juvenile court shall have power to select a chief
2 probation officer, and not to exceed two deputy probation officers, one
3 of whom shall be a woman. He shall also have power to select a visit-
4 ing nurse and competent physician. Said probation officers shall have
5 all the power and authority of a sheriff in and about the discharge
6 of their official duties and shall be furnished with an office and all
7 necessary blanks, books and stationery necessary to the performance
8 of their duties. Said chief probation officer shall receive a salary
9 not to exceed fifteen hundred dollars per annum; the deputy probation
10 officers a salary not to exceed twelve hundred dollars per annum, said
11 salaries to be fixed by the judge of the juvenile court and to be paid
12 out of the county treasury; provided, that in counties having a popu-
13 lation of one hundred twenty-five thousand or over, the judge of the
14 juvenile court shall have power to select a chief probation officer and
15 not exceeding five deputy probation officers, the chief probation officer
16 to receive a salary of not to exceed three thousand dollars and the
17 deputy probation officers each to receive a salary not to exceed eighteen
18 hundred dollars.

[37 G. A., ch. 405, § 2; 39 G. A., ch. 156, § 1.]

SEC. 2103. Optional commitments—parole.

1 In the case of a dependent, neglected, or delinquent child, the
2 court may continue the hearing from time to time, and may commit
3 the child to the care or custody of a probation officer, and may allow
4 said child to remain in its own home subject to the visitation of the
5 probation officer, such child to report to the probation officer as often
6 as may be required, and subject to be returned to the court for fur-
7 ther or other proceedings whenever such action may appear to be
8 necessary; or the court may cause the child to be placed in a suitable
9 family home, subject to the friendly supervision of the probation offi-
10 cer and the further order of the court; or it may authorize the child
11 to be boarded out in some suitable family home, in case provision is
12 made by voluntary contribution or otherwise for the payment of the
13 board of such child, until a suitable provision may be made in a home
14 without such payment; or in case of a delinquent child the court may
15 commit such child, if a boy, to a training school for boys; or, if a girl,
16 to a training school for girls; or the court may commit the child to
17 any institution within the county, incorporated under the laws in this
18 state, that may care for delinquent children, or be provided by a city
19 or county, suitable for the care of such children, or to any state insti-
20 tution which may be established for the care of delinquent boys or
21 girls over the age of ten years. In no case shall a child be committed
22 for a term extending beyond the time he or she reaches the age of
23 twenty-one years. A child committed to such institution shall be
24 subject to the control of the board of managers thereof, and said
25 board shall have power to parole the child on such conditions as it
26 may prescribe; and the court shall, on the recommendation of the
27 board, have power to discharge such child from custody whenever,
28 in the judgment of the court, his or her reformation is complete; or

29 the court may commit the child to the care and custody of some asso-
30 ciation that will receive it, embracing in its objects the care of neg-
31 lected or dependent children, and that has been duly accredited as
32 hereinafter provided.

[S., '13, § 254-a23; 37 G. A., ch. 54, § 1; 38 G. A., ch. 246,
§ 1; 40 G. A., ch. 56.]

SEC. 2104. Commitment—financial aid for widowed mother.

1 When any child of the age stated in section twenty hundred
2 eighty-nine of the compiled code shall be found to be dependent or
3 neglected, within the meaning of this chapter, the court may make
4 an order committing the child to the care of some suitable state insti-
5 tution, or to the care of some reputable citizen of good moral character,
6 or to the care of some training school, as provided by law, or to the
7 care of some association willing to receive it, embracing in its objects
8 the purpose of caring for and obtaining homes for dependent and
9 neglected children, which association shall have been accredited as
10 hereinafter provided.

11 If the court finds that the mother of such dependent or neglected
12 child is a widow and has been for more than one year preceding the
13 filing of the application a resident of the county where aid is applied
14 for, and if the court further finds that such mother is poor and unable
15 to properly care for said child, but is otherwise a proper guardian,
16 and that it is for the welfare of such child to remain at home, the
17 court may enter an order finding such fact and fixing an amount of
18 money necessary to enable such mother to properly care for such
19 child, not to exceed the sum of two dollars and fifty cents per week
20 for each child under the age of sixteen years; provided, however, that
21 no such allowance to a widowed mother shall be made until after ten
22 days' written notice of application for such order shall have been
23 given to the board of supervisors of the county, during which time
24 said board of supervisors may appear and show cause why such order
25 should not enter.

26 Upon the allowance of such application, it shall be the duty of
27 the county board of supervisors, through its overseer of the poor or
28 otherwise, to pay to such mother at such times as said order may
29 designate, the amount so specified for the care of such dependent or
30 neglected child until further order of the court. The amount to be
31 paid for the care of any such child shall not exceed the sum of two
32 dollars and fifty cents per week.

33 No such allowance shall be effective for more than two years,
34 but may be renewed by making application and showing as hereinbe-
35 fore provided for original application.

36 No allowance shall be continued after the child shall have at-
37 tained the age of sixteen years, or after the mother has remarried
38 or after she has acquired legal residence in another county or after
39 she has ceased to reside in the state.

40 At any time after such allowance is made the overseer of the poor,
41 or the board of supervisors, may make objections to the continuance
42 of such allowance. When such objection is made the court or judge
43 thereof shall fix a time for hearing and order that notice be given to
44 the person receiving the allowance and at the time fixed the court or
45 judge shall summarily hear and determine the objections made, and

46 may revoke or modify the order for allowance theretofore made and
47 make such further order as shall be just and proper in the premises.

48 The court may, when the health or condition of the child may
49 require it, cause the child to be placed in a public hospital or institu-
50 tion for treatment or special care, or in a private hospital or insti-
51 tution which will receive it for like purposes without charge.

52 No child under the age of ten years shall be committed to the
53 training school for boys or the training school for girls; but such chil-
54 dren shall be eligible to admission to the soldiers' orphans' home at
55 Davenport, under the laws and rules applying to the admission of
56 other children to this institution.

[S., '13, § 254-a20; 37 G. A., ch. 54, § 1; 37 G. A., ch. 150,
§ 1; 38 G. A., ch. 12, § 1; 38 G. A., ch. 107, § 1; 39 G. A.,
ch. 51; 39 G. A., ch. 252; 40 G. A., ch. 57.]

CHAPTER 13-A

PERMITTING OR CONTRIBUTING TO CHILD DELINQUENCY

SECTION 2113-a1. Contributory delinquency defined.

1 It shall be unlawful for any person to encourage any child under
2 the age of sixteen years, to commit any act of delinquency as defined
3 and specified in section twenty hundred eighty-nine of the compiled
4 code; or for any person to send or cause to be sent any such child to or
5 permit any such child to enter or remain in any house of prostitution,
6 or any place where intoxicating liquors are sold contrary to law, or
7 any policy shop, or any pool room or gambling place, knowing them
8 to be such; or to knowingly encourage, contribute, or in any way cause
9 any such child to violate any law of this state or the ordinances of any
10 city in this state; or to knowingly permit, contribute to or encourage,
11 or cause any such child to be guilty of any vicious or immoral conduct.

[39 G. A., ch. 238, § 1.]

SEC. 2113-a2. Trial—procedure—right of appeal.

1 Any person so offending shall be guilty of a misdemeanor and may
2 be tried for such offense either in the juvenile court, or in any justice,
3 superior or municipal court having jurisdiction therein, and upon con-
4 viction shall be punished by fine or imprisonment or both.

5 All trials of persons charged with contributing to the delinquency
6 of a child shall be conducted in accordance with the rules in the
7 municipal, superior or justice of the peace courts of the state of Iowa,
8 while exercising criminal jurisdiction, and any person convicted shall
9 have the same right of appeal as provided for appeals from such courts
10 in such cases.

11 If in any proceeding in any juvenile court it shall appear that
12 any person may have committed an indictable misdemeanor or felony
13 that caused or contributed to the delinquency of such child, the judge
14 of said juvenile court may have such person brought before him upon
15 proper warrant; and if upon preliminary examination it shall appear
16 that such person is probably guilty of the offense charged, he shall

17 be bound over to the grand jury of such county and placed under such
18 reasonable bond to appear before the district court of said county as
19 the judge of the juvenile court may prescribe.

[39 G. A., ch. 238, § 1.]

SEC. 2113-a3. Penalty—suspension of sentence—jury trial.

1. Any person who shall be convicted of violating any of the pro-
2 visions of this chapter, may be fined in a sum not to exceed one hun-
3 dred dollars or by imprisonment in the county jail for not to exceed
4 thirty days, or punished by both such fine and imprisonment.

5 A conviction for such contributory delinquency shall not be a bar
6 to the prosecution of such person for any indictable misdemeanor or
7 felony that he may have committed that caused or contributed to the
8 delinquency of such child.

9 Said court may impose conditions upon any such persons found
10 guilty under this chapter. As long as such persons shall comply there-
11 with to the satisfaction of the court, the sentence imposed, or any part
12 thereof, may be suspended, provided that such suspension shall not
13 exceed a period of two years. If, at the expiration of such time, or
14 any time prior thereto, it shall appear to the court that such person
15 has complied faithfully with the conditions imposed, in such event the
16 court may set aside his sentence absolutely and release such person
17 from further liability thereunder. If, at any time, however, during
18 the aforesaid suspension of such sentence it shall be made to appear
19 to the satisfaction of the court that the judgment ought to be enforced,
20 the court shall have the power to revoke the suspension of such judg-
21 ment and may enforce the same, and in such cases the term of his
22 sentence shall commence from the date on which the same is ordered
23 to be enforced. Any person charged with the violation of any of the
24 provisions of this chapter shall be entitled to a trial by jury, if he
25 shall so elect.

[39 G. A., ch. 238, § 2.]

CHAPTER 16

TRAINING SCHOOLS

SECTION 2159. Support—per capita allowance.

1 For the support of the training school for boys located at Eldora,
2 there is hereby appropriated out of any money in the state treasury
3 not otherwise appropriated, or so much thereof as may be necessary,
4 twenty-four dollars monthly for each inmate actually supported in
5 said school, counting the average number therein for the preceding
6 month; provided, however, that when the average number of inmates
7 in said school shall be less than four hundred eighty for any month,
8 said school shall be credited by the auditor of state and treasurer of
9 state with the sum of eleven thousand five hundred twenty dollars.
10 For the support of the training school for girls located at Mitch-
11 ellville, there is hereby appropriated out of any money in the state
12 treasury not otherwise appropriated, the sum of twenty-four dollars
13 monthly, or so much thereof as may be needed, for each inmate actu-

14 ally supported in said school, counting the average number therein
 15 for preceding month; provided, however, that when the average num-
 16 ber of inmates in said school shall be less than three hundred twelve
 17 for any month, said school shall be credited by the auditor of state
 18 and treasurer of state with the sum of seventy-five hundred dollars.
 19 All money appropriated by this section shall be drawn from the state
 20 treasury and expended in the manner provided by chapter one, title
 21 nine.

[C., '97, § 2713; S. S., '15, § 2713; 37 G. A., ch. 54, § 1; 37
 G. A., ch. 266, § 7; 38 G. A., ch. 37, §§ 1, 7; 40 G. A.,
 ch. 55, § 3.]

CHAPTER 17

WOMEN'S REFORMATORY

SECTION 2165. Females—where committed.

1 All females, over sixteen years of age or married females under
 2 sixteen years of age, hereafter convicted in any district or superior
 3 court shall, if imprisonment be imposed, be committed to the women's
 4 reformatory herein created, provided any female under sixteen years
 5 of age and over the age of twelve years convicted of offenses punish-
 6 able by life imprisonment, may be committed either to the training
 7 school or to said reformatory as the court may see fit.

[S. S., '15, § 2713-n7; 37 G. A., ch. 54, § 1; 40 G. A., ch. 58.]

CHAPTER 18

PENITENTIARY AND MEN'S REFORMATORY

SECTION 2189. Compensation of officers and employees.

1 The officers and employees of the men's reformatory at Anamosa
 2 and the penitentiary at Fort Madison, hereinafter specified, shall be
 3 paid for their services each month sums to be fixed by the board of
 4 control of state institutions not exceeding, however, the sum specified
 5 as follows: The warden, two hundred fifty dollars; the deputy war-
 6 den, one hundred fifty dollars; the assistant deputy warden, one hun-
 7 dred twenty-five dollars; the clerk, one hundred fifty dollars; the
 8 chaplain, one hundred twenty-five dollars, and an additional chaplain,
 9 twenty-five dollars; the physician and surgeon, one hundred twenty-
 10 five dollars; the storekeeper, one hundred twenty-five dollars; the
 11 record clerk, receiving officer, and captains of the night guards, each
 12 one hundred ten dollars; but turnkeys and guards of the first class
 13 shall be paid one hundred dollars; turnkeys and guards of the second
 14 class, ninety dollars, and turnkeys and guards of the third class,
 15 eighty dollars.

16 Eight hours shall constitute a day's work for the receiving clerk,
 17 record clerk, all captains, turnkeys, and guards and for all necessary
 18 time in excess thereof shall be paid for at not less than pro rata pay.

19 Other officers and employees in the opinion of the board of con-
 20 trol of state institutions needed to carry on the various departments
 21 of the prisons, properly and efficiently, may be authorized and their
 22 salaries fixed by said board, subject to the approval of the governor as
 23 provided by the law as found in section eighteen hundred eighty-three
 24 of the compiled code. The salaries and wages herein authorized shall
 25 be paid by the state treasurer from any money in the state treasury
 26 not otherwise appropriated, upon certified abstracts as provided by
 27 the law as it appears in section eighteen hundred eighty-nine of this
 28 supplement.

[R., '60, § 5192; C., '73, §§ 4783, 4784; C., '97, § 5716; S. S.,
 '15, § 5716; 38 G. A., ch. 207, § 1; 40 G. A., ch. 59.]

CHAPTER 20

PAROLES AND PARDONS

SECTION 2242. Board of parole—appointment—secretary.

1 The governor, with the advice and consent of the senate, shall
 2 appoint three electors of the state, not more than two of whom shall
 3 belong to the same political party, and one member of whom shall
 4 be a duly licensed attorney at law, as members of a board to be known
 5 as a board of parole. Said members shall hold office, as designated
 6 by the governor, for two, four and six years, respectively; subsequent
 7 appointments shall be made as provided above, and shall be for a term
 8 of six years, except appointments to fill vacancies, which shall be for
 9 the unexpired term. The terms of the members first appointed shall
 10 commence July first, nineteen hundred seven, and the chairman of the
 11 board shall be the member whose term first expires. Appointments
 12 made when the general assembly is not in session shall be subject to
 13 the approval of the senate when next in session.

14 A suitable office at the capitol shall be provided for the use of the
 15 board, with such furniture and office supplies as shall be reasonably
 16 necessary for the use of the same, and such board shall hold at least
 17 four sessions each calendar year.

18 The board of parole shall employ a competent secretary. He shall
 19 keep records and perform such duties as state agent or otherwise, as
 20 shall be prescribed by the board.

[S., '13, § 5718-a14; 39 G. A., ch. 209, § 55.]

SEC. 2245. Appropriation.

1 There is hereby appropriated from any funds in the state treas-
 2 ury not otherwise appropriated sufficient thereof to pay the expendi-
 3 tures herein authorized.

[S., '13, § 5718-a15; 39 G. A., ch. 209, § 56.]

SEC. 2247-a1. Violation of parole—penalty.

1 Whoever, while on parole, shall violate any condition of his parole,
 2 or any rule or regulation of the board of parole, shall be deemed guilty
 3 of a felony, and upon conviction of the same shall be punished by

4 imprisonment at hard labor in the reformatory or penitentiary from
 5 which he had been paroled, for a term of not more than five years,
 6 his sentence under such conviction to take effect upon the completion
 7 of his previous sentence.

[39 G. A., ch. 10.]

SEC. 2250-a1. Men's parole relief fund.

1 There is hereby established a fund of one thousand dollars to be
 2 known as the men's parole relief fund, to be kept by the treasurer of
 3 state and subject to the warrants of the chairman and secretary of
 4 the board of parole.

[39 G. A., ch. 217, § 1.]

SEC. 2250-a2. Women's parole relief fund.

1 There also is established a fund of two hundred fifty dollars to
 2 be known as the women's parole relief fund to be kept by the treas-
 3 urer of state, and subject to the warrants of the chairman and secre-
 4 tary of the board of control.

[39 G. A., ch. 217, § 2.]

SEC. 2250-a3. Disbursement and reimbursement of fund.

1 Said funds may be used for the relief of paroled prisoners who,
 2 because of illness, loss of employment or conditions creating personal
 3 need, are in distress; but in no instance shall the amount advanced or
 4 so used exceed twenty-five dollars. In all cases the need of such
 5 parolee shall first be determined by the board paroling such person,
 6 and all advancements made shall be treated as loans, and an obligation
 7 to repay the same during the parole period shall be given by said
 8 parolee to the state of Iowa, which when paid shall be turned into the
 9 parole relief fund from which such relief was granted.

[39 G. A., ch. 217, § 3.]

SEC. 2254. Parole from bench—reports—pardon.

1 Whenever any person over the age of sixteen years shall be con-
 2 victed of any crime against the laws of this state, excepting treason,
 3 murder, rape, robbery and arson, if such conviction shall be the first
 4 conviction of the defendant for a felony, the trial judge before whom
 5 such conviction is had, and by whom the judgment of the court is pro-
 6 nounced, shall have the power to suspend the execution of the sentence
 7 of such person so convicted and place such person in custody and
 8 under the care and guardianship of any suitable person a resident
 9 and citizen of the state of Iowa, during good behavior of such person
 10 so convicted, and the judge so exercising this power of suspension of
 11 the execution of sentence shall enter same upon the calendar and cause
 12 the same to be journalized and made of record in the court in which
 13 such conviction is had, and the person having such custody, care and
 14 guardianship of the person, the execution of whose sentence has been
 15 suspended, shall make a full and complete report every thirty days,
 16 in writing, to the district court wherein such conviction was had,
 17 showing the whereabouts and conduct of the person thus placed in
 18 his care, custody and guardianship or, the trial judge may place
 19 such person under the supervision of the board of parole, subject to

20 the rules of said board as to conduct, supervision, employment, reports,
 21 revocation of parole and final discharge. Such person, however, may
 22 be pardoned by the governor at any time after the suspension of
 23 execution of the sentence pronounced against him upon such condi-
 24 tions and with such restrictions and limitations as he may think
 25 proper.

[S., '13, § 5447-a; 37 G. A., ch. 206, § 1; 39 G. A., ch. 8.]

SEC. 2258. Remitting fines and granting pardons.

1 The governor shall have power to remit fines and forfeitures
 2 upon such conditions and with such restrictions and limitations as he
 3 may think proper. After conviction of a felony, no pardon shall be
 4 granted by the governor until he shall have presented the matter to,
 5 and obtained the advice of the board which has power to parole per-
 6 sons from the institution to which such person has been sentenced or
 7 committed, but he may commute a death sentence to imprisonment in
 8 the penitentiary for life. Before presenting the matter to the proper
 9 board for its action, where the sentence is death or imprisonment for
 10 life, he shall cause a notice containing the reasons assigned for grant-
 11 ing the pardon to be published in two newspapers of general circula-
 12 tion, one of which shall be published at the capital and the other in
 13 the county where the conviction was had, once each week, for four
 14 successive weeks, the last publication to be at least twenty days prior
 15 to the time of presenting such application to such board.

[C., '51, §§ 3278, 3280, 3281; R., '60, § 5116; C., '73, § 4712;
 C., '97, § 5626; S., '13, § 5626; 38 G. A., ch. 173, § 1;
 39 G. A., ch. 73.]

SEC. 2260. Return of pardon warrant.

1 When any convict is pardoned or reprieved, or his sentence com-
 2 muted, or any fine or forfeiture is remitted, the officer to whom the
 3 warrant is directed shall, as soon as may be after executing the same,
 4 make thereon a return in writing of his doings, sign the same with his
 5 name and official title, and file the same with the board of parole, and
 6 file in the office of the clerk of the court in which the conviction was
 7 had, or in which it was to have been enforced, a certified copy of the
 8 warrant and return, the proper entries in relation to which shall be
 9 made by such clerk.

[C., '51, § 3279; R., '60, § 5121; C., '73, § 4714; C., '97,
 § 5628; 39 G. A., ch. 24.]

TITLE X

EDUCATION

CHAPTER 2

SUPERINTENDENT OF PUBLIC INSTRUCTION

SECTION 2274-a1. Instruction in constitution of United States and state.

1 In all public and private schools located within the state of Iowa
2 there shall be given regular courses of instruction in the constitution
3 of the United States and in the constitution of the state of Iowa.

[39 G. A., ch. 91, § 1.]

SEC. 2274-a2. Extent of instruction in state and federal constitution.

1 Such instruction in the constitution of the United States and the
2 constitution of the state of Iowa, shall begin not later than the opening
3 of the eighth grade, and shall continue in the high school course to an
4 extent to be determined by the superintendent of public instruction.

[39 G. A., ch. 91, § 2.]

SEC. 2277. Expenses.

1 The superintendent of public instruction and his deputy and the
2 regular inspectors in his department shall receive their actual neces-
3 sary traveling expenses incurred in the performance of their official
4 duties, to be allowed upon an itemized and verified account filed with
5 and approved by the state board of audit, and the state auditor shall
6 draw his warrant on the state treasurer for the amount allowed.

[C., '51, § 1087; C., '73, §§ 1580, 3760; C., '97, § 2627; S.,
'13, § 2627-h; 39 G. A., ch. 209, § 50.]

CHAPTER 3

VOCATIONAL TRAINING

SECTION 2287. Duty of local community.

1 In order to meet the requirements, for each dollar of federal
2 money expended for the salaries of teachers in approved schools,
3 departments, and classes, the local community must expend an amount
4 equal to the amount of federal money which it receives for the same
5 purpose for the same year.

[37 G. A., ch. 290, § 5; 38 G. A., ch. 337, § 1; 40 G. A., ch.
60, § 1.]

SEC. 2291. Expenses—salaries—appropriation.

1 Such board is hereby authorized to make such expenditure for
 2 the actual expenses of the board and of such state advisory commit-
 3 tee for vocational education incurred in the discharge of their duties
 4 as herein provided, for the salaries of assistants, and for such office
 5 and other expenses as in the judgment of such board are necessary to
 6 the proper administration of this chapter; and there is hereby appro-
 7 priated out of any funds in the state treasury not otherwise appropri-
 8 ated the sum of ten thousand dollars per annum for the purpose of
 9 paying such salary and expenses of said board for vocational educa-
 10 tion mentioned in this section.

[37 G. A., ch. 290, § 10; 38 G. A., ch. 81, § 1; 38 G. A., ch. 337,
 § 2; 39 G. A., ch. 296, § 2; 40 G. A., ch. 60, § 2.]

SEC. 2292. Appropriation.

NOTE: Omitted as temporary appropriation. See 38 G. A., ch. 337, § 1; 39
 G. A., ch. 296, § 1; 40 G. A., ch. 60, § 1.

CHAPTER 3-A
VOCATIONAL REHABILITATION OF DISABLED PERSONS**SECTION 2294-a1. Acceptance of federal act.**

1 The state of Iowa does hereby, through its legislative authority,
 2 accept the provisions and benefits of the act of congress, entitled "An
 3 act to provide for the promotion of vocational rehabilitation of per-
 4 sons disabled in industry or otherwise and their return to civil employ-
 5 ment" approved June second, nineteen hundred twenty (Pub. No. 236,
 6 66th Congress), and will observe and comply with all the requirements
 7 of such act.

[39 G. A., ch. 14, § 1.]

SEC. 2294-a2. Custodian of funds.

1 The state treasurer is hereby designated and appointed custodian
 2 of all moneys received by the state from appropriations made by the
 3 congress of the United States for the vocational rehabilitation of per-
 4 sons disabled in industry, or otherwise, and is authorized to receive
 5 and provide for the proper custody of the same and to make disburse-
 6 ment therefrom upon the requisition of the state board for vocational
 7 education.

[39 G. A., ch. 14, § 2.]

SEC. 2294-a3. State agency for cooperation with federal board.

1 The board heretofore designated or created as the state board for
 2 vocational education to cooperate with the federal board for vocational
 3 education in the administration of the provisions of the vocational
 4 education act, approved February twenty-third, nineteen hundred
 5 seventeen, is hereby designated as the state board for the purpose of
 6 cooperating with the said federal board in carrying out the provisions
 7 and the purposes of said federal act providing for the vocational
 8 rehabilitation of persons disabled in industry or otherwise.

[39 G. A., ch. 14, § 3.]

SEC. 2294-a4. Duties of state board for vocational education.

1 The state board for vocational education is hereby empowered and
2 directed:

3 1. To cooperate with the federal board for vocational education
4 in the administration of said act of congress.

5 2. To administer any legislation pursuant thereto enacted by this
6 state and direct the disbursement, and administer the use of all funds
7 provided by the federal government and this state for the vocational
8 rehabilitation of persons disabled in industry or otherwise and their
9 return to civil employment.

10 3. To appoint such assistants as may be necessary to administer
11 the provisions of this chapter and said act of congress in this state
12 and fix the compensation of such persons.

13 4. To study and make investigations relating to the vocational
14 rehabilitation of persons disabled in industry or otherwise and their
15 return to civil employment and to formulate plans for the vocational
16 rehabilitation of such persons.

17 5. To make such surveys with the cooperation of the state com-
18 missioner of labor and the state industrial commissioner as will assist
19 in the vocational rehabilitation of persons disabled in industry or
20 otherwise and their return to civil employment.

21 6. To maintain a record of all such persons together with all
22 measures taken for their rehabilitation.

23 7. To utilize in the rehabilitation of persons disabled in industry
24 or otherwise such existing educational facilities of the state as may
25 be advisable and practicable, including public and private educational
26 institutions, public or private establishments, plants, factories, and
27 the services of individuals specially qualified for the instruction of
28 physically handicapped persons.

29 8. To promote the establishment and assist in the development
30 of training agencies for the vocational rehabilitation of persons dis-
31 abled in industry or otherwise.

32 9. To supervise the training of such persons and confer with
33 their relatives and others concerning their vocational rehabilitation.

34 10. To make every possible endeavor looking to the placement of
35 vocationally rehabilitated persons in suitable remunerative occupa-
36 tions, including supervision for a reasonable time after return to civil
37 employment.

38 11. To utilize the facilities of such agencies both public and pri-
39 vate as may be practicable in securing employment for such persons
40 and any such public agency is hereby authorized and directed to co-
41 operate with the state board for vocational education for the purpose
42 stated.

43 12. To cooperate with any agency of the federal government or
44 of the state or of any county or other municipal authority within the
45 state or any other agency, public or private, in carrying out the pur-
46 poses of this chapter.

47 13. To make such rules and regulations as may be necessary for
48 the administration of this chapter and said act of congress within
49 this state.

50 14. To do all things necessary to secure the rehabilitation of those
51 entitled to the benefits of this chapter.

52 15. To report on call or biennially to the governor the conditions
 53 of vocational rehabilitation within the state, such report to designate
 54 the educational institutions, establishments, plants, factories, etc., in
 55 which training is being given, and to contain a detailed statement of
 56 the expenditures of the state and federal funds in the rehabilitation
 57 of persons disabled in industry or otherwise.

[39 G. A., ch. 14, § 4.]

SEC. 2294-a5. Plan of cooperation.

1 It shall be the duty of the state board for vocational education
 2 and the state commissioner of labor and the state industrial commis-
 3 sioner as administrator of the workmen's compensation law to formu-
 4 late a plan of cooperation in accordance with the provisions of this
 5 chapter and said act of congress, such plan to become effective when
 6 approved by the governor of the state.

[39 G. A., ch. 14, § 5.]

SEC. 2294-a6. Gifts and donations.

1 The state board for vocational education is hereby authorized
 2 and empowered to receive such gifts and donations from either public
 3 or private sources as may be offered unconditionally or under such
 4 conditions related to the vocational rehabilitation of persons disabled
 5 in industry or otherwise as in the judgment of the said state board are
 6 proper and consistent with the provisions of this chapter.

7 All the moneys received as gifts or donations shall be deposited
 8 in the state treasury and shall constitute a permanent fund to be called
 9 the special fund for the vocational rehabilitation of disabled persons,
 10 to be used by the said board in carrying out the provisions of this
 11 chapter or for purposes related thereto.

12 A full report of all gifts and donations offered and accepted,
 13 together with the names of the donors and the respective amounts
 14 contributed by each, and all disbursements therefrom shall be sub-
 15 mitted at call or biennially to the governor of the state by said state
 16 board.

[39 G. A., ch. 14, § 6.]

CHAPTER 4

EDUCATIONAL BOARD OF EXAMINERS

SECTION 2295. Members.

1 The educational board of examiners shall consist of:
 2 1. The superintendent of public instruction,
 3 2. The president of the university,
 4 3. The president of the Iowa state teachers college,
 5 4. The president of the Iowa state college of agriculture and
 6 mechanic arts, and
 7 5. Three persons to be appointed by the governor, one of whom
 8 shall be a woman and one of whom shall be a representative of the

9 privately endowed colleges of the state maintaining teachers' training
10 courses.

11 The appointees to hold office for a term of four years and be in-
12 eligible as his or her successor, the superintendent of public instruc-
13 tion to be by virtue of his office president of the board.

[C., '97, § 2628; 37 G. A., ch. 340, § 1; 39 G. A., ch. 248.]

SEC. 2304. Conditions for renewal under certain sections—fee.

1 All certificates referred to in sections twenty-four hundred eighty-
2 two, twenty-four hundred eighty-three and twenty-four hundred
3 eighty-five of the compiled code, shall be renewed for life by the state
4 board of educational examiners upon compliance by the holder with
5 the following conditions:

6 1. The applicant shall show by testimonials from county or city
7 superintendents or from the principals having immediate supervision
8 of his school work and from a member of the local school board that
9 he has had at least five years' continuous successful teaching experi-
10 ence, at least three of which shall have been immediately prior to the
11 time validation is sought and under the grade of certificate for which
12 such validation is desired.

13 2. The standing of such applicant in the several branches shown
14 upon his certificate shall average not less than eighty-five per cent,
15 and in no branch shall the per cent be less than eighty per cent; pro-
16 vided that in case the standing is less than the per cent required,
17 either average or special, the holder of the certificate may, at any of
18 the times provided in section twenty-four hundred eighty-one of the
19 compiled code, take an examination in any branch or branches he may
20 desire and the per cent then received shall be entered upon his cer-
21 tificate.

22 3. The applicant shall furnish proof of professional study during
23 the entire five-year period such as is made necessary in the case of
24 term renewals of certificates.

25 Upon the issue of a life certificate as herein contemplated, the
26 applicant shall pay a fee of five dollars to be turned into the state
27 treasury.

[S., '13, § 2634-h1.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to correct error in printing of compiled code.

SEC. 2306. Secretary—examination readers.

1 The board shall have power to employ a secretary and prescribe
2 his duties. He shall receive actual necessary expenses while engaged
3 in the performance of his duties at places other than the capitol.

4 The board shall have power to employ such persons as are neces-
5 sary to assist in examinations and in reading answer papers.

6 All expenditures authorized to be made under the provisions of
7 this chapter and sections twenty-four hundred seventy-nine to twenty-
8 four hundred ninety, inclusive, and twenty-four hundred ninety-two
9 to twenty-five hundred, inclusive, of the compiled code shall be certi-
10 fied by the chairman of the educational board of examiners to the state
11 board of audit for payment. If found correct the state board of audit
12 shall cause same to be paid from any funds paid into the state treasury

13 under the provisions of section twenty-two hundred ninety-eight and
 14 sections twenty-four hundred seventy-nine to twenty-four hundred
 15 ninety, inclusive, and twenty-four hundred ninety-two to twenty-five
 16 hundred, inclusive, of the compiled code.

[C., '97, § 2634; S. S., '15, § 2634-a; 39 G. A., ch. 209, § 51.]

CHAPTER 5

NORMAL TRAINING OF TEACHERS

SECTION 2309. Training of teachers for rural schools—normal courses in certain high schools.

1 For the purpose of increasing the facilities for training teachers
 2 for the rural schools, by requiring a review of such common branches
 3 as may be deemed essential by the superintendent of public instruc-
 4 tion and for instruction in elementary pedagogy and the art of teach-
 5 ing elementary agriculture and home economics, provision is hereby
 6 made for normal courses of study and training in such four-year high
 7 schools as the superintendent of public instruction may designate,
 8 provided that such high schools shall be selected and distributed with
 9 regard to their usefulness in supplying trained teachers for the rural
 10 schools of all portions of the state, and with regard to the number of
 11 teachers required for rural schools in each portion of the state. It is
 12 further provided that where a township high school or a consolidated
 13 school organized in accordance with the provisions of sections twenty-
 14 five hundred twenty-four-a one to twenty-five hundred twenty-four-a
 15 forty, inclusive, of this supplement, can meet the requirements of
 16 the superintendent of public instruction, it shall be given preference
 17 over a city high school.

[S., '13, § 2634-b1.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to change cross reference.

SEC. 2312. Inspection and supervision—expense.

1 The appropriation provided by this chapter for instruction of
 2 pupils in high schools in the science and practice of rural school teach-
 3 ing and the teaching of elementary agriculture and home economics,
 4 may be expended in part for inspection and supervision of such in-
 5 struction by the superintendent of public instruction and by such per-
 6 son as he may designate, and the expense of such inspection and super-
 7 vision shall be paid out of said appropriation on vouchers certified by
 8 the superintendent of public instruction.

[S., '13, § 2634-b4; 39 G. A., ch. 209, § 52.]

CHAPTER 6

STATE BOARD OF EDUCATION

SECTION 2321-a1. Advertisement for bids.

1 When the estimated cost of construction, repairs, or improve-
 2 ment of buildings or grounds under charge of the state board of edu-

3 cation shall exceed ten thousand dollars, the said board shall adver-
 4 tise for bids for the contemplated improvement or construction and
 5 shall let the work to the lowest responsible bidder, provided, however,
 6 if in the judgment of the board bids received be not acceptable, the
 7 said board may reject all bids and proceed with the construction,
 8 repair or improvement by such method as the board may determine.
 9 All plans and specifications for repairs or construction, together with
 10 bids thereon, shall be filed by the board and be open for public inspec-
 11 tion. All bids submitted under the provisions of this section shall
 12 be accompanied by a deposit of money or a certified check in such
 13 amount as the board may prescribe.

[40 G. A., ch. 62.]

SEC. 2327. Appropriation for expenses.

1 There is hereby appropriated from any funds in the state treasury
 2 not otherwise appropriated, sufficient thereof to pay the expenses of
 3 the board and the finance committee, including the expenses of their
 4 assistants.

[S., '13, § 2682-1; 39 G. A., ch. 209, § 54.]

SEC. 2328. Official residences—expenses.

1 The members of the finance committee and other employees shall
 2 maintain their official residences at the places designated by the board,
 3 and shall be entitled to the necessary traveling expenses therefrom, by
 4 the nearest traveled and practicable route, incurred in visiting the
 5 different institutions and other places and returning therefrom when
 6 on official business; and to such other expenses as are actually and
 7 necessarily incurred in the performance of their official duties.

[S., '13, § 2682-m; 38 G. A., ch. 74, § 1; 39 G. A., ch. 209,
 § 53.]

CHAPTER 7

STATE UNIVERSITY

SECTION 2346-a1. Permanent annual appropriations.

1 There is hereby appropriated out of any money in the state treas-
 2 ury not otherwise appropriated, to the state university of Iowa, the
 3 sum of seven hundred thousand dollars annually hereafter for the
 4 following purposes:

5	Educational support.....	\$454,700.00
6	College of applied science, liberal arts, law, 7 pharmacy and medicine.....	68,350.00
8	College of dentistry.....	23,725.00
9	College of education.....	20,000.00
10	Graduate college.....	9,000.00
11	College of fine arts.....	3,000.00
12	University extension.....	17,000.00
13	Summer school.....	16,000.00
14	Equipment and supplies.....	12,500.00

15	Repair and contingent.....	35,000.00
16	Department of buildings and grounds.....	12,000.00
17	Administration	6,225.00
18	Library	17,500.00
19	Epidemiology laboratory	5,000.00

20 The permanent annual appropriations provided for in this sec-
 21 tion shall be paid on the order of the Iowa state board of education,
 22 in monthly installments beginning July first, of each year, with the
 23 exception of the summer school fund, sixteen thousand dollars, which
 24 shall be available on July first of each year.

[36 G. A., ch. 305, § 1.]

NOTE: The 36th G. A., ch. 227, § 10, ordered all appropriation acts to be omitted from the supplemental supplement of 1915. The result was that the foregoing section was not carried into the compiled code. It is here printed to supply the omission.

SEC. 2348-a1. Hospital for crippled and diseased children.

1 There is hereby appropriated, out of any money in the state treas-
 2 ury not otherwise appropriated, to the state university of Iowa, the
 3 sum of one hundred fifty thousand dollars for the purpose of erecting
 4 and equipping a hospital for the use of diseased and crippled children
 5 of the state who are committed to the hospital of the college of medi-
 6 cine of the state university of Iowa, under the provisions of sections
 7 twenty-three hundred seventy-six, twenty-three hundred seventy-
 8 seven, and twenty-three hundred eighty-four of the compiled code;
 9 and for the use of such other children as might be cared for without
 10 interfering with the proper care of the children committed under sec-
 11 tions twenty-three hundred seventy-six, twenty-three hundred seventy-
 12 seven and twenty-three hundred eighty-four of the compiled code, and
 13 in addition to these such other patients as may be properly admitted
 14 under the provisions of sections twenty-three hundred eighty-seven
 15 and twenty-three hundred eighty-eight of the compiled code.

[37 G. A., ch. 214, § 1; 39 G. A., ch. 90.]

NOTE: Chapter 214, acts of the 37th G. A., was omitted from the compiled code as a temporary provision. 39 G. A., ch. 90, however, amended the act of the 37th G. A. by adding some permanent law thereto. For that reason the act of the 37th G. A., in its amended form, is produced in this supplement in the above form.

SEC. 2354. Appropriation for bacteriological laboratory.

1 There is hereby appropriated out of any money in the state treas-
 2 ury not otherwise appropriated, for the purpose of more perfectly
 3 equipping the present bacteriological laboratory at the state university
 4 and for the purpose of enabling it to perform the duties imposed by
 5 sections twenty-three hundred fifty-two and twenty-three hundred
 6 fifty-three of the compiled code, and to provide it with the necessary
 7 apparatus and assistants to render the same effective, the sum of fif-
 8 teen thousand dollars annually or so much thereof as may be necessary,
 9 to be additional salary of the director, epidemiologists, water analysts
 10 and other assistants, the expenses of said laboratory as may be neces-
 11 sary by said sections, including postage, stationery, and other contin-
 12 gent and miscellaneous expenses which may be incurred in the main-
 13 taining of said laboratory and performing the duties required therein
 14 by the provision of said sections. The director shall receive such addi-

15 tional salary not to exceed twelve hundred dollars per year as the state
 16 board of health may fix. The appropriations hereby provided shall be
 17 expended in the manner provided in sections twelve hundred sixty-six
 18 and twelve hundred sixty-seven of the compiled code. The appropria-
 19 tion of five thousand dollars provided for the epidemiology laboratory
 20 in section twenty-three hundred forty-six-a one of this supplement, to
 21 the state university is hereby made available for the use of the labora-
 22 tory and the work provided for in this chapter. All laboratory work
 23 of the state board of health shall be done at or through the laboratory
 24 herein provided.

[S. S., '15, § 2575-a9; 37 G. A., ch. 285; 39 G. A., ch. 293, § 1.]

CHAPTER 8

PSYCHOPATHIC HOSPITAL

SECTION 2365. Examination at hospital—nurse assigned—transfer.

1 When the patient arrives at said hospital it shall be the duty of
 2 the director, or of some physician acting for him, to examine the said
 3 patient and determine whether or not, in his judgment, he is a fit sub-
 4 ject for such observation, treatment and hospital care. If, upon said
 5 examination, he decides that such patient should be admitted to the
 6 said hospital, the medical director shall provide him with a proper bed
 7 in said hospital; and the physician or surgeon who shall have charge of
 8 said patient shall proceed with such observation, medical or surgical
 9 treatment and hospital care as, in his judgment, are proper and nec-
 10 essary.

11 A proper and competent nurse shall also be assigned to look after
 12 and care for such patient during such observation, treatment and care
 13 as aforesaid.

[38 G. A., ch. 235, § 11; 39 G. A., ch. 245, § 1.]

SEC. 2365-a1. Application for commitment to insane hospital.

1 If, upon such examination or at any time thereafter, the medical
 2 director, or, in his absence, the assistant medical director, shall be of
 3 the opinion that such patient, or any patient in said state psychopathic
 4 hospital, is a fit subject for care, observation and treatment in a state
 5 hospital for the insane, he shall file an application, substantially as
 6 provided in section twenty hundred fifty-eight of the compiled code,
 7 with the board of commissioners of insanity hereinafter created.

[39 G. A., ch. 245, § 1.]

SEC. 2365-a2. Special board of commissioners of insanity.

1 The medical director, the assistant medical director and one other
 2 member of the medical staff of the state psychopathic hospital shall
 3 constitute a board of commissioners of insanity; and said board is
 4 hereby vested with all the rights, powers, duties and obligations of
 5 the commissioners of insanity as now constituted by law, except as
 6 herein provided, with full power to receive and act upon all applica-

7 tions filed hereunder, as fully as the commissioners of insanity are
8 empowered and authorized by law to do. The procedure of the board
9 hereby created shall be the same as now provided by law, except as
10 herein modified.

[39 G. A., ch. 245, § 1.]

SEC. 2365-a3. Secretary—records—certification.

1 Said board shall elect one of its members secretary, who shall
2 keep a record, in a book provided for that purpose, of all the proceed-
3 ings of said board and certify a copy thereof forthwith to the clerk
4 of the district court of the county of the legal residence of the person
5 against whom said proceedings were had. Said clerk of the district
6 court shall file and record said proceedings in the records of his office
7 the same as if said proceedings had been before the commissioners of
8 insanity of said county.

[39 G. A., ch. 245, § 1.]

SEC. 2365-a4. Appeal—procedure—custody of patient.

1 Any person found to be insane under the provisions herein author-
2 ized may appeal from such finding to the district court of the county
3 of the legal residence of such person. Said appeal and proceedings
4 thereon shall be the same as if said finding appealed from had been
5 made by the commissioners of insanity of said county; except that a
6 copy of the notice of appeal served, or to be served, upon the clerk
7 of said district court shall be served on a member of the board of
8 commissioners of insanity hereby created, and if, at the time the copy
9 of said notice of appeal is served on a member of said board, the
10 patient is still in the actual custody of said board and not en route
11 to a hospital for the insane, the said board hereby created shall cause
12 said patient to be conducted, by its appointee or appointees, to the
13 county of the legal residence of said patient in which said appeal was
14 taken and deliver to the custody of the sheriff of said county, and
15 thereafter the said patient shall be cared for and disposed of as if the
16 proceedings appealed from had been had by the commissioners of
17 insanity of said county.

[39 G. A., ch. 245, § 1.]

SEC. 2365-a5. Jurisdiction of board after appeal.

1 In the case of an appeal as herein provided, the jurisdiction of
2 the board of commissioners hereby created shall immediately cease,
3 except as herein otherwise specially provided.

[39 G. A., ch. 245, § 1.]

SEC. 2365-a6. Accompanying patients from hospital—payment.

1 Whenever the board hereby created shall designate any person,
2 or persons, to accompany any patient from said state psychopathic
3 hospital to any state hospital for the insane, or to the county of the
4 legal residence of the patient, the pay of such person, or persons, for
5 performing such duty shall not exceed three dollars per day for the
6 time thus necessarily employed, and the actual, reasonable and neces-
7 sary expenses incurred in accompanying said patient and in returning

8 home therefrom. Said per diem and expenses shall be itemized and
 9 verified and presented and allowed in connection with the bills for
 10 maintenance as hereinafter provided; provided, however, that if the
 11 party accompanying said patient is a parent or other relative, or an
 12 officer or employee receiving other compensation, the said person shall
 13 receive no per diem, but only his actual, reasonable and necessary
 14 traveling expenses.

[39 G. A., ch. 245, § 3.]

SEC. 2365-a7. Special officers—female patients.

1 All duties imposed by law upon the sheriff, or his deputy, relating
 2 to the attendance and commitment of insane patients may, by order
 3 of said board hereby created, be performed by such person, or per-
 4 sons, as said board may designate. If the patient be a female, she
 5 shall be accompanied to the state hospital for the insane, or to the
 6 county of her legal residence, as the case may be, by at least one
 7 woman.

[39 G. A., ch. 245, § 1.]

SEC. 2366. Voluntary public patients—commitment—treatment.

1 If the said judge of the district or superior court, as aforesaid,
 2 finds from the physician's report which was filed under the provisions
 3 of section twenty-three hundred sixty-four of the compiled code, that
 4 the said person is suffering from an abnormal mental condition which
 5 can probably be remedied by observation, medical or surgical treat-
 6 ment and hospital care, and the report of the county attorney shows
 7 that he, or those legally responsible for him, are unable to pay the
 8 expenses thereof, said judge shall enter an order directing that the
 9 said person shall be sent to the state psychopathic hospital at the state
 10 university of Iowa for observation, treatment and hospital care as a
 11 voluntary public patient; provided that the said person, or those legally
 12 responsible for him, request the said court or judge to commit said
 13 person without the hearing which is required under the provisions of
 14 said section twenty-three hundred sixty-four of the compiled code.

15 When the said patient arrives at the said hospital, he shall receive
 16 the same treatment as is provided for committed public patients in
 17 section twenty-three hundred sixty-five of this supplement.

[38 G. A., ch. 235, § 12.]

NOTE: This section reprinted to eliminate the words "the preceding section"
 and insert in lieu thereof "section twenty-three hundred sixty-five". This change
 is necessary owing to the fact that sections twenty-three hundred sixty-five-a one
 to twenty-three hundred sixty-five-a seven, inclusive, have been inserted herein be-
 tween sections twenty-three hundred sixty-five and twenty-three hundred sixty-six.

SEC. 2368-a1. Patients transferred from university hospital.

1 Whenever patients who have been committed by law to the gen-
 2 eral hospital of the college of medicine of the state university of Iowa,
 3 under the provisions of chapters nine or ten of title ten, are found by
 4 the medical director of the state psychopathic hospital to be afflicted
 5 with abnormal mental conditions, such patient may be transferred by
 6 the superintendent of the hospital of the college of medicine of the
 7 state university of Iowa and the said medical director, to the state

8 psychopathic hospital, and all necessary expenses for the care of such
 9 patient while in the wards or rooms of said psychopathic hospital
 10 shall be paid to said psychopathic hospital by the said hospital of the
 11 college of medicine of the state university.

[39 G. A., ch. 245, § 2.]

SEC. 2369. Accompanying patients to hospital—payment—sworn statement.

1 The court may, in his discretion, appoint some person to accom-
 2 pany said committed public patient or said voluntary public patient or
 3 said committed private patient from the place where he may be to
 4 the state psychopathic hospital of the state university at Iowa City,
 5 or to accompany such patient from the said hospital to such place as
 6 may be designated by the court.

7 Any person appointed by the court or judge to accompany said
 8 person to or from the hospital or to make an investigation and report
 9 on any question involved in the complaint, other than the physician
 10 making the examination, shall receive the sum of three dollars per
 11 day for the time actually spent in making such investigation (except
 12 in cases where the person appointed therefor receives a fixed salary
 13 or compensation) and his actual necessary expenses incurred in mak-
 14 ing such investigation or trip.

15 The physician appointed to make the examination and report shall
 16 receive the sum of five dollars for each and every examination and
 17 report so made, and his actual necessary expenses incurred in making
 18 such investigation, in conformity with the requirements of this
 19 chapter.

20 The person making claim to such compensation shall present to
 21 the court or judge an itemized sworn statement thereof, and when
 22 such claim for compensation has been approved by the court or judge,
 23 the same shall be filed in the office of the county auditor and shall be
 24 allowed by the board of supervisors and paid out of the funds of the
 25 county collected for the relief of the poor. If the patient be a female,
 26 the person appointed to accompany her must be a woman.

[38 G. A., ch. 235, § 15; 39 G. A., ch. 245, § 3.]

SEC. 2370-a1. Commitment of private patient as public patient.

1 If any patient be admitted to the state psychopathic hospital and
 2 thereafter an order of commitment of said patient as a public patient
 3 be made by the court or judge having jurisdiction thereof, the expense
 4 of keeping and maintaining said patient from the date of the filing
 5 of the information upon which said order is made shall be paid by
 6 the state.

[39 G. A., ch. 245, § 5.]

SEC. 2372. Discharge—transfer.

1 The medical director of the state psychopathic hospital may, at
 2 any time, discharge any patient as recovered, as improved, or as not
 3 likely to be benefited by further treatment, and upon said discharge
 4 said director shall notify the committing judge or court thereof; and
 5 the said court or judge shall appoint some person to accompany said
 6 discharged patient from the said state psychopathic hospital to such

7 place as he may designate, or authorize the said medical director to
8 appoint such attendant.

[38 G. A., ch. 235, § 18; 39 G. A., ch. 245, § 4.]

SEC. 2372-a1. Death of patient—disposal of body—expense.

1 In the event that a committed public patient or a voluntary public
2 patient or a committed private patient should die while at the state
3 psychopathic hospital or at the general hospital of the college of medi-
4 cine of the state university of Iowa, the medical director of the said
5 state psychopathic hospital is hereby authorized and directed to have
6 the body prepared for shipment in accordance with the rules and regu-
7 lations prescribed by the state board of health for shipping such
8 bodies; and it shall be the duty of the Iowa state board of education
9 to make arrangements for the embalming and such other preparation
10 as may be necessary to comply with said rules and regulations, and
11 for the purchase of suitable caskets. The state shall pay, to the state
12 psychopathic hospital, out of any money in the state treasury not other-
13 wise appropriated, the cost of the casket, the embalming, and all other
14 expenses incurred in preparing the body for shipment, and, in addi-
15 tion thereto, the cost of transportation from Iowa City, Iowa, to the
16 place where the said patient lived at the time when he was committed
17 or taken to the said state psychopathic hospital; said expenses to be
18 paid in accordance with the provisions of section twenty-three hun-
19 dred seventy-three of the compiled code. In the event that the said
20 person is a committed private patient, it shall be the duty of the county
21 auditor of the proper county to proceed to collect all of such expenses,
22 in accordance with the provisions of section twenty-three hundred sev-
23 enty of the compiled code.

[39 G. A., ch. 245, § 6.]

CHAPTER 8-A

FEDERAL MATERNITY AND INFANCY ACT

SECTION 2374-a1. Sheppard-Towner act accepted.

1 The state of Iowa, through its legislature, hereby accepts the
2 provisions of the act of congress, enacted by the sixty-seventh con-
3 gress, approved November twenty-third, nineteen hundred twenty-
4 one, and entitled, "An act for the promotion of the welfare and hygiene
5 of maternity and infancy, and for other purposes", otherwise known
6 as Public, No. 97, sixty-seventh congress (S. 1039).

[40 G. A., ch. 61, § 1.]

SEC. 2374-a2. Funds accepted.

1 The benefits of all funds appropriated under the provisions of
2 such act are hereby accepted as provided in such act.

[40 G. A., ch. 61, § 2.]

SEC. 2374-a3. State agency.

1 The state board of education is hereby designated as the state
2 agency, provided in such act; and the said state board of education

3 is charged with the duty and responsibility of cooperating with the
4 children's bureau of the United States department of labor in the
5 administration of such act; and is given all power necessary to such
6 cooperation. The state university of Iowa shall be in actual charge
7 of the work done under this chapter.

[40 G. A., ch. 61, § 3.]

SEC. 2374-a4. Custodian of funds.

1 The state treasurer is hereby appointed as custodian of funds,
2 for the promotion of the welfare and hygiene of maternity and
3 infancy as provided in such act; and he is charged with the duty and
4 responsibility of receiving and providing for the proper custody and
5 disbursement of vouchers drawn by such state board of education,
6 of moneys paid to the state from the appropriations made under the
7 provisions of such act, and of such funds as are appropriated by the
8 state to secure such appropriations from the federal government.

[40 G. A., ch. 61, § 4.]

SEC. 2374-a5. Reports.

1 The state treasurer, as custodian of funds for the promotion of
2 the welfare and hygiene of maternity and infancy, shall make to the
3 general assembly, at each biennial session thereof, a report of the
4 receipts and disbursements of moneys received by him under the
5 provisions of such act; and such state board of education shall make
6 to the general assembly, at each biennial session thereof, a report of
7 its administration of such act.

[40 G. A., ch. 61, § 5.]

SEC. 2374-a6. Appropriation.

1 There is hereby appropriated, out of the money in the state
2 treasury not otherwise appropriated, the sum of twenty-one thousand
3 two hundred thirteen dollars and sixty cents, which shall be available
4 immediately upon the passage of this chapter; and the sum of twenty-
5 one thousand two hundred thirteen dollars and sixty cents annually
6 hereafter, beginning July first, nineteen hundred twenty-three, for
7 the promotion of the welfare and hygiene of maternity and infancy,
8 so long as the provisions of said act of congress named in this chapter
9 shall remain in force.

[40 G. A., ch. 61, § 6.]

SEC. 2374-a7. Rights of parents.

1 No official, agent, or representative of the division of maternity
2 and infant hygiene shall by virtue of this chapter have any right to
3 enter any home over the objection of the owner thereof, or to take
4 charge of any child over the objection of the parents, or either of
5 them, or of the person standing in loco parentis or having custody
6 of such child. Nothing in this chapter shall be construed as limiting
7 the power of a parent or guardian or person standing in loco parentis
8 to determine what treatment or correction shall be provided for a
9 child or the agency or agencies to be employed for such purpose.

[40 G. A., ch. 61, § 7.]

CHAPTER 11

STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS

SECTION 2396-a1. Permanent annual appropriations.

1 There is hereby appropriated to the Iowa state college of agricul-
 2 ture and mechanic arts, out of any money in the state treasury not
 3 otherwise appropriated, the sum of nine hundred forty thousand dol-
 4 lars annually hereafter for the following purposes:

5	Permanent collegiate support fund.....	\$505,000.00
6	Summer session.....	20,000.00
7	Two year and four year courses in home eco-	
8	nomics for homemakers and teachers.....	20,000.00
9	Subcollegiate courses in agriculture, home	
10	economics, and engineering.....	54,000.00
11	Contingent fund, repairs, and minor im-	
12	provements	46,000.00
13	Library, books and periodicals.....	5,000.00
14	Maintenance and improvement of public	
15	grounds	10,000.00
16		
17		<u>660,000.00</u>

18 and for,

19	Winter short courses in agriculture, home	
20	economics and engineering and trade	
21	school work	9,500.00
22	Veterinary practitioners' courses.....	2,500.00
23	Engineering experiment station.....	15,000.00
24	Good roads experimentation.....	10,000.00
25	Agricultural experiment station.....	115,500.00
26	Agricultural and home economics extension..	90,000.00
27	Engineering extension and trade schools.....	25,000.00
28	Veterinary investigations	12,500.00
29		
30		<u>280,000.00</u>

31 The appropriations in this section shall be paid on the order of
 32 the Iowa state board of education, in monthly installments beginning
 33 July first, of each year, with the exception of the summer sessions
 34 fund of twenty thousand dollars, which shall be available on July first
 35 of each year and the winter short course fund of nine thousand five
 36 hundred dollars, which shall be available on January first each year.

[36 G. A., ch. 305, § 2.]

NOTE: The 36th G. A., ch. 227, § 10, ordered all appropriation acts to be omitted from the supplemental supplement of 1915. The result was that the foregoing section was not carried into the compiled code. It is here printed to supply the omission.

SEC. 2422. Hog cholera serum laboratory—establishment—directors—assistants.

1 The state board of education is hereby authorized to maintain at
 2 Ames, Iowa, in connection with the Iowa state college of agriculture
 3 and mechanic arts, a laboratory for the manufacture and distribution
 4 of hog cholera serum, toxines, vaccines and biological products and

5 for such other work as the said state board of education may, from
6 time to time, deem advisable in the veterinary division; and to pro-
7 vide the necessary equipment therefor. The president of said col-
8 lege shall appoint the director of said laboratory and such assistants
9 as are deemed necessary to efficiently carry on said work; and he
10 shall, with the approval of said board, fix the salaries of said assist-
11 ants.

[S. S., '15, § 2538-w; 39 G. A., ch. 274, § 1.]

SEC. 2423. Sale of serum.

1 The director of said laboratory may, when an emergency is
2 declared to exist by the state board of education, furnish said serum
3 to any person, together with specific instructions for the use of same,
4 at the approximate cost of manufacture, and such cost shall be stated
5 on the package. The director of the serum laboratory is authorized
6 to purchase serum or other biological products which he deems reli-
7 able, and he may sell the same at approximate cost in the same man-
8 ner as products of the laboratory are sold.

[S. S., '15, § 2538-w1; 39 G. A., ch. 274, § 2.]

SEC. 2424. Receipts—how deposited—expenses.

1 The director shall deposit all funds with the treasurer of the
2 college, which treasurer shall be responsible on his bond for the same.
3 Upon receipt of said moneys, the said treasurer shall issue duplicate
4 receipts therefor, one of which he shall deliver to the director and the
5 other to the secretary of the state board of education. Said moneys
6 shall be kept by said treasurer in a separate fund to be known as the
7 serum fund; and he shall pay out from said fund, as other college
8 funds are expended, but only for expenses directly connected with the
9 maintenance and development of said laboratory and for grounds and
10 buildings. Said grounds and buildings shall be used, when so author-
11 ized by the board of education, for any purpose in connection with
12 the study, control or treatment of animal diseases.

[S. S., '15, § 2538-w2; 39 G. A., ch. 274, § 3.]

SEC. 2425. State entomologist—ex officio—duties—assistants—fees.

1 The entomologist of the state experiment station is hereby con-
2 stituted the state entomologist and charged with the execution of this
3 section and sections twenty-four hundred twenty-six to twenty-four
4 hundred twenty-eight, inclusive, of the compiled code. He may
5 appoint such qualified assistants as may be necessary, fix a reasonable
6 compensation for their labor, and pay the same; and their acts shall
7 have the same validity as his own. He shall, by himself or his assist-
8 ants, between the first day of June and the fifteenth day of Septem-
9 ber, in each year, when requested by the owner or agent or where he
10 has reasonable grounds to believe any dangerously injurious insect or
11 plant disease exists, carefully examine any nursery, fruit farm, or
12 other place where trees or plants are grown for sale, and if found
13 apparently free from any dangerously injurious insect or plant dis-
14 ease, he shall issue his certificate stating the facts, and shall collect
15 therefor a fee of not less than five dollars, nor more than forty dollars,

16 according to the amount of stock inspected. It shall be unlawful to
 17 sell, or offer for transportation, any nursery stock unless accompanied
 18 by a copy of this certificate.

[S., '13, § 2575-a47; 40 G. A., ch. 65, § 1.]

SEC. 2430. Annual appropriation.

1 There is hereby appropriated out of any moneys not otherwise
 2 appropriated the sum of six thousand five hundred dollars annually,
 3 or so much thereof as may be necessary, for carrying out the pro-
 4 visions of section twenty-four hundred twenty-five of this supple-
 5 ment, and sections twenty-four hundred twenty-six to twenty-four
 6 hundred twenty-nine, inclusive, of the compiled code.

[S. S., '15, § 2575-a52; 40 G. A., ch. 65, § 2.]

CHAPTER 12

IOWA STATE TEACHERS COLLEGE

SECTION 2432-a1. Permanent annual appropriations.

1 There is hereby appropriated out of any money in the state treas-
 2 ury not otherwise appropriated, to the Iowa state teachers college, the
 3 sum of two hundred eighty-five thousand dollars annually hereafter
 4 for the following purposes:

5	Teachers' fund.....	\$139,500.00
6	Summer term fund.....	40,000.00
7	Contingent and repair.....	70,000.00
8	Library	5,000.00
9	Librarian's salary fund.....	8,500.00
10	Hospital fund	2,250.00
11	Extension service fund.....	19,750.00

12 The permanent annual appropriations provided for in this sec-
 13 tion shall be paid on the order of the Iowa state board of education,
 14 in monthly installments beginning July first, of each year, with the
 15 exception of the summer term fund, forty thousand dollars, which shall
 16 be available on July first each year.

[36 G. A., ch. 305, § 3.]

NOTE: The 36th G. A., ch. 227, § 10, ordered all appropriation acts to be omitted from the supplemental supplement of 1915. The result was that the foregoing section was not carried into the compiled code. It is here printed to supply the omission.

CHAPTER 13

SCHOOL FOR THE BLIND

SECTION 2438. Admission.

1 All blind persons and persons whose vision is so defective that
 2 they cannot be properly instructed in the common schools, who are
 3 residents of the state and of suitable age and capacity, shall be entitled
 4 to an education in the school for the blind at the expense of the state.

5 Nonresidents also may be admitted to the school for the blind if their
6 presence would not be prejudicial to the interests of residents, upon
7 such terms as may be fixed by the state board of education.

[R., '60, §§ 2147, 2148; C., '73, §§ 1672, 1680; C., '97, § 2715;
S., '13, § 2715; 40 G. A., ch. 241, § 1.]

SEC. 2439. Expenses—residence of indigents.

1 The provisions of sections twenty-four hundred forty-five and
2 twenty-four hundred forty-six of the compiled code of Iowa are hereby
3 made applicable to the school for the blind.

[C., '73, § 1678; C., '97, § 2716; 40 G. A., ch. 241, § 2.]

SEC. 2440-a1. Permanent annual appropriations.

1 There is hereby appropriated out of any money in the state treas-
2 ury not otherwise appropriated, to the college for the blind, the sum
3 of forty-one thousand six hundred dollars annually hereafter for the
4 following purposes:

5	Support fund.....	\$40,000.00
6	Repair and contingent fund.....	1,500.00
7	Oculist fund.....	100.00

8 The permanent annual appropriations provided for in this sec-
9 tion shall be paid on the order of the Iowa state board of education, in
10 monthly installments beginning July first of each year.

[36 G. A., ch. 305, § 4.]

NOTE: The 36th G. A., ch. 227, § 10, ordered all appropriation acts to be omitted from the supplemental supplement of 1915. The result was that the foregoing section was not carried into the compiled code. It is here printed to supply the omission.

CHAPTER 14

SCHOOL FOR THE DEAF

SECTION 2441. Trustees—officers.

[Repealed by 40 G. A., ch. 242.]

SEC. 2442. Qualifications of superintendent.

[Repealed by 40 G. A., ch. 242.]

SEC. 2443. Admission.

[This and the two preceding sections repealed by 40 G. A., ch. 242, and the two following sections enacted in lieu thereof.]

SEC. 2443-a1. Superintendent—labor of pupils.

1 The superintendent of the school for the deaf shall be a trained
2 and experienced educator of the deaf. His salary may include resi-
3 dence in the institution and board from the funds or supplies thereof,
4 but no such allowance shall be made except by express contract in
5 advance. The board may utilize the labor of any pupil of the institu-
6 tion on the farm, in the workshops, in erection of buildings for the

7 institution, or in domestic service, so far as practicable, without inter-
8 ference with their proper education.

[R., '60, § 2157; C., '73, § 1686; C., '97, § 2723; S., '13, § 2727-3a; 40 G. A., ch. 242, § 1.]

SEC. 2443-a2. Admission.

1 Every resident of the state of Iowa who is not less than five nor
2 more than twenty-one years of age, who is deaf and dumb, or so deaf
3 as to be unable to acquire an education in the common schools, and
4 every such person who is over twenty-one and under thirty-five years
5 of age who has the consent of the state board of education, shall be
6 entitled to receive an education in the institution at the expense of
7 the state, and nonresidents similarly situated may be entitled to an
8 education therein upon such terms as may be fixed by the state board
9 of education. The fee for nonresidents shall be not less than the average
10 expense of resident pupils and shall be paid in advance.

[R., '60, §§ 2156, 2160; C., '73, §§ 1688, 1689; C., '97, § 2724; S., '13, § 2724; 40 G. A., ch. 242, § 2.]

CHAPTER 15

IOWA SOLDIERS' ORPHANS' HOME

SECTION 2457. Appropriation per capita.

1 For the general support of the soldiers' orphans' home, there is
2 hereby appropriated out of any money in the state treasury not other-
3 wise appropriated the sum of twenty-four dollars per month, or so
4 much thereof as may be needed, for each child actually supported,
5 and in addition the expense of his transmission to the home, which
6 sums shall be drawn from the state treasury and expended in the
7 manner provided by chapter one, title nine. The number of children
8 shall be ascertained by taking the average attendance for the preced-
9 ing month, provided, however, that if the average number of children
10 shall be less than five hundred in any month, the auditor of state and
11 treasurer of state shall credit the home with the sum of twelve thou-
12 sand dollars for that month, and the sum so credited shall be drawn
13 from the state treasury in the same manner and for the same pur-
14 poses as the regular monthly per capita allowance is drawn.

[C., '73, §§ 1630, 1631; C., '97, § 2691; S., '13, § 2691; S. S., '15, § 2691; 37 G. A., ch. 266, § 6; 38 G. A., ch. 37, §§ 1, 6; 39 G. A., ch. 297, § 3; 40 G. A., ch. 55, § 1.]

CHAPTER 16

JUVENILE HOME

SECTION 2469. Appropriation.

1 For the support of the home there is hereby appropriated out
2 of any money in the state treasury not otherwise appropriated, or so
3 much thereof as may be needed, twenty-four dollars for each child
4 actually supported, and in addition the expense of his transmission to

5 the home, which sum shall be paid upon abstracts and certificates as
 6 required by law as it appears in section eighteen hundred eighty-
 7 eight of the compiled code. The number of children shall be ascer-
 8 tained by taking the average attendance for the preceding month;
 9 provided, however, that if the average number of children shall be
 10 less than two hundred ninety-two in any month, the auditor of the
 11 state and treasurer of the state shall credit the home with seven
 12 thousand dollars for that month, and the sum so credited shall be
 13 drawn from the state treasury in the same manner and for the same
 14 purposes as the regular monthly per capita allowance is drawn.

[38 G. A., ch. 165, § 11; 40 G. A., ch. 55, § 4.]

NOTE: This section, originally, was section 11, chapter 165, acts 38 G. A. It provided that the appropriation should be drawn from the state treasury in accordance with sections 2727-a42 and 2727-a33, supplement to the code, 1907. The reference to section 2727-a33 is a palpable mistake. Most likely section 2727-a43 was intended. Section 2727-a33 has been divided and appears in the criminal statutes as sections 8958 and 8959 of the compiled code.

Section 2469 of the compiled code carried a reference to said sections 8958 and 8959. Owing to the palpable error, they have been omitted in this supplement.

SEC. 2470. Counties liable for support.

1 Each county shall be liable for sums paid by the home in support
 2 of all its children, to the extent of one-half of the per capita cost per
 3 month for each child, and when the average number of children be
 4 less than two hundred ninety-two in any month, each county shall be
 5 liable for its just proportion for each child of the amount credited to
 6 the home for that month. The sum for which each county is so liable
 7 shall be charged to the county, and collected as a part of the taxes
 8 due the state, and paid by the county at the same time state taxes
 9 are paid.

[38 G. A., ch. 165, § 12; 40 G. A., ch. 55, § 5.]

CHAPTER 17

COUNTY HIGH SCHOOLS

SECTION 2477. Petitions to abolish—election.

1 Whenever citizens of any county having a county high school
 2 desire to abolish the same or to dispose of any part of the buildings
 3 or property thereof, they may petition the board of supervisors at any
 4 regular session thereof in relation thereto, and chapter nineteen of
 5 title twelve of this supplement shall apply to and govern the whole
 6 matter, including the manner of presenting and determining the suf-
 7 ficiency of such petitions and remonstrances thereto, so far as appli-
 8 cable. If an election is ordered the same shall be held at the time of
 9 the general election or at a special election called for that purpose and
 10 the proposition shall be submitted and the election conducted in the
 11 manner provided in title four. If any proposition as herein provided
 12 be legally submitted and adopted, the board of supervisors is hereby
 13 empowered to carry the same into effect.

[C., '97, § 2733; S., '13, § 2733-a.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to change cross reference.

CHAPTER 18

COUNTY SUPERINTENDENT

SECTION 2482-a1. Optional subjects.

1 Applicants who have graduated from a four-year course in an
 2 approved high school may submit in lieu of the examination in any
 3 one or more of the subjects of elementary algebra, political economy,
 4 elementary economics, and elementary physics a showing that the
 5 applicant has done work and earned satisfactory grades in the study
 6 of any one or more of the subjects of rural school management, rural
 7 sociology, and rural school methods, in any collegiate institution
 8 approved by the state educational board of examiners for such pur-
 9 pose; but the study and work done in each subject must be of college
 10 grade and cover a course of not less than five hours per week for
 11 twelve weeks.

[40 G. A., ch. 66.]

SEC. 2491. Readers—clerical help—compensation.

[Repealed by 39 G. A., ch. 209, § 1.]

SEC. 2501-a1. Appropriations for institutes.

1 To defray the expenses of county teachers' institutes, there is
 2 hereby appropriated out of any moneys in the state treasury not
 3 otherwise set apart a sum not to exceed fifty dollars annually for each
 4 institute held in each county, which sum the superintendent shall
 5 receive from the state treasurer, upon the warrant of the state auditor,
 6 to be issued to him upon his certificate; which amount, when drawn,
 7 shall be forthwith remitted to the proper county superintendent. If
 8 any balance remains of this sum after paying the expenses of the
 9 institute, it shall be covered into the county treasury of the proper
 10 county and credited to the institute fund.

[C., '97, § 2626.]

NOTE: The above section was treated by the editor of the supplement of 1913 as repealed by 35 G. A., ch. 103. The result was that said section was omitted from the compiled code. The attorney general in a recent opinion, however, has held that said section has not been repealed and the same is here printed to supply the omission.

SEC. 2506. Compensation.

[Repealed by 40 G. A., ch. 250, and substitute embraced in chapter 8-A, Title XII, of this supplement.]

CHAPTER 19

SCHOOL DISTRICTS

SECTION 2524. Consolidated independent school districts—petition—notice—hearing—appeal—election—buildings.

[Repealed by 39 G. A., ch. 175, § 1 (except subdivision 2 which appears as section 2524-a22), and the forty following sections (except said section 2524-a22) enacted in lieu thereof.]

SEC. 2524-a1. Consolidated school corporations.

1 Consolidated school corporations containing an area of not less
 2 than sixteen government sections of contiguous territory in one or
 3 more counties may be organized for the purpose of maintaining a cen-
 4 tral school, and existing corporations organized for that purpose may
 5 be dissolved in the manner hereinafter provided.

[S. S., '15, § 2794-a; 37 G. A., ch. 432, § 1; 38 G. A., ch. 149, §
 1; 38 G. A., ch. 277, § 1; 39 G. A., ch. 175, § 2.]

SEC. 2524-a2. Petition for consolidated corporation.

1 A petition describing the boundaries of the territory and asking
 2 for the establishment of boundaries for a proposed school corporation,
 3 signed by one-third of the voters residing within the limits of the
 4 territory described shall be filed with the county superintendent of the
 5 county in which the greater number of the qualified electors reside.

[S. S., '15, § 2794-a; 37 G. A., ch. 432, § 1; 38 G. A., ch. 149, §
 1; 39 G. A., ch. 175, § 3.]

SEC. 2524-a3. Affidavit to accompany petition.

1 Such petition shall be accompanied by an affidavit showing the
 2 number of qualified electors living in the territory described in the
 3 petition and signed by a qualified elector residing in said territory,
 4 and if parts of the territory described in the petition are situated in
 5 different counties, the affidavit shall show separately as to each county,
 6 the number of qualified electors in the part of the county thereof in-
 7 cluded in the territory described. The affidavit shall be taken as true
 8 unless objections to it are filed on or before the time fixed for filing
 9 objections as provided in the following section.

[S. S., '15, § 2794-a; 37 G. A., ch. 432, § 1; 38 G. A., ch. 149,
 § 1; 39 G. A., ch. 175, § 4.]

SEC. 2524-a4. Objections—time of filing—notice.

1 Within ten days after the petition is filed, the county superintend-
 2 ent shall fix a final date for filing objections to the petition in the office
 3 of the county superintendent, and give public notice for at least ten
 4 days, by one publication in a newspaper published within the territory
 5 described in the petition; or if none be published therein, in the next
 6 nearest town or city in any county in which any part of the territory
 7 described in the petition is situated. Objections shall be in writing in
 8 the form of an affidavit and may be made by any person residing or
 9 owning land within the territory described in the petition, or who
 10 would be injuriously affected by the formation of such new corporation,
 11 and shall be on file not later than twelve o'clock noon of the final day
 12 fixed for filing objections.

[S. S., '15, § 2794-a; 37 G. A., ch. 432, § 1; 38 G. A., ch. 149,
 § 1; 39 G. A., ch. 175, § 5.]

SEC. 2524-a5. Hearing—decision—publication of order.

1 On the final date fixed for filing objections, interested parties may
 2 present evidence and arguments, and the county superintendent shall
 3 review the matter on its merits and within five days after the conclu-
 4 sion of any hearing, shall rule on the objections and shall enter an

5 order fixing such boundaries for a proposed school corporation as will
 6 in his judgment be for the best interests of all parties concerned, hav-
 7 ing due regard for the welfare of adjoining districts; or dismiss the
 8 petition. The county superintendent shall at once publish this order,
 9 in the same newspaper in which the original notice was published.

[S. S., '15, § 2794-a; 37 G. A., ch. 432, § 1; 38 G. A., ch. 149,
 § 1; 39 G. A., ch. 175, § 6.]

SEC. 2524-a6. Appeal—time and place—record—notice.

1 Within ten days after the publication of such order, any petitioner,
 2 objector or any other person living or owning land within the territory
 3 described in the petition may ask for a hearing before the county board
 4 of education by serving written notice on the county superintendent.
 5 Within five days after the time for asking for a hearing before the
 6 county board of education has expired, the county superintendent shall
 7 file with the county board of education all the original papers together
 8 with his decision and fix a time and place for said hearing and give
 9 notice to each applicant by registered letter. If more than one person
 10 has signed the same application for a hearing before the county board,
 11 notice to the first three persons whose names appear on the application
 12 shall be deemed notice to all. The time fixed for such hearing shall
 13 not be less than five nor more than ten days after the time for asking
 14 for said hearing has expired.

[S. S., '15, § 2794-a; 37 G. A., ch. 432, § 1; 38 G. A., ch. 149,
 § 1; 39 G. A., ch. 175, § 7.]

SEC. 2524-a7. Appeal tribunal when territory all in one county.

1 If the territory described in the petition for the proposed corpo-
 2 ration lies wholly in one county, the county board of education of the
 3 said county shall hear the said objections at the time and place fixed
 4 by the county superintendent and within five days after submission
 5 thereof shall determine and fix such boundaries for the proposed school
 6 corporation as in its judgment will be for the best interests of all con-
 7 cerned, without regard to existing district lines, or dismiss the peti-
 8 tion, which shall be final.

[S. S., '15, § 2794-a; 37 G. A., ch. 432, § 1; 38 G. A., ch. 149,
 § 1; 39 G. A., ch. 175, § 8.]

**SEC. 2524-a8. Appeal tribunal when territory in different coun-
 ties.**

1 If the territory described in the petition for the proposed corpora-
 2 tion lies in more than one county, the county superintendent with whom
 3 the petition is filed shall fix the time and place and call a joint meeting
 4 of the members of all the county boards of education of the counties in
 5 which any territory of the proposed school corporation lies, to act as a
 6 single board for a hearing of the said objections, and a majority of all
 7 the members of the county boards of education of the different counties
 8 in which any part of the proposed corporation lies, shall constitute a
 9 quorum and it shall determine and fix boundaries for the proposed cor-
 10 poration as provided in section twenty-five hundred twenty-four-a
 11 seven of this supplement, or dismiss the petition, which shall be final.

[S. S., '15, § 2794-a; 37 G. A., ch. 432, § 1; 38 G. A., ch. 149,
 § 1; 39 G. A., ch. 175, § 9.]

SEC. 2524-a9. Interested parties not to act as judges.

1 No member of a county board of education who lives or owns land
 2 within the territory described in the petition, or who lives or owns land
 3 within a school corporation a part of which is included in the petition,
 4 or who has filed objection to the establishment of a new school corpora-
 5 tion, shall take any part in determining any matter which may come
 6 before the county board of a joint meeting for hearing.

[S. S., '15, § 2794-a; 37 G. A., ch. 432, § 1; 38 G. A., ch. 149,
 § 1; 39 G. A., ch. 175, § 10.]

SEC. 2524-a10. Special election called—time.

1 When the boundaries of the territory to be included in a proposed
 2 school corporation have been determined as herein provided, the county
 3 superintendent with whom such petition is filed shall call a special elec-
 4 tion in such proposed school corporation within thirty days from the
 5 date of the final determination of said boundaries, by giving notice by
 6 one publication in the same newspaper as previous notices concerning
 7 it have been published, which publication shall be not less than five nor
 8 more than ten days prior to the election. No notice for an election
 9 shall be published until the time for appeal has expired; and, in the
 10 event of an appeal, not until the same has been disposed of.

[S. S., '15, § 2794-a; 37 G. A., ch. 432, § 1; 38 G. A., ch. 149,
 § 1; 39 G. A., ch. 175, § 11.]

SEC. 2524-a11. Judges of election—qualifications.

1 The county superintendent shall appoint the judges for such elec-
 2 tion and such judges shall be qualified electors of the territory of the
 3 proposed school corporation as determined by the county superintend-
 4 ent or board of education, and they shall serve without pay. If any
 5 judge fails to appear at the proper time, his place shall be filled by the
 6 judge or judges present.

[S. S., '15, § 2794-a; 37 G. A., ch. 432, § 1; 38 G. A., ch. 149,
 § 1; 39 G. A., ch. 175, § 12.]

SEC. 2524-a12. Separate vote in case of urban territory.

1 When it is proposed to include in such district a school corporation
 2 containing a city, town or village with a population of two hundred or
 3 more inhabitants, the voters residing upon the territory outside the
 4 limits of such school corporation shall vote separately upon the prop-
 5 osition to create such new corporation.

[S. S., '15, § 2794-a; 37 G. A., ch. 432, § 1; 38 G. A., ch. 149,
 § 1; 39 G. A., ch. 175, § 13.]

SEC. 2524-a13. Separate vote in case of large territory.

1 When it is proposed to include in such district a school corporation
 2 which contains an area of more than sixteen sections and which main-
 3 tains a central school, the voters residing in the territory within the
 4 limits of said school corporation shall vote separately upon the prop-
 5 osition to create such new district.

[S. S., '15, § 2794-a; 37 G. A., ch. 432, § 1; 38 G. A., ch. 149,
 § 1; 39 G. A., ch. 175, § 14.]

SEC. 2524-a14. Separate ballot boxes.

1 The judges of election shall provide separate ballot boxes in which
2 shall be deposited the votes cast by the qualified electors from their
3 respective territories.

[S. S., '15, § 2794-a; 37 G. A., ch. 432, § 1; 38 G. A., ch. 149,
§ 1; 39 G. A., ch. 175, § 15.]

SEC. 2524-a15. Canvass and return of vote.

1 The judges of election shall count the ballots, make return to and
2 deposit the ballots with the county superintendent, who shall enter the
3 return of record in his office. If the majority of the votes cast by the
4 qualified electors are in favor of the proposition, a new school corpora-
5 tion shall be organized, except that in cases where separate ballot
6 boxes are required by law, a majority of the votes cast by the qualified
7 electors from their respective territories shall be required.

[S. S., '15, § 2794-a; 37 G. A., ch. 432, § 1; 38 G. A., ch. 149,
§ 1; 39 G. A., ch. 175, § 16.]

SEC. 2524-a16. Contest of election.

1 An election to establish a new school corporation may be contested
2 in the manner provided by law for contesting other elections, so far as
3 practicable.

[S. S., '15, § 2794-a; 37 G. A., ch. 432, § 1; 38 G. A., ch. 149,
§ 1; 39 G. A., ch. 175, § 17.]

SEC. 2524-a17. Election of directors.

1 If the proposition to establish a new corporation carries, a special
2 meeting shall be called by the county superintendent, by giving notice
3 by one publication in the same newspaper in which the former notices
4 were published, and he shall appoint judges, who shall serve without
5 pay. At such election, two directors shall be elected to serve until the
6 next annual meeting, two until the second, and one until the third
7 annual meeting thereafter, and until such time as their successors are
8 elected and qualified. The judges of election shall make return to the
9 county superintendent, who shall enter the return of record in his
10 office and notify the persons who are elected directors and shall set
11 the date for the organization of the school board.

[S. S., '15, § 2794-a; 37 G. A., ch. 432, § 1; 38 G. A., ch. 149,
§ 1; 39 G. A., ch. 175, § 18.]

SEC. 2524-a18. Payment of expenses.

1 The county superintendent shall certify to the board of supervisors
2 all expenses incurred by him and the board of education in connection
3 with the proceedings in organizing the district, including the election
4 of the first board of directors, and this board of supervisors shall audit
5 and order the same to be paid from the general fund of the county.

[S. S., '15, § 2794-a; 37 G. A., ch. 432, § 1; 38 G. A., ch. 149,
§ 1; 39 G. A., ch. 175, § 19.]

SEC. 2524-a19. Minimum size of territory and remaining area.

1 A school corporation organized under this section,¹ maintaining
2 an approved central school, shall not be reduced to less than sixteen

3 government sections, unless dissolved as provided by law. No remain-
 4 ing portion of any school corporation from which territory is taken to
 5 form a new district shall contain an area of less than four government
 6 sections and shall be so situated as to form a suitable corporation.

[S. S., '15, § 2794-a; 37 G. A., ch. 432, § 1; 38 G. A., ch. 149,
 § 1; 39 G. A., ch. 175, § 20.]

¹ "Act", that is, 39 G. A., ch. 175, evidently intended by legislature.

SEC. 2524-a20. Organization of remaining territory.

1 Where, after the formation of a consolidated corporation, one or
 2 more parts of the territory of a school township is left outstanding,
 3 each piece shall constitute a rural independent school corporation and
 4 be organized as such unless two or more contiguous subdistricts are
 5 left, in which event each of such remaining portions of territory shall
 6 constitute a school township. It shall be the duty of the county super-
 7 intendent of the county in which the territory is situated to call an elec-
 8 tion, by giving proper notice, in each of such remaining pieces of
 9 territory, for the purpose of electing school officers in the manner pro-
 10 vided by law for electing officers in rural independent districts or school
 11 townships, as the case may be, and fix the date for the first meeting and
 12 organization of the new school board in each district.

[S. S., '15, § 2794-a; 37 G. A., ch. 432, § 1; 38 G. A., ch. 149,
 § 1; 39 G. A., ch. 175, § 21.]

SEC. 2524-a21. Organization of new board—taxes.

1 The organization of each new school board elected in a school cor-
 2 poration organized under the provisions of this act [39 G. A., ch. 175]
 3 shall be effected on or before the first day of July following its elec-
 4 tion, and when completed, all taxes previously certified to but not
 5 levied by the board of supervisors, shall be void so far as the property
 6 within the limits of the new school corporation is concerned, and each
 7 board of any new school corporation shall at a regular or special meet-
 8 ing called at any time prior to the third Monday in August of each
 9 year, estimate for the general fund of such school corporation the
 10 amount necessary for the general fund, not to exceed the limits fixed
 11 by law, and the amount shall be certified to the board of supervisors
 12 as provided by law for school corporations.

[S. S., '15, § 2794-a; 38 G. A., ch. 116, § 1; 39 G. A., ch. 175, §
 22.]

NOTE: The word "act" in the above section is retained because of the diffi-
 culty in converting it into supplement numbers. The bracketed citation follow-
 ing the word indicates the act referred to.

**SEC. 2524-a22. Organization of board—taxes previously certified
 —levy for general fund.**

1 The organization of the school board in consolidated independent
 2 school corporations shall be effected on or before the first day of July
 3 following their election, and when completed, all taxes previously certi-
 4 fied shall be void so far as the property within the limits of the con-
 5 solidated independent school corporation is concerned, and the board
 6 of said consolidated independent school corporation shall at a regular
 7 meeting, or a special meeting called for the purpose, at any time prior

8 to the third Monday in August of each year, levy for the general fund
 9 of said school the amount of all necessary taxes for all school purposes,
 10 which shall not exceed eighty dollars for each person of school age,
 11 except that where an approved high school course is maintained in such
 12 school the levy may be one hundred dollars for each person of school
 13 age, the amount so levied to be certified by them to the county board
 14 of supervisors on or before the first Monday of September in each year,
 15 and the board of supervisors shall levy said tax at the same time, and
 16 in the same manner that other school taxes are required to be levied.

[S. S., '15, § 2794-a; 38 G. A., ch. 116, § 1; 39 G. A., ch. 93,
 § 1.]

NOTE: The above section appeared as subdivision 2 of section 2524 in the compiled code. That section was repealed by 39 G. A., ch. 175, § 1, except subdivision 2 which is reproduced above as an independent section in order to place it next to section 2524-a21 which is very similar to it.

SEC. 2524-a23. School buildings—tax levy—special fund.

1 The board of each school corporation organized for the purpose of
 2 establishing a central school, shall provide a suitable building for such
 3 school in that district and may at the regular or special meeting, call a
 4 special election to submit to the qualified electors of the district the
 5 question of voting a tax or authorizing the board to issue bonds, or
 6 both, for any or all of the following purposes: To secure a site, build
 7 or equip a schoolhouse, to build a superintendent's or teachers' house,
 8 or to repair or improve any school building or grounds when the cost
 9 will exceed two thousand dollars. All moneys received for such pur-
 10 poses shall be placed in the schoolhouse fund of said corporation and
 11 shall be used only for the purposes for which voted.

[S. S., '15, § 2794-a; 37 G. A., ch. 432, § 1; 39 G. A., ch. 175,
 § 23.]

SEC. 2524-a24. Location of school building.

1 In locating a school site, the board shall take into consideration
 2 the geographical position, number and conveniences of the pupils, and
 3 may submit the question of location to the voters of the district at
 4 any regular or special meeting called for that purpose.

[S. S., '15, § 2794-a; 39 G. A., ch. 175, § 24.]

SEC. 2524-a25. Transportation of pupils.

1 The school board of any independent school district or any school
 2 corporation maintaining a central school or any school corporation
 3 organized under this act [39 G. A., ch. 175] for that purpose shall
 4 provide suitable transportation to and from school for every child of
 5 school age living within said district, and outside the limits of any
 6 city, town, or village, but the board shall not be required to cause the
 7 vehicle of transportation to leave the public highway to receive or dis-
 8 charge pupils.

[S. S., '15, § 2794-a; 39 G. A., ch. 175, § 25.]

NOTE: The word "act" in the above section is retained because of the difficulty in converting it into supplement numbers. The bracketed citation following the word indicates the act referred to.

SEC. 2524-a26. Transportation routes—suspension of service.

1 The board shall designate the routes to be traveled by each con-
2 veyance in transporting children to and from school. The board shall
3 have the right on account of inclemency of the weather to suspend the
4 transportation on any route upon any day or days when in its judgment
5 it would be a hardship on the children, or when the roads to be traveled
6 are unfit or impassable.

[S. S., '15, § 2794-a; 39 G. A., ch. 175, § 26.]

SEC. 2524-a27. Transportation by parent—instruction in another school.

1 The school board may require that children living an unreasonable
2 distance from school shall be transported by the parent or guardian a
3 distance of not more than two miles to connect with any vehicle of
4 transportation to and from school or may contract with an adjoining
5 school corporation for the instruction of any child living an unreason-
6 able distance from school. It shall allow a reasonable compensation
7 for the transportation of children to and from their homes to connect
8 with such vehicle of transportation, or for transporting them to an
9 adjoining district. In determining what an unreasonable distance
10 would be, consideration shall be given to the number and age of the
11 children, the condition of the roads, and the number of miles to be
12 traveled in going to and from school.

[S. S., '15, § 2794-a; 39 G. A., ch. 175, § 27.]

SEC. 2524-a28. Contracts in re transportation—rules.

1 The school board of any school corporation maintaining a central
2 school shall contract with as many suitable persons as it deems neces-
3 sary for the transportation of children of school age to and from school.
4 Such contract shall be in writing and shall state the route, the length
5 of time contracted for, the compensation to be allowed per week of five
6 school days, or per month of four school weeks, and may provide that
7 two weeks' salary shall be retained by the board pending full com-
8 pliance therewith by the party contracted with, and shall always pro-
9 vide that any party or parties to said contract, and every person in
10 charge of vehicles conveying children to and from school, shall be at
11 all times subject to any rules said board shall adopt for the protection
12 of the children, or to govern the conduct of the person in charge of
13 said conveyances.

[S. S., '15, § 2794-a; 39 G. A., ch. 175, § 28.]

SEC. 2524-a29. Violation of rules in re transportation.

1 Any person driving, managing, or in charge of any vehicle used
2 in transporting children to and from school, who shall be found guilty
3 of violating any of the rules adopted by the board of said school for
4 the guidance of such person shall be guilty of a misdemeanor, and for
5 the first offense shall be fined not less than five dollars nor more than
6 ten dollars and for a subsequent offense shall be fined not less than
7 twenty-five dollars nor more than fifty dollars and shall be dismissed
8 from the service.

[S. S., '15, § 2794-a; 39 G. A., ch. 175, § 29.]

SEC. 2524-a30. Dissolution of corporation—petition.

1 A school corporation organized for the purpose of maintaining a
 2 central school may be dissolved by following the same procedure as in
 3 the organization, so far as practicable. A petition describing the
 4 boundaries of the districts, of which none shall be less than four gov-
 5 ernment sections of land, into which it is proposed to divide the school
 6 corporation, and signed by a majority of the qualified voters residing
 7 within the corporation, shall be filed with the county superintendent
 8 of the county in which the greater number of qualified electors reside.

[S. S., '15, § 2794-a; 39 G. A., ch. 175, § 30.]

SEC. 2524-a31. Affidavit to accompany petition.

1 Such petition shall be accompanied by an affidavit showing the
 2 number of qualified electors living within the school corporation, and
 3 signed by a qualified elector; and if part of the territory of such school
 4 corporation is situated in different counties, the affidavit shall show
 5 separately as to each county the number of qualified electors residing
 6 in each county. The affidavit shall be taken as true unless objections
 7 to it are filed on or before the time fixed for filing objections.

[39 G. A., ch. 175, § 31.]

SEC. 2524-a32. Objections to dissolution—filing—notice.

1 Within ten days after the petition is filed, the county superintend-
 2 ent shall fix a final date for filing objections to the petition in the office
 3 of the county superintendent, and give public notice for at least ten
 4 days, by one publication in a newspaper published in said school cor-
 5 poration; or if none be published therein, in the next nearest town or
 6 city in any county in which any part of the said school corporation is
 7 situated. Objections shall be in writing in the form of an affidavit and
 8 may be made by any person residing or owning land within the school
 9 corporation that would be injured by the dissolution and the formation
 10 of new school corporations, and shall be on file not later than twelve
 11 o'clock noon of the final day fixed for filing objections.

[39 G. A., ch. 175, § 32.]

SEC. 2524-a33. Hearing—order—publication.

1 On the final day fixed for filing objections, the interested parties
 2 may present evidence and arguments to the county superintendent, and
 3 the county superintendent shall review the matter on its merits and
 4 within five days after the conclusion of any hearing, shall rule on any
 5 objections and enter an order of approval or dismiss said petition, and
 6 shall at once publish this order in some newspaper in which the original
 7 notice was published.

[39 G. A., ch. 175, § 33.]

SEC. 2524-a34. Appeal—time and place—record—notice.

1 Within ten days after the publication of such order, any petitioner,
 2 objector or any other person living or owning land within the school
 3 corporation may ask for a hearing before the county board of education
 4 by serving written notice on the county superintendent. Within five
 5 days after the time for asking for a hearing before the county board
 6 of education has expired, the county superintendent shall file with the

7 county board of education all the original papers together with his de-
 8 cision and fix a time and place for said hearing and give notice to each
 9 applicant by registered letter. If more than one person has signed
 10 the same application for a hearing before the county board, notice to
 11 the first three persons whose names appear on the application shall be
 12 deemed notice to all. The time fixed for such hearing shall not be less
 13 than five nor more than ten days after the time for asking for said
 14 hearing has expired.

[39 G. A., ch. 175, § 34.]

SEC. 2524-a35. Appeal tribunal when territory all in one county.

1 If the territory described in the petition for dissolution lies wholly
 2 in one county, the county board of such county shall hear the said ob-
 3 jections at the time and place fixed by the county superintendent, and
 4 within five days after submission thereof shall approve or dismiss the
 5 petition, as in its judgment will be for the best interests of all con-
 6 cerned, which shall be final.

[39 G. A., ch. 175, § 35.]

**SEC. 2524-a36. Appeal tribunal when territory in different coun-
 ties.**

1 If the territory described in the petition for dissolution lies in
 2 more than one county, the county superintendent with whom the peti-
 3 tion is filed shall fix the time and place and call a joint meeting of the
 4 members of all the county boards of education of the counties in which
 5 any territory described in the petition lies, to act as a single board for
 6 a hearing of the said objections, and a majority of the members of the
 7 county board of education of the different counties in which any part
 8 of the corporation lies, shall constitute a quorum for hearing said
 9 objections and it shall approve or dismiss the petition, which shall be
 10 final.

[39 G. A., ch. 175, § 36.]

SEC. 2524-a37. Interested parties not to act as judges.

1 No member of a county board of education who lives or owns land
 2 within the territory described in the petition for dissolution shall take
 3 any part in hearing the objections for dissolution.

[39 G. A., ch. 175, § 37.]

SEC. 2524-a38. Special election called—time.

1 If the petition for dissolution is approved, the county superin-
 2 tendent with whom such petition is filed shall call a special meeting in
 3 such school corporation, by giving notice by one publication in a news-
 4 paper published in the school corporation; or if none be published
 5 within the corporation, then in a paper published in the nearest town
 6 in any county in which any part of the corporation is located.

[S. S., '15, § 2794-a; 39 G. A., ch. 175, § 38.]

SEC. 2524-a39. Judges of election.

1 The president and secretary and one person appointed by the
 2 county superintendent, shall act as judges and they shall serve without

3 pay. If any judge fail to appear at the proper time, his place shall
4 be filled by the judges present.

[39 G. A., ch. 175, § 39.]

SEC. 2524-a40. Canvass and return of vote—expense.

1 The judges of election shall count the ballots, make return to and
2 deposit the ballots with the county superintendent, who shall enter the
3 return of record in his office. If the majority of the votes cast are in
4 favor of the proposition, the school district shall be dissolved, and a
5 new school corporation or corporations shall be organized in the same
6 manner in which other new corporations are organized under this sec-
7 tion,¹ and expenses incurred by the county superintendent shall be paid
8 in the same manner.

[S. S., '15, § 2794-a; 39 G. A., ch. 175, § 40.]

¹"Act", that is, 39 G. A., ch. 175, evidently intended by legislature.

SEC. 2525. State aid to consolidated schools — equipment and maintenance—two-room building—agriculture and home economics.

1 All consolidated schools organized in accordance with the pro-
2 visions of this chapter, which are now or hereafter established with
3 suitable grounds and a two-room school building and the necessary
4 departments and equipment for teaching agriculture and home
5 economics, or other industrial and vocational subjects, and employing
6 teachers holding a certificate showing their qualifications to teach said
7 subjects, and in which said subjects are provided as a part of the
8 regular course in such schools, subject to the approval of the superin-
9 tendent of public instruction, shall be awarded and paid from the state
10 treasury, from moneys not otherwise appropriated, the sum of two
11 hundred fifty dollars towards the equipment required, and the further
12 sum of two hundred dollars annually.

[S., '13, § 2794-b.]

NOTE: This section is reprinted after eliminating the words, "the preceding section" and inserting "this chapter" in lieu thereof. This change is necessary owing to the fact that section 2524 (which was "the preceding section") was repealed by 39 G. A., ch. 175, and some forty sections inserted in lieu thereof.

SEC. 2534-a1. Action to test legal incorporation—limitation.

1 No action shall be brought questioning the legality of the organ-
2 ization of any school district in this state after the exercise of the
3 franchises and privileges of a district for the term of six months.

[39 G. A., ch. 211, § 1.]

SEC. 2534-a2. When corporation deemed organized—prima facie evidence.

1 Every school corporation shall, for the purpose of the preceding
2 section, be deemed duly organized and to have commenced the exercise
3 of its franchises and privileges when the president of the board of
4 directors has been elected, and the record book of such corporation duly
5 certified by the acting secretary thereof, showing such election and the
6 time thereof, shall be prima facie evidence of such facts.

[39 G. A., ch. 211, § 2.]

CHAPTER 20

SCHOOL MEETING—ELECTION OF DIRECTORS—POWERS AND DUTIES—
GENERAL PROVISIONS

SECTION 2541. Number of directors in school townships.

1 The board of directors of a school township shall be composed
2 of one director from each subdistrict. But when there is an even
3 number of subdistricts another member shall be elected at large by
4 all the voters of the school township.

5 In all school townships not divided into subdistricts there shall be
6 a board of three directors, elected at large on the second Monday of
7 March, nineteen hundred twenty-two, one of whom shall be elected for
8 one year, one for two years and one for three years. Thereafter on
9 the second Monday of March in each year one director shall be elected
10 in said township, who shall hold office for three years.

[C., '51, § 1112; R., '60, §§ 2031, 2035, 2075; C., '73, §§ 1720,
1721; C., '97, § 2752; S., '13, § 2752; 39 G. A., ch. 47.]

SEC. 2545. Qualification of directors—vacancies.

[Repealed (together with section 2548 of the compiled code) by
40 G. A., ch. 67, § 1, and the four following sections enacted (apparently) in lieu thereof.]

SEC. 2545-a1. Organization—meetings.

1 The board of directors of all school corporations shall organize
2 on the third Monday in March. The organization shall be effected by
3 the election of a president from the members of the board who shall
4 be entitled to vote, as a member.

5 Such meetings may be held as may be determined by the board
6 or as may be called by the president or by the secretary, upon a written
7 request of a majority of the members of the board, upon notice
8 specifying the time and place, delivered to each member in person,
9 but attendance at a meeting shall be a waiver of notice. Such meetings
10 may be held at any place within the civil township in which the
11 corporation is situated.

[C., '51, §§ 1119, 1121; R., '60, § 2036; C., '73, §§ 1721, 1722;
C., '97, § 2757; S. S., '15, § 2757; 40 G. A., ch. 67, § 2.]

SEC. 2545-a2. Settlement with officers—election of officers.

1 On the first secular day of July the board of each school corporation
2 shall meet and shall examine the books and settle with the secretary
3 and treasurer for the year ending June thirtieth preceding and
4 for the transaction of such other business as may come before it.

5 On the same day each school board, except in such school corporations
6 as elect a treasurer at the regular school election in March, shall elect
7 a treasurer from outside the board, and each school board shall elect
8 a secretary from outside the board, but no teacher or other employee
9 of the board shall be eligible as secretary. All officers shall be
10 elected by ballot and the vote shall be recorded by the secretary.
11 Should the secretary or treasurer fail to report, as provided by law,
12 it shall be the duty of the board to take such action as may be necessary
13 to secure proper settlement.

[C., '97, § 2757; S. S., '15, § 2757; 40 G. A., ch. 67, § 3.]

SEC. 2545-a3. Qualification—tenure.

1 Any member of the board or the county superintendent may
 2 administer the oath of qualifications to any member-elect of the
 3 board, the president of the board, the secretary, or the treasurer.
 4 Each director elected shall qualify on or before the date of the organi-
 5 zation of the board of the corporation in which he is elected, by taking
 6 an oath to support the constitution of the United States and that of
 7 the state of Iowa and that he will faithfully discharge the duties of
 8 his office. Such person shall hold the office for the term for which
 9 he is elected and until a successor is elected and qualified.

10 The term of office of such members of any school corporation as
 11 would expire on the first day of July is hereby extended to the third
 12 Monday in March following the expiration of the term for which such
 13 person has been elected. In case of a vacancy, the office shall be filled
 14 by appointment by the board until the next annual meeting.

[C., '51, §§ 1113, 1119, 1120; R., '60, §§ 2032, 2079; C., '73,
 §§ 1752, 1790; C., '97, § 2758; S., '13, § 2758; 40 G. A.,
 ch. 67, § 4.]

SEC. 2545-a4. Employment of teachers.

1 Any school board duly organized as provided by law, following
 2 the annual meeting in March, may employ teachers for the entire
 3 school year beginning July first, following the date of its organization.
 4 School boards organized after July first and before the annual meet-
 5 ing in March may employ teachers as needed for the remaining
 6 portion of the current school year.

[40 G. A., ch. 67, § 5.]

SEC. 2548. Meetings of directors—election of officers.

[Repealed (together with section 2545 of the compiled code) by
 40 G. A., ch. 67, § 1, and sections 2545-a1 to 2545-a4, inclusive, enacted
 (apparently) in lieu thereof.]

SEC. 2558-a1. Physical education.

1 On and after September first, nineteen hundred twenty-four,
 2 there shall be established and provided in all of the public elementary
 3 and secondary schools of this state, physical education, including
 4 effective health supervision and health instruction, of both sexes, and
 5 every pupil of school age attending such schools shall take the pre-
 6 scribed course or courses in physical education as herein provided.

7 Modified courses of instruction shall be provided for those pupils
 8 physically or mentally unable to take the courses provided for normal
 9 children. Said subject shall be taught in the manner prescribed by
 10 the state superintendent of public instruction.

11 This program of physical education shall occupy periods each
 12 week totalling not less than fifty minutes, exclusive of recesses,
 13 throughout each and every school term. The conduct and attain-
 14 ment of the pupils shall be marked as in other subjects and shall form
 15 part of the requirements for promotion or graduation.

16 No pupil shall be required to take this instruction whose parents
 17 or guardian shall file a written statement with the school principal
 18 or teacher that such instruction conflicts with his or her religious
 19 belief.

[40 G. A., ch. 68, § 1.]

SEC. 2558-a2. In teacher-training courses.

1 Every high school, state college, university, or normal school giv-
 2 ing teacher-training courses shall provide a course or courses in
 3 physical education.

[40 G. A., ch. 68, § 2.]

SEC. 2558-a3. Manual provided.

1 The state superintendent of public instruction is authorized to
 2 prepare or approve a manual on practical health training for the aid
 3 of teachers, and to distribute same.

[40 G. A., ch. 68, § 3.]

SEC. 2562. Financial statement.

[Repealed by 39 G. A., ch. 232, and sections twenty-five hundred
 sixty-two-a one to twenty-five hundred sixty-two-a three, inclusive,
 enacted in lieu thereof.]

SEC. 2562-a1. Financial statement—publication.

1 In each consolidated district and in each independent city, or
 2 town school district, the board shall, during the first week of July of
 3 each year, publish by one insertion in at least one newspaper, if there
 4 is a newspaper published in said district, a summarized statement
 5 verified by affidavit of the secretary of the board showing the receipts
 6 and disbursements of all funds for the preceding school year, the
 7 statement of disbursements to show the names of the person, firm or
 8 corporation and the total amount paid to each during the school year.

[C., '51, § 1146; R., '60, § 2037; C., '73, § 1732; C., '97, §
 2781; 37 G. A., ch. 223, § 1; 39 G. A., ch. 232, § 1; 40 G. A.,
 ch. 69, § 1.]

SEC. 2562-a2. Publication of receipts, disbursements, and estimates.

1 The boards specified in the preceding section shall, two weeks be-
 2 fore each annual school election, make a like publication showing:

3 1. A summarized statement of the receipts and disbursements of
 4 all funds for the preceding school year, and

5 2. An estimate of the several amounts necessary to maintain the
 6 school in such district during the next succeeding school year.

[C., '51, § 1146; R., '60, § 2037; C., '73, § 1732; C., '97, § 2781;
 37 G. A., ch. 223, § 1; 39 G. A., ch. 232, § 2; 40 G. A.,
 ch. 69, § 2.]

SEC. 2562-a3. Publication of claims in certain districts.

1 The president and secretary of the board of directors of all other
 2 school districts shall comply with the provisions of the preceding sec-
 3 tion, except that the publication may be by publication in a newspaper
 4 or by posting in not less than three conspicuous places in the district.

[C., '51, § 1146; R., '60, § 2037; C., '73, § 1732; C., '97, § 2781;
 37 G. A., ch. 223, § 1; 39 G. A., ch. 232, § 3.]

SEC. 2574. Flag upon all public buildings.

NOTE: This section is omitted at this point and reprinted in this supplement as section 683-a13 in order to improve the location of the section.

SEC. 2578. Attendance at schools outside home district—tuition.

1 Any person of school age who is a resident of a school corpora-
2 tion which does not offer a four-year high school course, and who
3 has completed the course as approved by the department of public
4 instruction for such corporation, shall be permitted to attend any
5 public high school or county high school in the state approved in like
6 manner, that will receive him.

7 Any person applying for admission to any high school under the
8 provisions of this section shall present the officials of said high school
9 the affidavit of his or her father, mother, guardian, or if he have
10 neither, his next friend, that such applicant is entitled to attend the
11 public schools and a resident of a school district of this state, speci-
12 fying the district. He shall also present a certificate signed by the
13 county superintendent showing proficiency in the common school
14 branches, reading, orthography, arithmetic, physiology, grammar, civ-
15 ics of Iowa, geography, United States history, penmanship and music.

16 The school corporation in which such student resides shall pay to
17 the secretary of the corporation in which such student shall be per-
18 mitted to enter a tuition fee of not to exceed twelve dollars per month,
19 but in districts in which there is a city of the first class a tuition fee of
20 twelve dollars per month may be charged, in the high school depart-
21 ment in the latter corporation during the time he so attends, not ex-
22 ceeding, however, a total period of four school years; provided that
23 such tuition shall in no case exceed the average cost of said tuition in
24 such high school; such payment to be made out of the general fund of
25 the debtor corporation, and such tuition fee as collected by the secre-
26 tary shall be turned over by him, with an itemized statement, to the
27 treasurer of the school funds on or before February fifteenth and June
28 fifteenth of each year. If payment is refused or neglected the board of
29 the creditor corporation shall file with the auditor of the county of the
30 pupil's residence a statement certified by its president specifying the
31 amount due for tuition and for contingent expenses respectively, and
32 the time for which the same is claimed; and the auditor shall transmit
33 to the county treasurer an order directing such treasurer to transfer
34 the amount of such account from the debtor corporation to the creditor
35 corporation, and the treasurer shall pay the same in accordance there-
36 with.

37 No school corporation situated in a county maintaining a county
38 high school shall be required to pay the tuition of pupils at any high
39 school other than such county high school, but this shall not apply to
40 pupils who, while residing at home, attend some high school other than
41 that of the school corporation in which they reside; such school cor-
42 porations in such county shall pay a reasonable tuition, per pupil per
43 month, said tuition in no case to exceed the cost of instruction; pro-
44 vided that, in counties having a high school where a child resides at
45 home and attends a high school outside the district of his residence
46 other than the county high school, and the school corporation where
47 the child resides pays the tuition for such child, and at the end of the
48 school year it is found that less pupils have attended the county high

49 school from the district where such child resides than was entitled to
 50 attend under the county high school apportionment, then and in that
 51 case the school corporation where such child resides shall be entitled
 52 to be reimbursed from the county high school funds for the tuition so
 53 paid, not exceeding in the aggregate an amount equal to the taxes
 54 contributed by such district to said county high school funds for the
 55 tax year preceding, fair and equitable credit being given to the county
 56 high school fund for pupils actually attending said county high school
 57 during said school year from the district where said child resides.
 58 The county superintendent shall, on being applied to for such purpose,
 59 determine in writing the amount due such corporation from the county
 60 high school fund, and furnish such corporation with a copy of such
 61 finding. Within twenty days thereafter such corporation may appeal
 62 to the district court from such finding by serving written notice on
 63 the county superintendent of the taking of such appeal. On the serv-
 64 ice of said notice the county superintendent shall file a copy of his
 65 finding in the office of the clerk of the district court and the clerk shall
 66 docket the cause without fee. The matter shall be tried on appeal as
 67 in equity and without formal pleading. The decision of the district
 68 court shall be final. The treasurer shall, upon the filing with him of
 69 any final decision, immediately transfer from the county high school
 70 funds to the credit of the corporation entitled to the same the amount
 71 directed to be transferred.

[S. S., '15, § 2733-1a; 37 G. A., ch. 156, § 1; 37 G. A., ch. 386,
 § 1; 38 G. A., ch. 72, § 1; 38 G. A., ch. 160, § 2; 39 G. A.,
 ch. 53, § 1; 39 G. A., ch. 94, § 1.]

CHAPTER 21

EVENING SCHOOLS AND PART-TIME VOCATIONAL SCHOOLS

SECTION 2589. Enforcement.

1 The enforcement of sections twenty-five hundred eighty-three to
 2 twenty-five hundred eighty-eight, inclusive, of the compiled code, shall
 3 rest with the school board in the district in which such part-time
 4 school, department, or class shall have been established, and the state
 5 department of public instruction through its inspectors and the state
 6 board of vocational education through its supervisors of vocational
 7 education, in conjunction with the county superintendent of schools,
 8 are empowered to require enforcement of the same on the part of
 9 school boards.

[38 G. A., ch. 94, § 7.]

NOTE: Reprinted in this supplement in order to correct error in historical reference.

CHAPTER 22

APPEAL FROM DECISIONS OF BOARDS OF DIRECTORS

SECTION 2591. Hearing and decision.

[Repealed by 40 G. A., ch. 243, and the two following sections enacted in lieu thereof.]

SEC. 2591-a1. Hearing.

1 The county superintendent shall, within five days after the filing
 2 of such affidavit in his office, notify the secretary of the proper school
 3 corporation in writing of the taking of such appeal, who shall, within
 4 ten days after being thus notified, file in the office of the county super-
 5 intendent a complete, certified transcript of the record and proceed-
 6 ings relating to the decision appealed from. Thereupon, the county
 7 superintendent shall notify in writing all persons adversely interested
 8 of the time when and place where the matter of appeal will be heard
 9 by him.

[R., '60, §§ 2136, 2137; C., '73, §§ 1832-1834; C., '97, § 2819;
 40 G. A., ch. 243, § 1.]

SEC. 2591-a2. Hearing—shorthand reporter—decision.

1 At the time fixed for the hearing, he shall hear testimony for
 2 either party, and may cause the same to be taken down and tran-
 3 scribed by a shorthand reporter, whose fees shall be fixed by the
 4 county superintendent and be taxed as a part of the costs in the case,
 5 and he shall make such decision as may be just and equitable, which
 6 shall be final unless appealed from as hereinafter provided.

[C., '97, § 2819; 40 G. A., ch. 243, § 2.]

CHAPTER 25
STANDARDIZATION OF PUBLIC SCHOOLS**SECTION 2611. Standard schools—maintenance—requirements.**

[Repealed by 40 G. A., ch. 244.]

SEC. 2612. Minimum requirements.

[This and the preceding section repealed by 40 G. A., ch. 244,
 and the two following sections enacted in lieu thereof.]

SEC. 2612-a1. Standard schools—maintenance—requirements.

1 Any school located in a district, other than a city independent or
 2 consolidated district, not maintaining a high school, which has com-
 3 plied with the provisions of this chapter, shall be known as a standard
 4 school. Every standard school, before it may be designated as such,
 5 shall have been maintained for eight school months during the pre-
 6 vious year. It shall have a suitable schoolhouse, grounds and out-
 7 buildings in proper condition and repair; be equipped with needful
 8 apparatus, textbooks, supplies; an adequate system of heating and
 9 ventilation; have done efficient work and have complied with such
 10 requirements as shall be specified by the superintendent of public
 11 instruction, during the previous school year.

[38 G. A., ch. 364, § 1; 40 G. A., ch. 244, § 1.]

SEC. 2612-a2. Minimum requirements.

1 The superintendent of public instruction shall prescribe for stan-
 2 dard schools the minimum requirements of teaching, general equip-
 3 ment, heating, ventilation, lighting, seating, water supply, library,

4 care of grounds, fire protection, and such other requirements as he
5 may deem necessary.

[38 G. A., ch. 364, § 2; 40 G. A., ch. 244, § 2.]

SEC. 2615. Teacher's certificate and contract—number of pupils.

1 No school shall be deemed a standard school unless the teacher
2 is the holder of a first-class county certificate or its equivalent, has
3 contracted for the entire school year, and unless such school shall
4 have maintained an average daily attendance of at least ten pupils,
5 during the previous school year.

[38 G. A., ch. 364, § 5; 40 G. A., ch. 244, § 3.]

CHAPTER 26

TEACHERS

SECTION 2628. Raising of flag.

1 At the commencement of each school day the teacher, superin-
2 tendent, principal, or whoever has the general supervision of the school
3 administration within any such building, shall arrange for the raising
4 of such flag, as provided by section twenty-five hundred seventy-three
5 of the compiled code, over the said building, with appropriate services,
6 when weather conditions will permit, at the beginning of each school
7 day.

[S., '13, § 2804-b; 40 G. A., ch. 70.]

CHAPTER 27

INSTRUCTION OF DEAF

SECTION 2630. State aid.

1 To any school corporation providing such instruction and com-
2 plying with all of the provisions of this chapter there shall be granted
3 and paid as hereinafter provided state aid in an amount to be com-
4 puted at twenty dollars for each month that each child not more than
5 twelve years of age is instructed under the provisions of this chapter.
6 No child more than twelve years of age shall be admitted to such
7 instruction.

[37 G. A., ch. 308, § 2; 39 G. A., ch. 63; 39 G. A., ch. 98; 40
G. A., ch. 71, § 1.]

CHAPTER 29

SCHOOLHOUSES AND SCHOOLHOUSE SITES

SECTION 2639. Schoolhouse site—division of district—length of school.

1 The board of any school district may fix the site for each school-
2 house, taking into consideration the geographical position, number
3 and convenience of the scholars, provide for the fencing of school-

4 house sites, determine the number of schools to be taught, divide the
5 corporation into such wards or other divisions for school purposes
6 as may be proper, determine the particular school which each child
7 shall attend, and designate the period each school shall be held beyond
8 the time required by law, except that no contract shall be entered into
9 with any teacher to teach any school in the school corporation when
10 the average attendance in said school the last preceding term therein
11 was less than five pupils, unless a showing is made to the county super-
12 intendent that the number of children of school age in said school
13 district has increased so that ten or more will be enrolled in such school
14 and will attend therein, in which case, or when natural obstacles to
15 transportation of pupils to another district or other conditions make
16 it clearly inadvisable that such schools be closed, the county superin-
17 tendent may consent to maintaining a school in said district for the
18 ensuing term. It shall be the duty of the member of the school board
19 residing in said district to make the showing referred to herein, or
20 any resident of said district may, upon his own motion, make said
21 showing. Every school shall be free of tuition to all actual residents
22 between the ages of five and twenty-one years, and to resident honor-
23 ably discharged soldiers, sailors, and marines as many months after
24 becoming twenty-one years of age as they have spent in the military
25 and naval service of the United States before they became twenty-
26 one.

27 In any school corporation maintaining a school of a higher order,
28 the board shall require the payment of an adequate tuition fee for
29 persons who have completed a four-year course in an approved high
30 school or its equivalent. Such fees shall be fixed at such an amount
31 as will fully cover the cost of maintenance of such school of a higher
32 order. This act (40 G. A., ch. 72,) shall not apply to any school cor-
33 poration of less than twenty thousand population nor to one having
34 within its boundaries any other institution of learning of a higher
35 order than that of an approved four-year high school course.

36 Each school regularly established shall continue for at least
37 thirty-two weeks of five school days each in each school year com-
38 mencing the first of July. In case a school in any district be closed
39 as herein provided, then the board of such school corporation shall
40 provide for the instruction of the pupils in said district in another
41 school as conveniently as may be, and shall provide for the transporta-
42 tion of such pupils to such other school when any one or more of such
43 pupils reside more than two miles from the school to which they
44 have been assigned, or shall allow to the parent or guardian of such
45 pupil or pupils a reasonable sum for transporting such child or
46 children to such other school. The school board of the corporation
47 in which the school that is closed under the provisions of this section
48 is situated shall pay to the secretary of the school corporation in
49 which children attend from the closed school the average cost of tui-
50 tion and other expenses in the school wherein such children attend.

[R., '60, §§ 2023, 2037; C., '73, §§ 1724, 1727, 1762; C., '97,
§ 2773; S., '13, § 2773; 38 G. A., ch. 24; 38 G. A., ch. 143,
§§ 1, 2; 38 G. A., ch. 160, § 1; 40 G. A., ch. 72, §§ 1, 2;
40 G. A., ch. 73.]

NOTE: The literal directions of 40 G. A., ch. 72, require the insertion of *two* sections *within the body* of section 2639. To avoid leaving the statute in such a wretched form, the word "act" has been retained and the word and figure "section 2" of the legislative act have been omitted.

SEC. 2640. Schoolhouse sites and levy therefor.

1 Any school corporation may take and hold so much real estate as
 2 may be required for schoolhouse sites, for the location or construction
 3 thereon of schoolhouses, and the convenient use thereof, but not to
 4 exceed two acres exclusive of public highway, except in a city, town
 5 or village or cities under special charters it may include two blocks
 6 or area equal thereto exclusive of the street or highway as the case
 7 may be, for any one site, and may also take and hold such additional
 8 real estate, not exceeding five acres, as may be required for school
 9 playground or other purposes for each such site or districts consoli-
 10 dated under the provisions of chapter nineteen of this title, may take
 11 and hold not to exceed ten acres, for any one site, unless such addi-
 12 tional ground may be acquired by donation, which site must be upon
 13 some public road already established or procured by the board of
 14 directors, and shall, except in cities, towns or villages, be at least thirty
 15 rods from the residence of any owner who objects to its being placed
 16 nearer, and not in any public park.

17 The directors in any independent district whose territory is com-
 18 posed wholly or in part of territory occupied by any city of the first
 19 and second class, city under the manager plan, or city under special
 20 charter may, at their regular meeting in July, or at a special meeting
 21 called for that purpose, between the time designated for such regular
 22 meeting and the third Monday in August, certify an amount not ex-
 23 ceeding four mills to the board of supervisors, and they shall levy the
 24 amount so certified, and the tax so levied shall be placed in the school-
 25 house fund and used only for the purchase of sites in and for said
 26 school district. Anything contained in section twenty-five hundred
 27 thirty-seven of the compiled code to the contrary notwithstanding.

[C., '73, §§ 1825, 1826; C., '97, § 2814; S., '13, § 2814; 37 G.
 A., ch. 26, § 1; 38 G. A., ch. 125, § 1; 39 G. A., ch. 67, § 1.]

NOTE: This section in the compiled code refers to "section twenty-five hun-
 dred twenty-four". This reference has been stricken out and in lieu thereof has
 been inserted "chapter nineteen of this title". This change was necessary because
 section 2524 was repealed by 39 G. A., ch. 175 and some forty sections enacted in
 lieu thereof.

SEC. 2642. Condemnation—procedure.

1 If the owner of any of the real estate desired for a schoolhouse
 2 site or sites, or a public road thereto, or for school playgrounds, or
 3 other purposes for which any school corporation is, or may be, author-
 4 ized to take and hold real estate, refuses or neglects to convey the
 5 same, or is deceased, or is unknown or cannot be found, or if in the
 6 judgment of the board of directors of said school corporation they
 7 cannot agree with such owner, the county superintendent of the
 8 county in which said school corporation is located shall, upon the appli-
 9 cation of either party in interest, appoint one freeholder of said
 10 county, the owner or, in case of inability to find such owner, the county
 11 auditor shall appoint one freeholder and these two shall select a third
 12 freeholder, none of whom shall be interested in the same or a like
 13 question, as referees, who shall take and subscribe an oath to the
 14 effect that they will faithfully and impartially discharge the duties
 15 laid upon them. The county superintendent shall give notice of the
 16 time and place of making the assessments of damages to the owner
 17 of such real estate as shown by the transfer books in the office of the

18 county auditor of such county, and to the person in possession there-
 19 of; or, if such owner as so shown by such transfer books is deceased,
 20 then such notice shall be given to the person or persons in possession
 21 of such real estate and to the owners of the beneficial interest therein,
 22 such notice in either event to be given for the same length of time
 23 and in the same manner as for the commencement of actions in the
 24 district court. Such referees shall inspect the grounds proposed to be
 25 taken, fix the damage sustained as near as may be on the basis of the
 26 value of the real estate so appropriated, and report in writing to the
 27 county superintendent their doings and findings, which report shall
 28 be filed and preserved in his office; and upon the amount found by
 29 the referees being deposited with the county treasurer, for the use
 30 of such owner or owners, possession may at once be taken of such
 31 real estate and the necessary buildings erected and occupied. From
 32 the assessment so made either party may appeal to the district court
 33 by giving notice thereof as in case of taking private property for
 34 works of internal improvement within ten days after receiving notice
 35 of the award made. If such appeal is not taken, the assessment shall
 36 be final; if taken, the board may proceed with the construction of
 37 improvements, and may take possession of such real estate, if the
 38 deposit hereinbefore provided has been or shall be made. Such pro-
 39 ceedings shall be void if the school corporation fails to deposit the
 40 amount due as hereinbefore provided within sixty days from and
 41 after the final determination of the proceedings, upon appeal or other-
 42 wise. Upon such appeal the school corporation shall not be liable for
 43 costs unless the owner shall be allowed a greater sum than given by
 44 the referees; all cost of making the referees' assessment to be paid
 45 by the school corporation.

[C., '73, § 1827; C., '97, § 2815; 37 G. A., ch. 26, § 2; 40 G. A.,
 ch. 74.]

SEC. 2649. Reversion.

[Repealed by 39 G. A., ch. 183, §§ 1 and 3, and the three following
 sections enacted in lieu thereof.]

SEC. 2649-a1. Reversion of schoolhouse site from nonuser.

1 Any real estate owned by a school corporation, situated wholly
 2 outside of a city or town, and not adjacent thereto, and heretofore used
 3 as a schoolhouse site, and which, for a period of two years continuously
 4 has not been used for any school purpose, shall revert to the then owner
 5 of the tract from which the same was taken, provided that said owner
 6 of the tract last aforesaid shall, within the time hereinafter prescribed,
 7 pay the value thereof to such school corporation.

[C., '73 § 1828; C., '97, § 2816; S., '13, § 2816; 38 G. A., ch.
 342, § 1; 39 G. A., ch. 183, § 1.]

SEC. 2649-a2. Appraisalment of site—notice—public sale.

1 In case the school corporation and said owner of the tract from
 2 which such school site was taken, do not agree as to the value of such
 3 site, the county superintendent of the county in which the greater part
 4 of such school corporation is situated, shall on the written application
 5 of either party, appoint three disinterested voters of the county to
 6 appraise said site.

7 The county superintendent shall give notice to both parties of the
8 time and place of making such appraisalment, which notice shall be
9 served in the same manner and for the same time as for the commence-
10 ment of action in the district court.

11 Such appraisers shall inspect the premises and, at the time and
12 place designated in the notice, appraise said site in writing, which
13 appraisalment, after being duly verified, shall be filed with the county
14 superintendent.

15 If the owner of the tract from which said site was taken fails to
16 pay the amount of such appraisalment to such school corporation within
17 twenty days after the filing of same with the county superintendent,
18 the school corporation may sell said site to any other person at the
19 appraised value, or may sell the same at public sale to the highest bid-
20 der.

21 If there are improvements on said site, the improvements may, at
22 the request of either party, be appraised and sold separately.

[C., '73 § 1828; C., '97, § 2816; S., '13, § 2816; 38 G. A., ch.
342, § 1; 39 G. A., ch. 183, § 1.]

SEC. 2649-a3. Sale of unnecessary schoolhouse sites.

1 Schoolhouses and school sites no longer necessary for school pur-
2 poses, because of being located in consolidated school districts, may be
3 sold immediately after the organization of such consolidated school
4 districts, in the manner above provided.

5 During the use of such premises, no person owning a right of
6 reversion, shall have any interest in or control over the premises.

7 This and the two preceding sections shall not apply to cases where
8 schools have been temporarily closed by law on account of small
9 attendance.

[C., '73, § 1828; C., '97, § 2816; S., '13, § 2816; 38 G. A., ch.
342, § 1; 39 G. A., ch. 183, § 2.]

CHAPTER 30

SCHOOL TAXES AND BONDS

SECTION 2650. School taxes—transportation fund—contract for use of library.

1 The board of each school corporation shall at its regular meeting
2 in July, or at a special meeting called for that purpose between the
3 time designated for such regular meeting and the third Monday in
4 August, estimate the amount required for the general fund, not ex-
5 ceeding eighty dollars for each pupil of school age; provided that in
6 any school corporation having a population of fifty thousand or more
7 the maximum levy provided herein may be increased to ninety dollars
8 per each person of school age in said district; but each school cor-
9 poration may estimate not to exceed one thousand dollars for each
10 school thereof, and such additional sum as may be necessary not
11 exceeding five dollars for each person of school age for transporting
12 children to and from school; also such additional sum as may be au-

13 thorized in section twenty-six hundred ninety-five of the compiled code.
 14 No tax shall be estimated by the board after the third Monday in
 15 August in each year.

16 School corporations containing territory in adjoining counties
 17 may vote and estimate all taxes for school purposes in mills.

18 The board shall apportion any tax voted by the annual meeting
 19 for schoolhouse fund among the several subdistricts in such a manner
 20 as justice and equity may require, taking as the basis of such apportion-
 21 ment the respective amounts previously levied upon said subdistricts
 22 for the use of such fund.

23 The board of directors of any school corporation in which there
 24 is no free public library shall have power to contract with any free pub-
 25 lic library for the free use of such library by the residents of such
 26 school district as provided in section thirty-seven hundred fifty-two
 27 of this supplement and to pay such library the amount agreed there-
 28 for, and to certify annually a tax not exceeding one mill on the dollar
 29 of the taxable property of such district, to be used exclusively there-
 30 for; and during the existence of such contract a tax sufficient to pay
 31 such library the consideration agreed upon, not exceeding one mill on
 32 the dollar, shall be certified annually by such board. Each school cor-
 33 poration making such contract shall, during the existence of such con-
 34 tract, be relieved from the requirements of section twenty-six hundred
 35 six of the compiled code. This section shall not be construed to apply
 36 in townships where a contract is in existence under the provisions of
 37 section thirty-four hundred forty-three of the compiled code.

[C., '51, § 1152; R., '60, §§ 2033, 2034, 2037, 2038, 2044,
 2088; C., '73, §§ 1738, 1777, 1778; C., '97, § 2806; S.,
 '13, § 2806; 37 G. A., ch. 32, § 1; 37 G. A., ch. 386, § 9;
 38 G. A., ch. 77, § 1; 39 G. A., ch. 93, § 2.]

SEC. 2651. Levy by board of supervisors.

1 The board of supervisors shall at the time of levying taxes for
 2 county purposes levy the taxes necessary to raise the various funds
 3 authorized by law and certified to it by law, but if the amount certified
 4 for any such fund is in excess of the amount authorized by law, it
 5 shall levy only so much thereof as is authorized by law.

6 If a schoolhouse tax is voted at a special meeting and certified to
 7 said board after the regular levy is made, it shall at its next regular
 8 meeting levy such tax and cause the same to be forthwith entered
 9 upon the tax list to be collected as other school taxes.

10 It shall also levy a tax for the support of the schools within the
 11 county of not less than one nor more than three mills on the dollar
 12 on the assessed value of all the taxable property within the county.

[R., '60, §§ 2057, 2059; C., '73, §§ 1779, 1780; C., '97, § 2807;
 S. S., '15, § 1303.]

NOTE: No change made in the above section by the 39th G. A. or the 40th
 G. A. but reprinted to correct historical reference.

SEC. 2654. Treasurer to make monthly payment of taxes.

1 Before the fifteenth day of each month in each year, the county
 2 treasurer shall give notice to the president of the board of each school
 3 corporation in the county of the amount collected for each fund to the
 4 first day of such month, and the president of each board shall draw his

5 draft therefor, countersigned by the secretary, upon the county treas-
6 urer, who shall pay such taxes to the treasurers of the several school
7 boards only on such draft.

8 He shall also keep the amount of tax levied for schoolhouse pur-
9 poses separate in each subdistrict where such levy has been made
10 directly upon the property of the subdistrict, and shall pay over the
11 same monthly to the treasurer of the school township for the benefit
12 of such subdistrict.

[C., '73, §§ 1784, 1785; C., '97, § 2810; 39 G. A., ch. 46, § 1.]

SEC. 2656. Tax to pay bonds.

1 The board of each school corporation shall, when estimating and
2 certifying the amount of money required for general purposes, esti-
3 mate and certify to the board of supervisors of the proper county the
4 amount required to pay interest due or that may become due for the
5 year beginning January first thereafter, upon lawful bonded indebt-
6 edness, and in addition thereto such amount as the board may deem
7 necessary to apply on the principal; but the amount estimated and
8 certified to apply on principal and interest for any one year shall not
9 exceed seven mills on the dollar of the actual valuation of the taxable
10 property of the school corporation.

[C., '73, § 1823; C., '97, § 2813; S., '13, § 2813; 39 G. A., ch.
65.]

SEC. 2660. School building bonds.

1 For the purpose of borrowing money necessary to erect, com-
2 plete, equip, furnish, or improve a schoolhouse or schoolhouses, or
3 to purchase sites therefor, the board of directors of any school cor-
4 poration, when they have been heretofore or when they may hereafter
5 be authorized by the voters at the annual meeting, or at a special meet-
6 ing called for that purpose, may issue the negotiable interest-bearing
7 bonds of said school corporation, said bonds to be known as school
8 building bonds.

[S., '13, § 2812-d; 40 G. A., ch. 76.]

SEC. 2661. Form—duration—rate of interest—where registered.

1 All of said bonds shall be substantially in the form provided for
2 county bonds, but, subject to changes that will conform them to the
3 action of the board providing therefor, shall run not more than twenty
4 years, and may be sooner paid if so nominated in the bond; be in
5 denomination of not more than one thousand dollars or less than one
6 hundred dollars each; to bear a rate of interest not exceeding five per
7 centum per annum, payable semiannually; to be signed by the presi-
8 dent and countersigned by the secretary of the board of directors; and
9 shall not be disposed of for less than par value, nor issued for other
10 purposes than this chapter provides. All of said bonds shall be regis-
11 tered in the office of the county auditor. The expenses of engraving
12 and printing of bonds may be paid out of the general fund.

[S. S., '15, § 2812-e; 37 G. A., ch. 386, § 11; 39 G. A., ch. 6,
§ 1; 40 G. A., ch. 77, §§ 1, 2.]

NOTE: See 39 G. A., ch. 6, for special provision as to interest, and 40 G. A.,
ch. 77, for repeal of said special provision.

CHAPTER 31

COMPULSORY EDUCATION

SECTION 2676. Duty of parents, etc.—enforcement.

1 It is hereby made the duty of any person having such a child
2 under his control or custody to see that such child attends such school
3 during the scholastic year. Upon the failure of any person having
4 the custody and control of such child to require its attendance as
5 herein provided, the state board of education may make application
6 to the juvenile or district court of the county in which such person
7 resides for an order requiring such person to compel the attendance
8 of such child at the proper state institution. If, upon hearing, the
9 court determines that the person required to appear has the custody
10 and control of a child who should be required to attend a state school
11 under the provisions of this section and sections twenty-six hundred
12 seventy-five and twenty-six hundred seventy-seven to twenty-six hun-
13 dred eighty, inclusive, of the compiled code, the court shall make an
14 order requiring such person to keep such child in attendance at such
15 school. A failure to comply with the order of the court shall subject
16 the person against whom the order is made to punishment the same
17 as in ordinary contempt cases.

[S., '13, § 2718-d; 38 G. A., ch. 120, § 2; 40 G. A., ch. 78.]

CHAPTER 32

PUBLIC RECREATION PLACES AND PLAYGROUNDS

SECTION 2693-a1. Bird day.

1 The twenty-first day of March of each year is hereby set apart
2 and designated as bird day. It shall be the duty of all public schools
3 to observe said day by devoting a part thereof to a special study of
4 birds, their habits, usefulness and the best means of protection.
5 Should such date fall on other than a school day, such day shall be
6 observed on the next regular school day.

[40 G. A., ch. 79.]

CHAPTER 34

SCHOOL FUNDS

SECTION 2716. Default in interest.

1 In all cases where money is due to the school fund, either for
2 loans or deferred payments of the purchase price of land sold, the in-
3 terest shall be made payable on the first day of January each year,
4 and if the debtor fails to pay the interest within six months there-
5 after, the entire amount of both principal and interest shall become
6 due, and the county auditor shall make a report thereof to the county
7 attorney, who shall immediately commence action for the collection

8 of the amount reported to him as due, and this section is hereby de-
9 clared to be a part of any contract made by virtue of this chapter,
10 whether expressed therein or not.

[R., '60, §§ 1975, 1979; C., '73, §§ 1854, 1855; C., '97, § 2846;
40 G. A., ch. 245, § 1.]

SEC. 2725. Lands bid in—losses—interest—rents.

[Repealed by 40 G. A., ch. 245, and the seven following sections enacted in lieu thereof.]

SEC. 2725-a1. Sheriff's deed—resale.

1 When lands have been bid in by the county for the state under
2 foreclosure of school fund mortgages and the time for redemption has
3 expired, a sheriff's deed shall be issued to the state for the use and
4 benefit of the permanent school fund. The county auditor shall there-
5 upon notify the auditor of state, who shall give the county credit for
6 the amount of principal in the original notes remaining unpaid. All
7 lands acquired by the state under foreclosure proceedings shall be
8 resold within two years from date of foreclosure. Such lands shall
9 be appraised, advertised, and sold in the manner provided for the
10 appraisal, advertisement, and sale of the sixteenth section or
11 lands selected in lieu thereof.

[C., '73, § 1881; C., '97, § 2855; S., '13, § 2855; 40 G. A., ch.
245, § 2.]

SEC. 2725-a2. Disposition of proceeds on resale.

1 When a resale is made, the county auditor shall notify the auditor
2 of state, who shall thereupon charge the county with the full amount
3 of the resale, except that when the lands are sold for more than the
4 unpaid portion of the principal, the excess shall be applied to reim-
5 burse the county for the costs of foreclosure and the interest paid by
6 the county to the state by reason of default of payment of same by
7 the makers of the notes, previous to the time when the right of
8 redemption has expired, not to exceed three years.

[C., '73, §§ 1881, 1882; C., '97, § 2855; S., '13, § 2855; 40
G. A., ch. 245, § 3.]

SEC. 2725-a3. Excess to state—loss borne by county.

1 Any excess over the amount of the unpaid portion of the prin-
2 cipal, costs of foreclosure, and interest on the principal as above pro-
3 vided, shall inure to the state and be credited to the permanent school
4 fund account. If the lands shall be sold for a less amount than the
5 unpaid portion of the principal, the loss shall be sustained by the
6 county, and the board of supervisors shall at once order the amount
7 of such loss transferred from the general fund of the county to the
8 permanent school fund account.

[C., '73, § 1881; C., '97, § 2855; S., '13, § 2855; 40 G. A., ch.
245, § 4.]

SEC. 2725-a4. Auditor's report—interest charged to counties.

1 County auditors shall, on or before the first day of January of
2 each year, report to the auditor of state the amount of all sales and
3 resales made during the year previous, of the sixteenth section, five-

4 hundred-thousand-acre grant, escheat estates, and lands taken under
5 foreclosure of school fund mortgages, and the auditor of state shall
6 charge the same to the counties with interest from the date of such
7 sale or resale to January first, at the rate of four and one-half per
8 per cent per annum.

[C., '73, § 1881; C., '97, § 2855; S., '13, § 2855; 40 G. A., ch. 245, § 5.]

SEC. 2725-a5. Interest charged to counties.

1 The auditor of state shall also, on the first day of January, charge
2 to each county having permanent school funds under its control, inter-
3 est thereon at the rate of four and one-half per cent per annum for
4 the preceding year, or such part thereof as such funds shall have been
5 in the control of the county, which shall be taken as the whole amount
6 of interest due from such county. All interest collected above the four
7 and one-half per cent charged by the state shall be transferred to the
8 general county fund.

[C., '73, § 1882; C., '97, § 2855; S., '13, § 2855; 40 G. A., ch. 245, § 6.]

SEC. 2725-a6. Uncollected interest paid by county.

1 If any county fails or refuses to collect the amount of interest
2 due the state, the deficiency shall be paid to the state from the general
3 county fund. Any county delinquent in the payment of interest due
4 the state shall be charged one per cent per month on the amount
5 delinquent until paid.

[C., '73, § 1882; C., '97, § 2855; S., '13, § 2855; 40 G. A., ch. 245, § 7.]

SEC. 2725-a7. Auditor to report rents.

1 County auditors shall, upon the first day of January of each year,
2 report to the auditor of state the amount of rents collected during the
3 preceding year on unsold school lands and lands taken under fore-
4 closure of school fund mortgages then in the hands of the county
5 treasurer, and the auditor of state shall include the amount so re-
6 ported in his semiannual apportionment of interest.

[C., '73, § 1884; C., '97, § 2855; S., '13, § 2855; 40 G. A., ch. 245, § 8.]

CHAPTER 35

STATE LIBRARY AND HISTORICAL DEPARTMENT

NOTE: The heading of this chapter has been changed to the above to correct error in printing the compiled code.

SECTION 2739. Appropriation for library.

[Repealed by 28 G. A., ch. 114, § 5; inadvertently printed in the compiled code.]

SEC. 2748. Medical librarian.

1 For the purpose of carrying out the provisions of this chapter, the
 2 state librarian shall appoint an expert librarian trained in medicine
 3 and surgery and in the languages in which medical and surgical litera-
 4 ture is most commonly written and published.

[38 G. A., ch. 367, § 3; 39 G. A., ch. 209, § 59.]

SEC. 2754. Appropriation for historical department.

[Repealed by 39 G. A., ch. 209, § 1.]

SEC. 2755. Curator—assistants—expenses.

[Repealed by 39 G. A., ch. 209, § 1.]

SEC. 2765. State librarian—curator—law librarian—salaries.

[Repealed by 39 G. A., ch. 209, § 1.]

SEC. 2766. Other assistants—salaries.

[Repealed by 39 G. A., ch. 209, § 1.]

CHAPTER 36
LIBRARY COMMISSION AND TRAVELING LIBRARIES

NOTE: The heading of this chapter has been changed to the above to correct error in printing the compiled code.

SECTION 2775. Compensation and expenses—appropriation.

1 No member of the commission shall ever receive any compensa-
 2 tion for services as a member, but the traveling expenses of members
 3 in attending meetings of the commission, or in visiting or establishing
 4 libraries and other incidental and necessary expenses connected with
 5 the work of the commission, shall be paid, including the necessary ex-
 6 pense in the maintenance and extension of the traveling library system,
 7 and there is hereby annually appropriated from any funds in the state
 8 treasury not otherwise appropriated, the sum of twelve thousand dol-
 9 lars to carry into effect the provisions of this section, and any balance
 10 not expended in any one year may be added by the commission to the
 11 expenditure for any ensuing year.

[S. S., '15, § 2888-h; 39 G. A., ch. 235.]

CHAPTER 37
STATE HISTORICAL SOCIETY**SECTION 2781-a1. Appropriation for additional support.**

1 There is hereby appropriated to the state historical society of
 2 Iowa, out of any money in the state treasury not otherwise appro-

3 priated, the sum of twenty thousand five hundred dollars annually here-
4 after as additional permanent support.

[39 G. A., ch. 294, § 1.]

SEC. 2781-a2. When and how paid.

1 This sum shall be paid in quarterly installments on the order of the
2 board of curators of the state historical society of Iowa, the first in-
3 stallment to be paid in July, nineteen hundred twenty-one.

[39 G. A., ch. 294, § 2.]

TITLE XI

HIGHWAYS

CHAPTER 1

ESTABLISHMENT, ALTERATION, AND VACATION OF HIGHWAYS

SECTION 2827. Damages—appeal.

1 Whenever it is found necessary to establish such highway, if
 2 for any reason, the board is unable to acquire such highway by agree-
 3 ment with the owner or owners, such owner or owners who are resi-
 4 dents of the county shall be personally served in the manner original
 5 notices are required to be served, and such owner or owners who do
 6 not reside in said county shall be served by publishing a notice in
 7 some newspaper in the county, once each week for two weeks, but
 8 personal service outside of the county but within the state in the
 9 manner original notices are required to be served, shall be deemed
 10 personal service and shall take the place of published service, and, in
 11 addition, notice shall be served in the manner original notices are
 12 required to be served upon the actual occupant of the land, if said
 13 land be occupied, the service in any case to be completed at least
 14 five days prior to the date fixed in said notice, notifying interested
 15 parties that three disinterested freeholders will be selected as ap-
 16 praisers, one by the board of supervisors, one by the owner or owners
 17 of the property affected, where there are two or more tracts affected,
 18 and one by the two so appointed, said notice to fix a definite date upon
 19 which the interested party or parties shall appear and name one ap-
 20 praiser, and in the event said owner or owners fail to appear, in
 21 person or by agent, or fail to agree upon the selection of an appraiser,
 22 the board of supervisors may appoint two of such appraisers who
 23 shall select a third appraiser to assess the damages occasioned there-
 24 by, and may hear evidence, and increase or decrease the damages
 25 allowed by the appraisers as to it may seem just. Any party ag-
 26 grieved by its action may appeal therefrom to the district court in
 27 the same time and manner, and with the same effect, as is provided
 28 in relation to the establishment of highways.

[C., '97, § 428; 40 G. A., ch. 80.]

SEC. 2829. Condemnation—procedure.

1 If for any reason the board is unable to acquire such highway
 2 by agreement with the owner or owners, such owner or owners who
 3 are residents of the county shall be personally served in the manner
 4 original notices are required to be served, and such owner or owners
 5 who do not reside in said county shall be served by publishing a notice
 6 in some newspaper in the county, once each week for two weeks, but
 7 personal service outside of the county but within the state in the

8 manner original notices are required to be served, shall be deemed
 9 personal service and shall take the place of published service, and,
 10 in addition, notice shall be served in the manner original notices are
 11 required to be served upon the actual occupant of the land, if said
 12 land be occupied, notifying interested parties that three disinterested
 13 freeholders will be selected as appraisers, one by the board of super-
 14 visors, one by the owner or owners of the property affected, where
 15 there are two or more tracts affected, and one by the two so appointed,
 16 said notice to fix a definite date upon which the interested party or
 17 parties may appear and name one appraiser, and in the event said
 18 owner or owners fail to appear, in person or by agent, or fail to agree
 19 upon the selection of an appraiser, the board of supervisors may ap-
 20 point two of such appraisers who shall select a third appraiser, and
 21 such appraisers shall make a return of their doings within ten days
 22 to the county auditor, and the board shall fix a day for a hearing,
 23 at which time it will consider the report of the appraisers and hear
 24 all objections to said change and claims for damages, and at which
 25 time it will determine all damages to each claimant by reason of such
 26 proposed change, and notice of such hearing shall be given to all
 27 interested parties in the manner as hereinbefore provided. The
 28 board, if it so desires, may fix dates for appointing appraisers and
 29 consideration of their report, objections, and claims for damages in
 30 one notice.

[S. S., '15, § 1527-r2; 40 G. A., ch. 81.]

SEC. 2841. Laying out public highways—fees.

1 The following fees shall be paid persons engaged in laying out
 2 and changing roads:

3 1. Commissioners, such sum as shall be fixed by the board of super-
 4 visors, not to exceed three dollars for each day, together with ten cents
 5 per mile for the distance traveled in going to and returning from the
 6 location of the road under consideration.

7 2. Surveyor, for each day, four dollars.

8 3. Chain carriers, markers, and other assistants, for each day,
 9 one dollar and fifty cents.

10 If the road extends into more than one county, such expenses
 11 when so adjudged shall be paid by the several counties in proportion
 12 to the length of time occupied on the road in each county.

[C., '51, § 534; R., '60, §§ 839, 872, 877; C., '73, § 3824; C.,
 '97, § 1527; 39 G. A., ch. 272.]

CHAPTER 4

STATE ROADS

SECTION 2861. Roads adjoining state lands—how maintained.

[Repealed by 40 G. A., ch. 246.]

SEC. 2862. Consent to street improvements.

[Repealed by 40 G. A., ch. 246.]

SEC. 2863. Improving or paving roads adjoining state lands.

[Repealed by 39 G. A., ch. 207, § 3.]

SEC. 2864. Cost—appropriation.

[This and the preceding section repealed by 39 G. A., ch. 207, § 3, and sections 2864-a1 and 2864-a2 enacted in lieu thereof.]

SEC. 2864-a1. Cost of improving highways adjoining state lands.

[Repealed by 40 G. A., ch. 246.]

SEC. 2864-a2. Payment—appropriation.

[This and the preceding section (and sections 2861 and 2862 of the compiled code) repealed by 40 G. A., ch. 246, and the five following sections enacted in lieu thereof.]

SEC. 2864-a3. State road districts.

1 Highways on lands of the state and highways on which such lands
2 abut, shall constitute a separate road district for each state institu-
3 tion, or state park, in connection with which such lands are used, and
4 shall be under the jurisdiction of the board in control thereof.

[C., '97, § 1532; S., '13, § 1532; 40 G. A., ch. 246, § 1.]

SEC. 2864-a4. Supervisor.

1 The chief engineer of the state highway commission shall be
2 ex officio general supervisor of said several road districts, and be
3 under the direction of the board in control thereof, and shall have
4 general charge of the maintenance and improvement of said roads,
5 and perform such other duties and make such reports in reference
6 thereto as may be required by said board. Said board may appoint
7 a local supervisor for each district.

[S., '13, § 1532; 40 G. A., ch. 246, § 2.]

SEC. 2864-a5. Maintenance and improvement.

1 The roads within any such district, except county bridges, shall
2 be maintained, repaired, and improved under the direction of the
3 board which is in control of said lands, provided said board shall
4 not pave or hard surface such roads unless authorized so to do by
5 the executive council. The costs shall be paid only after certificate
6 of detailed amount due shall have been filed by the said board with
7 the state board of audit, and duly audited as provided by law. This
8 section shall not be construed as preventing the paving or hard sur-
9 facing of any such roads under any other proceeding authorized by
10 law.

[S., '13, § 1532; 37 G. A., ch. 421, § 1; 40 G. A., ch. 246, § 3.]

SEC. 2864-a6. Improvement by city or county.

1 When a city, town, special charter city, or county shall drain,
2 oil, pave, or hard surface a road which extends through or abuts upon
3 lands owned by the state, the state, through the executive council,
4 shall pay such portion of the cost of making said improvement
5 through or along such lands as would be legally assessable against

6 said lands were said lands privately owned, which amount shall be
7 determined by said council, or board.

[S., '13, § 170-k; 38 G. A., ch. 400, § 1; 39 G. A., ch. 207, § 1;
40 G. A., ch. 246, § 4.]

SEC. 2864-a7. Appropriation.

1 There is hereby appropriated from any unappropriated funds
2 now or hereafter in the state treasury an amount sufficient to pay the
3 obligations created by this chapter. Said costs shall be paid only on
4 itemized vouchers which shall carry a certificate from the chief en-
5 gineer of the state highway commission that said improvement has
6 been completed according to contract.

[38 G. A., ch. 400, § 2; 39 G. A., ch. 207, § 2; 40 G. A., ch.
246, § 5.]

CHAPTER 5

COUNTY ROAD, BRIDGE AND CULVERT SYSTEM

SECTION 2872. ~~Engineers — compensation—discharge—highway systems defined—corporate line highways—how improved—bridge and culvert system—scope—state line highways.~~

1 The board of supervisors of each county at their discretion may
2 employ a competent engineer or engineers for such length of time, not
3 exceeding one year, and at such compensation, to be paid out of the
4 county funds, as may be fixed by the board of supervisors. Said en-
5 gineer or engineers shall work under the direction and instructions of
6 the board of supervisors in the performance of the duties hereinafter
7 provided, and each shall give bond for the faithful performance of
8 his duties in a sum not less than one thousand dollars, nor more than
9 five thousand dollars. The tenure of office of any engineer may be
10 terminated by the board of supervisors for cause or by the state
11 highway commission for incompetency.

12 The highways now designated as county roads by the plans and
13 records now on file in the county auditor's office of each county and
14 all county highways from time to time added thereto, shall be known
15 as the county road system. All other highways in the county shall
16 be known as the township road system. The system of road con-
17 struction herein provided shall apply only to highways outside of
18 the limits of cities and towns; provided, however, that whenever any
19 public highway, located along the corporate line of any city or town,
20 is partly within said city or town and partly without the same, the
21 said highway or any part thereof, may be included in and made a
22 part of the county road system, and when so included it may be
23 improved by the board of supervisors as are other parts of the county
24 road system.

25 The system of bridge and culvert work herein provided for shall
26 apply to all highways throughout the county outside of the limits of
27 cities of the first class; provided, however, that when any part of any
28 public highway located along the corporate line of a city of the first
29 class is included in the county road system, as herein provided, the
30 board of supervisors and the city council shall meet jointly and adopt
31 plans and specifications with the approval of the highway commis-

32 sion for the construction of bridges and culverts, one-half of the cost
 33 of the same to be paid by the city and one-half by the county, and in
 34 case the city council and the board of supervisors are unable to agree
 35 upon any question or questions involved in the construction of the
 36 same, it shall be referred to the state highway commission, whose
 37 decision therein shall be final and binding upon each party.

38 In matters involving highway improvements upon or across state
 39 lines or in determining continuous routes for interstate roads, the
 40 state highway commission shall be authorized to confer with author-
 41 ities of bordering states and to agree upon proper connections or plans
 42 and the apportionment of cost of such improvements.

[S. S., '15, § 1527-s3; 40 G. A., ch. 82, § 1.]

SEC. 2888. Gravel and material for road improvement—counties.

1 The board of supervisors of any county is hereby authorized and
 2 empowered within the limits of such county and without the limits
 3 of any city or town, to procure, purchase or condemn, enter upon and
 4 take any lands for the purpose of obtaining gravel or other suitable
 5 material with which to improve the roads and highways of such county
 6 including a sufficient roadway to such land by the most reasonable
 7 route, and to pay for the same, one-half out of the primary road funds
 8 and one-half out of the county road funds, and it shall be the duty of
 9 the board of supervisors of each county, where such material can be
 10 found within the county as herein provided, to procure, purchase or
 11 condemn such tracts so that no part of the county shall be more than
 12 six miles distant from land where such material can be obtained for
 13 highway purposes; provided that the board of supervisors shall not
 14 be required to purchase such land, but may procure the road material
 15 at any place within or without the county when the combined cost of
 16 obtaining and hauling the same is not greater than the cost would be
 17 by condemnation proceedings under this section.

[S., '13, § 2024-i; 39 G. A., ch. 79, §§ 1, 2.]

SEC. 2894. Appropriations for county bridges—limitations.

1 The board of supervisors of any county may appropriate for the
 2 construction of any one bridge within the limits of such county a sum
 3 not to exceed fifty thousand dollars and may appropriate for the con-
 4 struction of any one bridge on the line between such county and
 5 another county of this state or between such county and another state,
 6 a sum not to exceed twenty-five thousand dollars.

7 The term "bridge" as used in this section shall be held to include
 8 substructure, superstructure and approaches.

[C., '73, § 303; C., '97, § 424; 38 G. A., ch. 336, § 1; 39 G.
 A., ch. 107, § 1.]

CHAPTER 7

PRIMARY AND SECONDARY ROAD SYSTEMS

SECTION 2911. Road systems defined.

1 The highways of the state are, for the purpose of this chapter,
 2 divided into two systems, to wit: the primary road system and the
 3 secondary road system.

4 The primary road system shall embrace those main market roads
 5 (not including roads within cities), which connect all county seat
 6 towns and cities and main market centers, and which have already
 7 been designated under section twenty-nine hundred three of the com-
 8 piled code, accepting the provisions of the act of congress approved
 9 July eleventh, nineteen hundred sixteen, known as the federal aid
 10 road act; provided that the said designation of the roads shall, for
 11 more efficient service or more economical construction of the system,
 12 and with the consent of the federal authorities, be subject to revision
 13 by the state highway commission. Any portion of said primary sys-
 14 tem so eliminated by any change shall revert to and become a part
 15 of the system from which originally taken. The state highway com-
 16 mission may, for the purpose of affording access to cities, towns, vil-
 17 lages, state parks, and recreation centers within a county, add such
 18 road or roads to the primary system of said county as the board of
 19 supervisors may specifically designate and request.

20 The secondary road system shall embrace all roads not embraced
 21 in the primary system and not embraced within the limits of cities or
 22 towns. Roads embraced in the secondary road system shall continue
 23 to be classed as at present, as county roads or township roads as the
 24 case may be.

[38 G. A., ch. 237, § 3; 40 G. A., ch. 83.]

SEC. 2912. Primary road fund—apportionment—use—right of way.

1 There is hereby created a fund which shall be known as the
 2 primary road fund, which shall embrace the federal-county-coopera-
 3 tion road fund as created by chapter six of this title, all additional
 4 and future federal aid road funds, and all other funds derived from
 5 year to year by the state under acts regulatory of motor vehicles,
 6 except such portion of said motor vehicles fund as may be necessary
 7 to maintain the federal aid engineering fund, and as may, by law, be
 8 retained in the state treasury as a maintenance fund for the state
 9 highway commission, or as a fund to cover administration of the
 10 motor vehicle department.

11 Said primary road fund shall be apportioned to the respective
 12 counties in the ratio that the area of the county bears to the total
 13 area of the state, and shall be used in the establishment, construction,
 14 and maintenance of the primary road system, including the drainage,
 15 grading, surfacing, construction of bridges and culverts, the elimina-
 16 tion or improvement of railroad crossings, the purchase of additional
 17 right of way and the damages incident thereto, connected with the
 18 establishment, construction, and maintenance of the primary road
 19 system.

20 Where additional right of way for primary road system has been
 21 taken in any county and paid for out of other funds since chapter two
 22 hundred thirty-seven, acts of the thirty-eighth general assembly has
 23 been in effect, the board of supervisors of such county is authorized
 24 to transfer from the primary road fund to such other fund the amount
 25 expended for such right of way.

26 The portion of said fund apportioned to each county as above
 27 provided is hereby pledged to the completion of said primary system
 28 and is dedicated by the state to the county to be used for the payment
 29 of costs in establishment, improvement, or maintenance thereof and

30 for the redemption of any bonds issued therefor as in this chapter
31 provided.

32 For the purpose of administration, apportionment to any county
33 may be made up partly from federal aid road allotments.

34 Nothing herein contained shall be construed as precluding the
35 board of supervisors from paying for the construction and main-
36 tenance of bridges and culverts on the primary road system from the
37 county bridge fund.

[38 G. A., ch. 237, § 4; 39 G. A., ch. 20, § 1; 39 G. A., ch. 188,
§ 2; 40 G. A., ch. 84, § 1.]

SEC. 2913-a1. Accounts by state auditor and treasurer.

1 The account of the primary road fund kept by the state auditor
2 and the state treasurer shall show the amount of the primary road
3 fund with all credits thereto and disbursements therefrom, and shall
4 deal with said fund as a single fund.

[39 G. A., ch. 188, § 4.]

SEC. 2914. Options authorized—election in re hard surfacing.

1 Each county, acting through its board of supervisors, shall have
2 three options in the expenditure of its allotments from the primary
3 road fund:

4 1. It may elect to acquire additional right of way where necessary
5 and complete the grading and construction of bridges and culverts and
6 drainage in any part or all of the primary roads within the county
7 before laying any hard surfacing.

8 2. It may hard surface in any one year, such portion of the roads
9 in the primary system in its county as may be met by its allotted por-
10 tion of the primary road fund for said year, plus any balance remain-
11 ing to its credit from previous allotments, plus the special assessments
12 on abutting and adjacent real estate as hereinafter provided; or it
13 may proceed in any one year with draining and grading on one or
14 more divisions of the primary system and with hard surfacing on
15 other divisions of said system.

16 3. It may proceed with said hard surfacing in a more rapid man-
17 ner when authorized to do so by the voters of the county as herein-
18 after set forth, provided no hard surfacing shall be constructed on
19 any division of the primary roads until the drainage and grading of
20 said division shall have been fully completed.

21 It is hereby made the duty of the board of supervisors to pro-
22 ceed in the improvement of primary roads under this chapter as fast
23 as the primary road fund is available, until the improvement of the
24 primary system is completed; provided, that any county, after drain-
25 ing and grading its primary system, or any division thereof, shall have
26 the right to surface same with gravel or oil or both if by resolution
27 of the board of supervisors it elects so to do. Such graveling or oiling
28 shall not be considered hard surfacing within the meaning of this
29 chapter. Said surfacing shall be done in accordance with the plans
30 and specifications of the highway commission applicable to such
31 improvement and the cost of such improvement when so done may be
32 paid from the primary road fund. Vouchers therefor must be ap-
33 proved by the board of supervisors and forwarded to the highway
34 commission for final audit, approval, and payment as provided in
35 section twenty-nine hundred twenty-one of this supplement.

36 The board of supervisors shall not proceed with hard surfacing
37 of roads until such work shall be authorized by a majority vote of the
38 electors of such county at a general election, or a special election,
39 called for that purpose; and the board of supervisors of any county
40 may, on its own motion, and shall, if petitioned by the voters in any
41 county equal to ten per cent of the number voting at the last general
42 election, to be determined by the number of electors voting for gov-
43 ernor thereat, submit to said voters the question whether hard surfac-
44 ing shall be done on the primary road system, or any portion thereof,
45 in said county. Said petition shall be in writing, giving the name and
46 residence of each signer thereto, and each sheet thereof shall be veri-
47 fied by a resident of the county. The board of supervisors shall be
48 governed by the result of such election, and, if a majority of said
49 voters voting thereon shall vote therefor, the board shall proceed forth-
50 with with the work. Such election, however, shall not interfere with
51 or affect work under construction, or under contract, or federal aid
52 projects already approved at the time of the holding of said election.

53 Notice of such election shall be given as provided in section
54 twenty-nine hundred thirty-three of the compiled code, and the notice
55 shall give the time said election shall be held and the form of the propo-
56 sition submitted, and such proposition shall be contained in the ballot.
57 Special elections shall be held in the same manner as general elections.

58 The question of hard surfacing shall not be submitted to a vote
59 in any county oftener than once in twenty-four months.

60 The question as to hard surfacing of roads and as to issue of
61 bonds under this chapter may be submitted at the same election. And
62 at the election as to the question of whether or not bonds may be
63 issued, there may be submitted at the same election and upon the
64 same ballot as a separate proposition the question of whether or not
65 hard surfacing may be done. If upon such submission the proposition
66 of hard surfacing is defeated, such vote shall thereby nullify the vote
67 as to the issuance of bonds.

[38 G. A., ch. 237, § 6; 39 G. A., ch. 20, § 2; 40 G. A., ch. 84,
§ 2.]

SEC. 2921. Claims and form thereof—method of payment.

1 Claims for draining and grading, graveling or oiling, shall be paid
2 wholly from the county's allotment of the primary road fund. Claims
3 for hard surfacing, in case the county is proceeding without bond
4 issue, shall be paid to the extent of eighty-seven and one-half per cent
5 of the total cost of such hard surfacing, from the county's said allot-
6 ment, and the balance shall be paid with special assessment or road
7 certificates, or with the proceeds thereof. Claims for hard surfacing,
8 in case the county is improving with the proceeds of a bond issue,
9 shall be paid, first, from the county's said allotment then available, or
10 from any balance of said allotment remaining after the retirement
11 of bonds and from the proceeds of special assessments, and second, out
12 of such bond fund of the county.

13 All claims shall be itemized upon voucher forms prepared by the
14 state highway commission, sworn to by the claimants, certified to by
15 the engineers in charge, filed with and audited by the board of super-
16 visors, and then forwarded to the state highway commission for final
17 audit and approval. Upon the final approval of vouchers which are
18 payable from the county's allotment of the primary road fund, such

19 vouchers shall be forwarded to the auditor of state, who shall draw
20 warrant therefor, and said warrant shall be paid by the treasurer of
21 state from the primary road fund.

22 Duly approved voucher claims, payable at the office of the county
23 treasurer, shall be forwarded by the state highway commission to the
24 county auditor, who shall issue warrant therefor, and the county
25 treasurer shall pay the same with special assessment or road certifi-
26 cates, or from the proceeds thereof, or from the bond fund, as the
27 case may be. Partial payments may be made on work during the
28 progress thereof, but no such partial payment shall be deemed final
29 acceptance of the work nor a waiver of any defect therein.

[38 G. A., ch. 237, § 13; 40 G. A., ch. 85, § 1.]

SEC. 2921-a1. Primary road contingent fund.

1 The state treasurer is hereby directed to set aside from the pri-
2 mary road fund the sum of one hundred fifty thousand dollars to be
3 known as the primary road contingent fund.

[39 G. A., ch. 220, § 1.]

SEC. 2921-a2. Claims payable from contingent fund.

1 When claims for labor, freight or other items which must be paid
2 promptly and which are payable from the primary road fund or from
3 the state highway commission maintenance fund, are presented to the
4 said commission for payment, the said commission may direct that
5 warrants in payment of said claims be drawn on said primary road
6 contingent fund. Such warrants, when so drawn and signed by the
7 auditor of the state highway commission, shall be honored by the
8 state treasurer for payment from the said contingent fund.

[39 G. A., ch. 220, § 2.]

SEC. 2921-a3. Procedure in making payment from contingent fund—reimbursement.

1 The claims in payment of which warrants are drawn on the pri-
2 mary road contingent fund, shall be audited in the usual manner pre-
3 scribed by law and shall have noted thereon that warrants in payment
4 thereof have been drawn on the said contingent fund. After the final
5 audit of such claims the state auditor shall draw warrants therefor
6 in the regular manner and forward the same to the state highway
7 commission for record. When such warrants have been recorded in
8 the office of the said commission they shall be forwarded to the state
9 treasurer who shall cancel the same, charge them to the proper fund
10 and credit the primary road contingent fund with the amount thereof.

[39 G. A., ch. 220, § 3.]

SEC. 2921-a4. Bond by auditor of highway commission.

1 The auditor of the state highway commission shall give bond to
2 the state of Iowa in the sum of ten thousand dollars conditioned for
3 the faithful performance of his duties relative to said fund. Said
4 bond after approval by the state highway commission shall be depos-
5 ited in the office of the secretary of state.

[39 G. A., ch. 220, § 4.]

SEC. 2922. Board of apportionment—report—notice and hearing—fees of appraisers.

1 A board of apportionment of three resident freeholders of the
2 county shall be appointed by the board of supervisors to apportion all
3 special benefits to real estate within each district, but the same board
4 of apportionment may act for more than one district. No person
5 shall serve on such board if he lives or owns real estate within the
6 district for which he is to act.

7 Whenever the total expense of such improvement within said dis-
8 trict has been approximately determined, said board of apportionment
9 shall, with all reasonable dispatch, personally inspect and classify in
10 some uniform manner, and under some intelligent description, and in a
11 graduated scale of benefits, all real estate within said districts. Said
12 classification, when finally established, shall remain as a basis for all
13 future assessments to cover deficiencies, if any, unless the board of
14 supervisors, for good cause, shall authorize a revision thereof.

15 Said board of apportionment shall, among other relevant and
16 material matters, if any, give due consideration to the fair market
17 value per acre of each of the different tracts of real estate, to their
18 relative location and productivity, and to their relative proximity and
19 accessibility to the said improvement.

20 They shall, in writing, and to the different described tracts of
21 real estate within said district, make an approximately equitable
22 apportionment of twelve and one-half per cent of the total expense
23 of said improvement.

24 In making said apportionment, real estate owned by the state or
25 any county shall be treated as other real estate, but no other publicly
26 owned real estate shall be included, and in apportioning benefits to real
27 estate owned by the county or state no consideration shall be given to
28 the buildings thereon.

29 Said apportionment report shall specify each tract of real estate
30 by some intelligent description, the amount apportioned thereto, and
31 the ownership thereof, as the same appears on the transfer books in
32 the auditor's office, and shall be filed with the county auditor. Said
33 apportionment shall carry the presumption, in the absence of a con-
34 trary showing, that the same is fair, just, equitable, and in propor-
35 tion to benefits and not in excess thereof.

36 Upon receipt of said apportionment, the county auditor shall fix
37 a day for hearing before the board of supervisors, and cause notice to
38 be served by publication as hereinafter provided upon each person
39 whose name appears in said apportionment report, or in any recom-
40 mendation accompanying the same, as owner, and also upon the per-
41 son or persons in actual occupancy of any such real estate, which
42 notice shall state the amount of special assessments apportioned to
43 each tract, the day set for hearing before the board of supervisors,
44 that at said hearing any apportionment may be increased without
45 further notice, that (if such be the case) the board of apportionment
46 has recommended that specified additional tracts of real estate should
47 be included within said district, and that specified sums should be
48 apportioned thereto to defray the cost of said improvement, and that
49 all objections to said report, or any part thereof, by reason of any
50 irregularity in prior proceedings, or by reason of any irregularity, ille-
51 gality, or inequality in making such apportionment, must be specifi-
52 cally made in writing and filed with the county auditor on or before

53 noon of the day set for such hearing, and that a failure to so make and
54 file such objections will be deemed a conclusive waiver of all such
55 objections.

56 The county auditor shall cause such notice to be served by having
57 the same published in at least one of the official newspapers of the
58 county once each week for two consecutive weeks, the last of which
59 publications shall be not less than five days prior to the day set for
60 said hearing. Proof of such service shall be made by affidavit of
61 the publisher and be filed with the county auditor.

62 Omission to serve any party with notice herein provided shall
63 work no loss of jurisdiction on the part of the board over such pro-
64 ceeding, and such omission shall only affect the persons upon whom
65 service has not been had, and if, before or after the board has entered
66 its final order in apportionment proceedings, it be discovered that
67 service of said notice has not been had on any necessary person as
68 herein provided, the board shall fix a time for hearing as to such
69 omitted parties and shall cause such service to be then made upon
70 them, either by publication as in this section provided or by per-
71 sonal service in the time and manner required for service of original
72 notices in the district court, and after such hearing shall proceed as to
73 such person as though such service had been originally complete.

74 The appearance of any interested party, either in writing or per-
75 sonally, or by authorized agent, either before the board of supervisors
76 or before the state highway commission at any stage of a pending pro-
77 ceeding for the hard surfacing of the highways of a district, shall be
78 deemed a full appearance. Only interested parties shall have the
79 right to appear before the board of supervisors in proceedings pro-
80 vided for in this chapter, and all persons so appearing shall be required
81 to state for whom they appear, and the clerk of the board shall make
82 definite entry accordingly, in the minutes of the board.

83 The state highway commission shall prescribe standard forms
84 for apportionment reports and notice of hearings thereon.

85 Each member of the board of apportionment shall be paid in full
86 for all services, at the rate of six dollars per day of actual service,
87 and ten cents per mile for each mile necessarily traveled in the per-
88 formance of his duties, and bills therefor, duly sworn to and item-
89 ized, shall be returned to the board of supervisors with the report of
90 the apportioners.

[38 G. A., ch. 237, § 14; 40 G. A., ch. 85, § 2; 40 G. A., ch. 86.]

SEC. 2922-a1. Refund.

1 In all cases where assessments of twenty-five per cent for hard
2 surfacing have heretofore been levied against adjoining property
3 under the provisions of this chapter and amendments thereto, and
4 such assessments have either been paid or certificates issued to cover
5 deferred installments, all of the same over and above twelve and one-
6 half per cent shall be refunded to such parties out of the motor vehicle
7 portion of the primary fund allotment to the counties in which such
8 levies were made or out of the funds arising from the sale of primary
9 road bonds or other bonds voted by such counties. The board of
10 supervisors may determine whether such refund shall be made in one
11 sum or in annual installments not exceeding ten, and in no case shall
12 interest be allowed on the amounts so refunded.

13 In case of sale of such adjoining lands prior to making such

14 refund and such assessments have not been paid in full, the same
 15 shall be paid to the parties interested in proportion to the amount
 16 paid or assumed by them respectively or as may be agreed between
 17 such parties at the time such refund is made.

[40 G. A., ch. 85, § 6.]

SEC. 2924. Hearing on report—levy of assessments—payment.

1 The final hearing on said apportionment report may be adjourned
 2 from time to time without loss of jurisdiction on the part of the
 3 board. On such final hearing the board shall hear and determine all
 4 objections filed, and may increase, diminish, annul or affirm the appor-
 5 tionment made in said report, or any part thereof, as may appear to
 6 the board to be just and equitable.

7 On the final determination, the board shall levy such apporportion-
 8 ment and all installments thereof upon the real estate within said
 9 district, as finally established, and said assessment and all installments
 10 thereof shall be then due and payable, and bear interest at six per
 11 cent per annum commencing twenty days from the date of said levy;
 12 provided that if any owner, other than the state or county, of any of
 13 said tracts of land shall, within twenty days from the date of said
 14 assessment agree, in writing filed in the office of the county auditor,
 15 that in consideration of his having the right to pay his assessment in
 16 installments, he will not make any objection of illegality or irregularity
 17 as to said assessment upon his said real estate, and will pay the same
 18 with six per cent interest thereon, then and in that case, said assess-
 19 ment shall be payable as follows: In ten equal installments, the first
 20 of which shall mature and be payable on the date of such agreement,
 21 and the other installments, with interest on the whole amount unpaid,
 22 annually thereafter, at the same time and in the same manner as the
 23 March semiannual payment of ordinary taxes.

24 Where no such agreement is executed, then the whole of such
 25 special assessment so levied shall mature at one time and be due and
 26 payable with interest, and shall be collected at the next succeeding
 27 March semiannual payment of ordinary taxes.

28 All such taxes shall become delinquent on the first day of March
 29 next after their maturity, shall bear the same interest, the same penal-
 30 ties and be attended with the same rights and remedies for collection,
 31 as ordinary taxes.

32 An owner of land who has availed himself of said ten-year option
 33 may at any time discharge his assessment by paying the balance then
 34 due on all unpaid installments, with interest on the entire amount for
 35 thirty days in advance.

36 Assessments against lands owned by the state or county shall be
 37 due and payable from the date of levy by the board of supervisors, or
 38 in the case of any appeal, from the date of final confirmation of the
 39 levy by the court.

40 In case of assessment on lands owned by the county, the same
 41 shall be paid from the county general fund. In case of assessments
 42 on lands owned by the state, the same shall be represented by a
 43 voucher, duly audited as heretofore provided, and the state auditor
 44 shall draw warrant therefor and make the same payable out of any
 45 funds in the state treasury not otherwise appropriated.

[38 G. A., ch. 237, § 16; 39 G. A., ch. 50.]

SEC. 2925. Reassessments to meet deficit.

1 In case an assessment as originally made should later be found
 2 to be insufficient to pay one-eighth of the total cost of the improve-
 3 ment, an additional assessment may be made in the same relative
 4 ratio as the original assessment, to meet the deficiency. In case an
 5 assessment appears to be invalid or, in the judgment of the board,
 6 seriously defective, the board of supervisors may proceed to the
 7 making of a new assessment as though no assessment had ever been
 8 made.

[38 G. A., ch. 237, § 17; 40 G. A., ch. 85, § 3.]

SEC. 2926. Limitations on assessments—deficits.

1 Special benefit assessments shall be levied for an amount which,
 2 in the aggregate, shall equal twelve and one-half per cent of the total
 3 cost of hard surfacing, and sums expended for drainage, grading,
 4 bridging, and culverting shall not be computed as part of said cost,
 5 except that the cost of such draining and grading as is purely inci-
 6 dental to the construction of said hard surfacing may be included in
 7 the cost thereof.

8 No real estate, under any circumstances, though embraced within
 9 more than one road assessment district, shall be specially assessed for
 10 the original cost of hard surfacing in an amount exceeding, in the
 11 aggregate, two per cent of the fair market value thereof. Any defi-
 12 ciency in the said twelve and one-half per cent of the total cost, occur-
 13 ring by reason of said two per cent limitation, shall be paid from the
 14 county's allotment of the primary road fund.

[38 G. A., ch. 237, § 18; 40 G. A., ch. 85, § 4.]

SEC. 2931-a1. Anticipating allotments to meet excess warrants.

1 In the event that the warrants drawn on any county's account
 2 shall be in excess thereof, the said county shall issue certificates as
 3 provided in section twenty-nine hundred thirty-two of the compiled
 4 code, in an amount equal to the amount which it is proposed to antici-
 5 pate said account, and in no case exceeding said county's allotment for
 6 the current and next succeeding year. Such certificates shall be de-
 7 posited with the state treasurer. When the allotment of which such
 8 certificates are anticipatory becomes available to said county, the state
 9 highway commission shall charge said county's account with the
 10 amount of the interest on said certificates and shall apportion said
 11 amount among the counties in the same way as other primary road
 12 funds. At the same time the commission shall notify the state treas-
 13 urer of the amount of funds becoming available to said county. The
 14 treasurer shall thereupon forward an equal amount of said certificates
 15 to the county treasurer who shall cancel the same. The good faith
 16 of the state is hereby pledged as a guarantee to all counties as against
 17 any loss by reason of such anticipations.

[39 G. A., ch. 188, § 3.]

NOTE: Retroactive clause omitted as temporary.

SEC. 2936-a1. Nature of bonds—refunding.

1 The bonds authorized by section twenty-nine hundred thirty-six
 2 of the compiled code are general obligations of the county. Should

3 the funds on hand not be sufficient to retire said bonds on the date of
4 maturity thereof, the board of supervisors shall refund the same
5 through the issuance of county funding bonds, as provided in sections
6 thirty-two hundred sixty-one of this supplement and thirty-two hun-
7 dred sixty-six of the compiled code.

[39 G. A., ch. 215, § 1.]

NOTE: For retroactive effect of the above section, see 39 G. A., ch. 215, § 2.

SEC. 2943. Improvements within cities and towns.

1 The board of supervisors is hereby given plenary jurisdiction
2 subject to the approval of the council to purchase or condemn right
3 of way therefor and grade, drain, gravel, or hard surface any road
4 or street which is a continuation of the primary road system of the
5 county, within any town or within any city including special charter,
6 commission plan and manager plan cities having a population of less
7 than twenty-five hundred, and to make said hard surfacing the same
8 width within the town as the hard surfacing outside of the town on
9 the primary road system, but no hard surfacing shall be done except
10 as authorized by a vote of the electors of the county.

11 After the completion of such improvement the same shall be
12 maintained by the city or town and such city or town shall rest under
13 the same obligation of care as to such improvements as is now pro-
14 vided by law for roads and streets generally.

15 Any such city or town through its council and each county of
16 the state through its board of supervisors are hereby authorized to
17 enter into written agreements subject to the approval of the state
18 highway commission to determine the location of such improvements
19 within such cities or towns. In case of disagreement the matter
20 shall be referred to the state highway commission, whose decision
21 shall be final. The board of supervisors shall not drain, grade, gravel,
22 or hard surface any highway within the limits of cities other than
23 those specified herein.

[38 G. A., ch. 237, § 35; 39 G. A., ch. 56, § 1; 39 G. A., ch. 104;
40 G. A., ch. 87, § 1.]

SEC. 2943-a1. Right of way.

1 In the improvement of extensions of the primary road system
2 within cities or towns hereunder, the board of supervisors shall have
3 power to purchase or condemn the necessary right of way therefor,
4 and such condemnation proceedings shall be under the same laws as
5 now apply to the condemnation of right of way for roads outside of
6 cities and towns on primary roads.

[40 G. A., ch. 87, § 2.]

SEC. 2943-a2. Initiating improvement in city or town.

1 Any town, through its council, may, by resolution, make applica-
2 tion to the board of supervisors of its county for the grading, drain-
3 ing, graveling, or hard surfacing of any road or street in said town
4 or along its limits, which is a continuation of the primary road sys-
5 tem of the county, by filing the resolution making application therefor
6 with the county auditor. The board of supervisors shall examine
7 said application and shall within thirty days after the filing thereof
8 with the county auditor take action thereon. The board may approve

9 said application in whole or in part or may wholly reject the same,
 10 whereupon the resolution, together with a record of the board's action
 11 thereon, shall be forwarded to the state highway commission for final
 12 review. The state highway commission shall examine said resolu-
 13 tion and the action of the board thereon, and shall within thirty days
 14 make final determination thereof. It may approve the application
 15 in whole or in part or may wholly reject the same. The town council
 16 and the board of supervisors shall be immediately notified of the
 17 action taken. The provisions of section twenty-nine hundred four-
 18 teen of this supplement relative to voting on the question of hard
 19 surfacing the primary roads shall not apply to improvements made
 20 hereunder. Provided, that in counties which have not authorized
 21 the hard surfacing of the primary roads, and in which the said pri-
 22 mary roads have not all been built to finished grade and drained, the
 23 state highway commission shall give preference to such grading and
 24 draining projects, and not to exceed twenty per cent of the annual
 25 allotment of the primary road funds may be spent on projects within
 26 towns hereunder.

[40 G. A., ch. 88, § 1.]

SEC. 2944. Improvements of county line road—procedure.

1 Boards of supervisors of adjoining counties may jointly agree
 2 on a district for the hard surfacing of roads in the following cases:
 3 1. When a primary road substantially parallels a county bound-
 4 ary line and is not more than one mile from such boundary line.
 5 2. When a primary road approaches a county boundary line at
 6 such an angle that the hard surfacing hereunder of such road will
 7 reasonably necessitate a district with a substantial part thereof in
 8 different counties.
 9 3. When a primary road constitutes a common boundary line
 10 between different counties.
 11 In case of common boundary line roads, said boards may also
 12 jointly agree as to which county, through its board of supervisors,
 13 shall construct said improvement. Such agreements shall be subject
 14 to the approval of the state highway commission. If such agreements
 15 are entered into and so approved, the county in which the paralleling
 16 or angling road is situated shall construct the said improvement as
 17 herein provided. If such agreements are entered into relative to a
 18 common boundary line road, said improvement shall be constructed
 19 by the county agreed on. Should said boards be unable to agree on
 20 the district for the improvement of a paralleling or angling road, or
 21 should the boards be unable to agree on the district for the improve-
 22 ment of a common boundary line road and also as to which board
 23 shall construct the improvement, either board may apply to the state
 24 highway commission for a decision in the matter. The said commis-
 25 sion shall, by proper order, fix the limits of the district. It shall also
 26 determine which county shall construct the hard surfacing on the com-
 27 mon boundary line road. Said order shall be final. Such order shall
 28 be certified to each board, and the board of the county to which con-
 29 struction has been assigned shall enter such order at large in the min-
 30 utes of its proceedings, and proceed with the construction of such
 31 hard surfacing in the same manner as though the district and the real
 32 estate therein were wholly within their county, except that the board
 33 of apportionment shall file its report with the board of supervisors of
 34 all counties in which any of such real estate is located.

35 The county auditor of the county constructing the hard surfacing
 36 shall fix a time for a hearing on said report, and shall cause notice
 37 thereof to be given as in cases where the district and the real estate
 38 therein are wholly within one county, except that said notice shall
 39 be published in one of the official newspapers of each of the counties
 40 in which any of the real estate is situated.

41 All subsequent proceedings including objections, final confirma-
 42 tion and appeals shall proceed in the same manner as though the real
 43 estate therein were wholly within the constructing county, except that
 44 the county auditor of the county constructing the improvement shall,
 45 after the final apportionment has been determined and levied, certify
 46 a list of the real estate lying in the nonconstructing county or coun-
 47 ties and the amount levied thereon, to the county auditor and treasurer
 48 of such nonconstructing county. Such assessment and levy, when so
 49 certified, shall have the same force and effect as though the same had
 50 been duly and legally made by the board of supervisors of such non-
 51 constructing county, and the board of supervisors, auditor, and treas-
 52 urer of such nonconstructing county shall henceforth proceed with
 53 the collection of said levy on such real estate in their county as though
 54 such levy had arisen out of an improvement proceeding wholly within
 55 their county, and when the amount of such levy has been collected,
 56 either by cash payments by the property owner, or by the sale of cer-
 57 tificates, said county treasurer shall hold the same as a reimbursement
 58 to said county on its allotments from the primary road fund.

59 As soon as the final apportionment and levy have been made, the
 60 board of supervisors of the constructing county shall, through its
 61 county auditor, certify to the state highway commission the total
 62 amount of the levies on the real estate in the nonconstructing coun-
 63 ties, and the state highway commission shall credit the constructing
 64 county and charge the nonconstructing county with the amount of
 65 such certificate.

66 If the improvement is for hard surfacing a county boundary line
 67 road, that portion of the total cost thereof not specially assessable, to
 68 wit, eighty-seven and one-half per cent, shall be taken equally from
 69 each county's apportionment of the primary road fund. If the
 70 improvement is for hard surfacing a paralleling or angling road, said
 71 eighty-seven and one-half per cent of the total cost shall be taken
 72 wholly from the apportionment of the county wherein the paralleling
 73 or angling road is located. Any differences, not herein specifically
 74 provided for, arising between different counties, relative to the
 75 improvement of common boundary line roads, shall be referred to the
 76 state highway commission, and its decision shall be final.

[38 G. A., ch. 237, § 36; 40 G. A., ch. 85, § 5.]

SEC. 2945. Improvements of city boundary line road—procedure.

1 Whenever any public highway that is a part of the primary road
 2 system is located along the corporate line of any city of the first class,
 3 cities under special charter, cities under the city manager plan, and
 4 cities of the second class, it may be improved by hard surfacing by
 5 the board of supervisors as part of the primary system under this
 6 chapter. In such case, one-half the cost of such hard surfacing along
 7 said corporate line shall be paid by such city, and the board of super-
 8 visors of the county and the city council of such city are hereby author-
 9 ized to agree in writing for the payment by the city of one-half the

10 cost of such improvement, and in case they cannot agree upon the
 11 amount to be paid by the city, and date when payment is to be made,
 12 the matter shall be referred to the state highway commission, whose
 13 decision shall be final. Said city may pay said amount from its gen-
 14 eral fund, or it may proceed under sections thirty-nine hundred twelve,
 15 thirty-nine hundred thirteen, thirty-nine hundred fourteen, thirty-nine
 16 hundred fifteen, thirty-nine hundred seventeen, thirty-nine hundred
 17 eighteen, thirty-nine hundred nineteen of this supplement and thirty-
 18 nine hundred sixteen, thirty-nine hundred twenty, thirty-nine hundred
 19 twenty-one and thirty-nine hundred twenty-two of the compiled code
 20 for the assessment and collection of such cost, or it may pay in the
 21 first instance from such general fund and reimburse said fund there-
 22 after from proceeds realized from such assessment proceeding. The
 23 city in such case, for prompt realization of funds, shall have the right
 24 to issue road certificates in anticipation of taxes and assessments to
 25 be realized from such assessment proceeding under said sections.

[38 G. A., ch. 237, § 37; 39 G. A., ch. 145, § 1.]

SEC. 2946. Maintenance of primary roads—procedure in case of default.

1 Primary roads outside of towns shall be maintained by the board
 2 of supervisors under the patrol system provided by chapter eight of
 3 this title. and when so maintained under the said patrol system to the
 4 satisfaction of the state highway commission, the county's allotment
 5 of the primary road fund may be drawn on for such maintenance.

6 Primary roads, after the hard surfacing of the same, shall be
 7 maintained under said patrol system wholly out of the county's allot-
 8 ment of the primary road fund. If any county fails to maintain any
 9 of its hard surfaced roads to the satisfaction of the state highway
 10 commission, said commission shall have power to assume charge of
 11 such maintenance and pay therefor out of said county's allotment of
 12 the primary road fund. The amount of maintenance vouchers, when
 13 the work has been done by the said commission, shall be charged to the
 14 county's allotment account, and warrants for the amount of such
 15 vouchers shall be issued by the auditor of state on presentation of
 16 such vouchers, and paid by the treasurer of state as in other cases.

17 In case any town fails to maintain, to the satisfaction of the state
 18 highway commission, any hard surfacing constructed hereunder in
 19 said town, the said commission shall have power to assume charge of
 20 such maintenance and pay for the same from the primary fund belong-
 21 ing to said county, and, in such case, the cost thereof shall be certified
 22 by said commission to the county treasurer, who shall reimburse the
 23 primary fund of the county by deducting the amount from the next
 24 succeeding apportionment of tax funds belonging to the general fund
 25 of said town.

[38 G. A., ch. 237, § 38; 39 G. A., ch. 56, § 2.]

SEC. 2947. Maintenance of system—payment of obligations—secondary roads.

1 After the primary road system, as now constituted, or as it may
 2 hereafter be constituted in any county, by authorized modification, is
 3 fully improved by grading, draining, and graveling or other surfacing
 4 approved by the highway commission, the state highway commission

5 shall each year appropriate from said county's allotment of the pri-
6 mary road fund a sufficient amount:

7 1. To pay the cost of maintaining the primary road system of
8 said county during said year,

9 2. To pay the interest and maturing principal of certificates, if
10 any, issued by said county in anticipation of said county's allotments
11 of the primary road fund, and

12 3. To pay the interest and maturing principal of primary road
13 bonds, if any, issued in anticipation of said county's allotment of the
14 primary road fund.

15 All funds remaining in said county's allotment of the primary
16 road fund, after the above amounts have been set aside, are hereby
17 made available for the grading, draining, or graveling of secondary
18 roads in said county which connect with, or form laterals, or feeders
19 to the primary roads of said county.

20 The procedure by the county board in the initiation of secondary
21 road projects as herein specified, the approval of said projects by the
22 state highway commission, the letting and approval of contracts for
23 the construction work and the payment of claims therefor, shall be
24 the same as provided in this chapter for projects on the primary road
25 system. The surveys and plans for such secondary road projects
26 shall be made by the county engineer, and shall be approved by the
27 state highway commission before the contracts are let. The county
28 engineer shall supervise the construction work. The state highway
29 commission may make general inspection of such construction work,
30 and may refuse to approve claims for any such work which is found to
31 not conform to the plans and specifications.

32 Nothing herein contained shall be so construed as to preclude the
33 county board from using any or all of such excess primary road funds
34 in any year on the primary road system.

35 In the resolution providing for the submission to the voters of the
36 question of a bond issue for development of the primary system as
37 provided in section twenty-nine hundred thirty-three of the compiled
38 code, the board may also outline or indicate any lateral roads, part of
39 the secondary system, which it ultimately contemplates improving
40 after the primary system has been finished, but such action shall not
41 be deemed a material matter in any way affecting the validity of such
42 bond issue for such primary roads, nor shall such action interfere in
43 any way with the earlier improvement of such lateral roads under
44 statutes relating to the improvement of roads in the secondary system.

[38 G. A., ch. 237, § 39; 40 G. A., ch. 89, §§ 1-4.]

SEC. 2961-a1. Streets as extension of secondary roads.

1 Whenever in any city or town having a population of thirty-five
2 hundred or less there is a road or street which is a continuation or
3 an extension of a secondary road adjacent to lands used for agricultural
4 or horticultural purposes as described in section thirty-four hundred
5 eighty-five of this supplement, which the board of supervisors is
6 desirous of improving by hard surfacing or graveling under the law
7 governing the improvement of secondary roads, the council of such
8 city or town and the county board of supervisors are hereby author-
9 ized to include by resolution within such secondary road project such
10 portion of such road in said city or town as may be located as pro-
11 vided herein, and to assess such lands within the zone of benefit

12 assessments upon the same basis and in the same manner as provided
 13 by law relating to the levy of benefit assessments upon the secondary
 14 road system outside the limits of cities and towns.

[40 G. A., ch. 90.]

CHAPTER 9

TOWNSHIP ROAD SYSTEM

SECTION 2997-a1. Transfer of township work to board of supervisors—procedure.

1 Whenever fifteen per cent of the resident freeholders of any
 2 township shall petition the board of trustees of any township to sub-
 3 mit to the voters of such township, the question of whether or not
 4 the work of grading, improving and draining the township roads shall
 5 be transferred to the board of supervisors of the county, such board
 6 of trustees shall submit such question at the next general election.

7 If the majority of the votes cast be in favor of such change, the
 8 trustees shall make the necessary levy for such work and shall on or
 9 before May first following certify same to the board of supervisors
 10 and shall also report to said board the balance of any moneys remain-
 11 ing in any funds set apart for such purposes.

12 The board of supervisors shall on or before the first day of June
 13 proceed with the work on such roads of the township system as the
 14 trustees shall describe and such work shall be of the same standard as
 15 that done on any of the county roads.

16 The cost of all such work shall not exceed the amount provided
 17 by the tax levy and the balance remaining in such road funds. The
 18 township clerk shall pay for any such work out of such grading and
 19 drainage funds on the order of the board of supervisors. The town-
 20 ship shall not be required to pay more than the actual cost of such
 21 work.

22 The dragging and repair of township roads shall continue under
 23 the control of the township trustees.

24 Should any township own any road machinery which may be of
 25 use to the county, the board of supervisors is authorized to buy such
 26 machinery and to pay for same out of any road funds not otherwise
 27 appropriated.

28 The township trustees may make an additional levy not to exceed
 29 two mills for the purposes of this section.

[39 G. A., ch. 227.]

CHAPTER 10

POLL ROAD TAX

SECTION 2998. Who liable.

[Repealed by 39 G. A., ch. 172, § 1.]

SEC. 2999. Notice—receipts.

[Repealed by 39 G. A., ch. 172, § 1.]

SEC. 3000. Penalty for failure to attend or work.

[This and the two preceding sections repealed by 39 G. A., ch. 172, § 1, and sections 3000-a1 to 3000-a4, inclusive, enacted in lieu thereof.]

SEC. 3000-a1. Persons subject to poll tax—amount—use.

1 All able-bodied male citizens, including the male officers and
2 employees of any state institution, if any, but not including any com-
3 mitted inmate of such institution, between the ages of twenty-one and
4 forty-five who are residents of the township outside the corporate
5 limits of cities and towns shall between the first day of April and the
6 first day of September of each year pay to the road superintendent
7 a sum not to exceed five dollars, said sum to be fixed by the township
8 trustees at the April meeting. Provided that the township trustees
9 of each township may at the regular April meeting provide whether
10 or not each person may at his option perform two days' labor in lieu
11 of payment of money as provided in this chapter. All money received
12 by the road superintendent under provisions of this chapter shall be
13 immediately paid to the township clerk for the benefit of the general
14 township road fund. The tax and money so collected shall be
15 expended upon the township road system under the supervision of the
16 road superintendent.

[R., '60, § 885; C., '73, § 983; C., '97, § 1550; S., '13, § 1550;
37 G. A., ch. 335, § 1; 39 G. A., ch. 172, § 2; 40 G. A.,
ch. 246, § 6.]

SEC. 3000-a2. Collection—certification—lien on real estate.

1 All of said tax remaining unpaid on the first day of September
2 in each year shall be certified to the county auditor at any time after
3 September first and before the first day of December following and
4 shall be entered by him upon the tax list of said county and be treated
5 and collected as ordinary county taxes and shall be a lien upon all the
6 real property of the delinquent.

[39 G. A., ch. 172, § 3.]

SEC. 3000-a3. Receipt for poll tax.

1 The road superintendent shall give a receipt for all money
2 received by him which shall be evidence of payment of said tax to the
3 amount specified in the receipt.

[C., '51, § 588; R., '60, §§ 886, 896; C., '73, § 984; C., '97,
§ 1551; S., '13, § 1551; 39 G. A., ch. 172, § 4.]

SEC. 3000-a4. Action to recover poll tax.

1 In case of failure of any person to pay poll tax as required by
2 this chapter the road superintendent may recover the same by action
3 in his name as road superintendent and no property or wages belong-
4 ing to such person shall be exempt from execution therefor. Such
5 action shall be brought before any justice of the peace in the county
6 where such person resides.

[R., '60, § 887; C., '73, § 985; C., '97, § 1552; 39 G. A., ch.
172, § 5.]

CHAPTER 11

WEEDS

SECTION 3003. Failure to destroy—notice—expense—tax.

1 If any such owner, occupant, person, company or corporation in
2 control of any such land shall fail or neglect to do the things necessary
3 to prevent the said noxious weeds on any such land from blooming or
4 coming to maturity, or shall permit weeds thereon contrary to the pro-
5 visions of section thirty hundred one of the compiled code, or if it shall
6 appear that there is danger that any such noxious weeds on any such
7 land may mature, then upon their own motion or upon complaint made
8 to any member thereof, it shall be the duty of the board of trustees of
9 the township in which such land lies or to which such land may be ad-
10 jacent and within the same county, or of the town council or board of
11 commissioners if within the limits of an incorporated town or city, to
12 make investigation of such condition or complaint.

13 If it appears that there is danger that any such noxious weeds
14 may mature or that weeds thereon render or are about to render the
15 streets or highways adjoining the land unsafe for public travel or
16 interfere or are about to interfere in any manner with the proper
17 construction or repair of the said streets or highways, the said board
18 of trustees, town council or commissioners, as the case may be, shall
19 make an order fixing the time within which the weeds shall be pre-
20 vented from maturing seed or the said weeds shall be destroyed, pre-
21 scribing the manner of their destruction, and shall forthwith give
22 notice in writing of the said order personally to the owner of the land
23 upon which the same exist if service of such notice can be made within
24 the township in which such land is situated, and if it cannot be so
25 served, then by mailing said notice by registered mail to the owner
26 at his last known address, and also by giving a copy of the notice to the
27 person, company or corporation in the apparent control or occupancy
28 of the said land, whose duty it shall also be to mail said notice to the
29 owner.

30 If the order so made is not substantially complied with by the
31 time fixed in the order and after reasonable notice as herein provided,
32 then it shall be the duty of the board of trustees, town council or com-
33 missioners, as the case may be, forthwith to cause said order to be
34 fully performed, and the expense of the same, including the costs of
35 serving said notice and the special meetings of the board of trustees,
36 town council or commissioners, if any were required, shall be advanced
37 out of the township road fund, or town or city general fund, as the
38 case may be; or if the said fund shall be insufficient therefor, the town
39 council, commissioners, or the board of trustees may borrow the money
40 necessary to advance the same by issuing warrants of a like amount
41 upon the road fund, or upon the town or city general fund, and at any
42 meeting of the board they shall assess all of the same against the said
43 land and the owner thereof by a special tax which shall be certified
44 and collected together with interest and penalty after due in the same
45 manner as road taxes unpaid and shall be collected by the county
46 treasurer and when collected shall be paid into the fund upon which
47 said warrants were drawn.

48 In any city or town, the notice to property owners requiring the
49 destruction of such weeds, may be given by a publication of a general

50 notice directed to all property owners, once in a newspaper of general
51 circulation in such city or town, or where no newspaper is published
52 in the city or town, by written notice posted in three public places in
53 such city or town.

54 Before making said assessment, ten days' notice shall be given
55 such owner of the time and place of meeting of the trustees, council or
56 commissioners, which notice shall also contain a statement of the work
57 done and the expense thereof with costs, and shall be given in the same
58 manner as originally given to owners as hereinbefore provided, but
59 in cities and towns where notice requiring the destruction of said
60 weeds is given by publication or posting, the notice of assessment may
61 be given by mailing said notice in a letter or on a post card, to the
62 owner of said premises at his last known address. At said time and
63 place such owner may appear with the same rights given by law before
64 boards of review upon increase in assessments.

[S., '13, § 1565-c; 39 G. A., ch. 280, §§ 1, 2.]

CHAPTER 12

HEDGES ALONG HIGHWAYS

SECTION 3010. Hedges and windbreaks—trimming.

1 The owners of osage orange and hedges of shrubbery other than
2 trees along the public highway, shall keep the same trimmed by cut-
3 ting back within five feet of the ground at least once in every two
4 years, and burn or remove the trimmings from off the road. With
5 the exception of osage orange hedge fences, no trees or shrubbery,
6 except as hereinafter provided, shall be permitted on the line or within
7 the limits of the highway, unless the same shall be used as a wind-
8 break for residences, orchards or feed lot, and no windbreak shall
9 exceed forty rods in length, such forty rods to be determined by the
10 owner within one day when requested by the board of supervisors;
11 and in case he neglect or refuse to designate the forty rods of wind-
12 break he desires, the board of supervisors shall select such forty rods
13 of hedge.

[C., '73, § 999; C., '97, § 1570; S., '13, § 1570; 37 G. A.,
ch. 417, § 1; 39 G. A., ch. 277.]

CHAPTER 13

OBSTRUCTIONS IN HIGHWAYS

SECTION 3020-a1. Billboards—removal.

1 The state highway commission or board of supervisors shall have
2 power outside of cities and towns to order any billboards or advertis-
3 ing sign removed, whether it be constructed or erected on public or
4 private property, if such billboard or sign obstructs the view to any
5 portion of a public highway or a railroad track in such manner as to
6 render dangerous the use of a public highway by the public.

7 Whenever the state highway commission or the board of super-
8 visors determines that any such billboard or sign should be removed
9 it shall notify in writing the person in possession of the private prop-
10 erty on which it is erected or the person responsible for the erection
11 or maintenance of such billboard or sign to remove the same within
12 ten days thereafter.

13 If any such person fails to remove any billboard or sign as pro-
14 vided herein the state highway commission or the board of super-
15 visors may order the same removed and the expense of such removal
16 shall be paid out of the primary road fund on primary roads and
17 county road fund on secondary roads.

18 All costs or expenses incurred by the state highway commission
19 or board of supervisors in removing such billboard or sign may be
20 recovered by the board in an action against the party chargeable with
21 the removal thereof as provided herein, and when recovered shall be
22 paid into the primary road fund if paid out of the primary road fund
23 or into the county road fund if paid out of the county road fund.

[40 G. A., ch. 91, § 1.]

SEC. 3020-a2. Violations.

1 Any person, firm, or corporation violating any of the provisions
2 of the preceding section, or who fails to comply with the orders of the
3 state highway commission or the board of supervisors as provided
4 herein shall be guilty of a misdemeanor and shall be punished by a
5 fine of not exceeding twenty-five dollars or less than five dollars.

[40 G. A., ch. 91, § 2.]

CHAPTER 16

USE OF HIGHWAYS

SECTION 3038. Electric light and power transmission.

1 The board of supervisors of any county may, upon written appli-
2 cation designating the particular highways, the use of which is
3 desired, grant to any person or corporation engaged in the manufac-
4 ture or transmission of electric light and power the right to erect and
5 maintain poles and wires, for the purpose of conducting electricity
6 for lighting, heat and power purposes, in any public highway in their
7 county for a period not to exceed twenty years, subject to the follow-
8 ing conditions and such further reasonable regulations as the legis-
9 lature may hereafter prescribe:

10 The grantee shall in no case have the exclusive right to use such
11 highway for the conducting of the electricity.

12 The poles and fixtures shall be so constructed as to not incommode
13 the public in the use of any road or the navigation of any stream.

14 When any road along which such lines have been constructed
15 shall be changed, the person or corporation shall, upon ninety days'
16 notice in writing, remove said lines to said road as established.

17 No such grant shall be made until notice of the hearing of said
18 application shall be published once each week for two consecutive
19 weeks in a newspaper printed and published in the county seat, and
20 of general circulation in said county, stating the time when said appli-

21 cation will be acted upon and designating the particular highways
 22 named in said application. The grantees shall be responsible for all
 23 damages that may arise from such construction and operation under
 24 this grant or from a failure to comply with said provisions.

25 The construction, maintenance and operation of all structures and
 26 lines pursuant to such grants, and the reconstruction, maintenance
 27 and operation of all lines heretofore built under such grants shall be
 28 subject to the rules, regulations and orders of the board of railroad
 29 commissioners.

[S., '13, § 1527-c; 38 G. A., ch. 267, § 1; 39 G. A., ch. 262.]

SEC. 3044-a1. Unlawful sale or use of sleighs.

[Repealed by 40 G. A., ch. 92.]

SEC. 3044-a2. Penalty.

[Repealed by 40 G. A., ch. 92.]

CHAPTER 17

MOTOR VEHICLES

SECTION 3045. Definitions.

1 In all laws of this state regulating motor vehicles, the term "motor
 2 vehicle", except where otherwise expressly provided, shall include all
 3 vehicles propelled by any power other than muscular power, except
 4 traction engines, road rollers, fire wagons and engines, police patrols,
 5 city or town ambulances, city and government vehicles clearly marked
 6 as such, and such vehicles as are run only upon tracks or rails.

7 The term "local authorities" shall include all officers of counties,
 8 cities or towns, as well as all boards, committees, or other public offi-
 9 cials of such counties, cities or towns.

10 "Motorcycle" shall include all motor vehicles designed to travel
 11 on not more than three wheels in contact with the ground, and of not
 12 exceeding ten horsepower, and of not exceeding the weight of five
 13 hundred pounds unladen.

14 A "trailer" shall be deemed to be any vehicle, which is at any
 15 time drawn upon the public highway by a motor vehicle excepting
 16 any implements of husbandry temporarily drawn, propelled or moved
 17 upon such highway.

18 "Highway" shall include any public highway, county road, state
 19 highway or state road, public street, avenue, alley, park, parkway,
 20 driveway, square or place, bridge, viaduct, trestle, or any other terri-
 21 tory or structure, whether public or private, designed, intended or used
 22 by or for the general public for the passage of vehicles, in any county,
 23 or incorporated city or town within the state of Iowa.

24 "Local authorities" shall include all boards of supervisors, trus-
 25 tees or councils, commissions, committees, and other public officials
 26 of counties, incorporated cities or towns.

27 "Chauffeur" shall mean any person who operates an automobile
 28 in the transportation of persons or freight and who receives any com-
 29 pensation for such service in wages, commission or otherwise, paid

30 directly or indirectly, or who as owner or employee operates an auto-
31 mobile carrying passengers or freight for hire, including drivers of
32 hearses, ambulances, consolidated school busses, passenger cars,
33 trucks, light delivery and similar conveyances; provided, however,
34 that this definition shall not include manufacturers' agents, proprie-
35 tors of garages and dealers, salesmen, mechanics, or demonstrators
36 of automobiles in the ordinary course of their business.

37 The word or term "chauffeur" as defined by the laws of this state
38 shall not apply to employees engaged in operating motor trucks for
39 persons, firms or corporations engaged in agricultural enterprises.

40 "Nonresidents" shall mean residents of states other than the state
41 of Iowa and of countries other than the United States whose sojourn
42 in this state, or whose occupation or their regular place of abode or
43 business in this state, if any, covers a total period of less than three
44 months in the calendar year.

45 "Owner" shall include any person, firm, association, or corpora-
46 tion, having the lawful ownership, use or control, or the right to the
47 use or control, of a motor vehicle, under a lease or otherwise, for a
48 period of ten or more successive days.

49 The term "where a vehicle is kept" shall refer to the county of
50 residence of the owner or to the county where the vehicle is mainly
51 kept if it be different from that of the residence of the owner.

52 The words "license fee" shall have the same meaning as "regis-
53 tration fee" and when a motor vehicle is "licensed" it is also "regis-
54 tered" and vice versa.

55 A "dealer" shall include dealers and manufacturers.

56 "Manufacturer" or "dealer" shall signify a person, firm, associa-
57 tion, or corporation regularly in the business of having in his, its or
58 their possession motor vehicles for sale or trade and for use and oper-
59 ation pursuant thereto, and shall be considered owners of motor
60 vehicles manufactured or dealt in by them for the purposes of this
61 chapter, prior to sale and delivery thereof, and of all motor vehicles
62 in their possession and operated or driven by them or by their agents
63 or employees; provided, however, that anything to the contrary herein
64 notwithstanding, the determination of the department shall be final
65 and conclusive upon the question whether or not an applicant for
66 registration shall be a manufacturer or dealer within the meaning
67 and intent of this chapter.

68 A "used car dealer" shall, for the purpose of this chapter, include
69 a person, firm, association, or corporation, regularly engaged in the
70 business of having in his, its, or their possession, second-hand motor
71 vehicles for sale or trade and operation pursuant thereto, and shall
72 be considered owners of motor vehicles dealt in by them, for the pur-
73 pose of this chapter, prior to sale and delivery thereof, and all motor
74 vehicles in their possession and operated or driven by them, or by
75 their agents and employees, provided that, anything to the contrary
76 herein notwithstanding, the determination of the department shall be
77 final and conclusive upon the question as to whether or not an appli-
78 cant for registration shall be a "used car dealer" within the meaning
79 of this chapter.

80 "Garage" shall mean every place of business where motor ve-
81 hicles are received for housing, storage or repair, for compensation.

82 "Intersecting highway" shall mean any highway which joins
83 another at any angle, whether or not it crosses the other.

84 "Person" shall include any corporation, association, copartner-
85 ship, company, firm, or other aggregation of individuals and where
86 the term "person" is used in connection with the registration of a
87 motor vehicle, it shall include any corporation, association, copartner-
88 ship, company, firm or other aggregation of individuals which owns
89 or controls such motor vehicle as actual owner, or for the purpose of
90 sale or for renting, whether as agent, salesman, or otherwise.

91 "Department" as used in this chapter shall mean the secretary
92 of state.

93 "Specially constructed" motor vehicle shall mean a motor vehicle
94 which shall not have been originally constructed under a distinctive
95 name, make, model or type of a generally recognized manufacturer of
96 motor vehicles; provided that in case of dispute the determination
97 of the department as to the character of construction of any such
98 motor vehicle shall be conclusive.

99 "Reconstructed motor vehicle" shall mean a motor vehicle which
100 shall have been assembled or constructed largely by means of essen-
101 tial parts, new or used, derived from other motor vehicles or makes
102 of motor vehicles of various names, models or type, or which, if orig-
103 inally otherwise constructed, shall have been materially altered by
104 the removal of essential parts, or by addition or substitution of essen-
105 tial parts, new or used, derived from motor vehicles or makes of
106 motor vehicles; provided that for the purpose of this chapter the
107 term "essential parts" shall include, not only integral parts but also
108 body parts such as fenders, hood, cowl, and other parts, the removal,
109 alteration or substitution of which will tend to conceal the identity
110 or substantially alter the appearance of the motor vehicle; and pro-
111 vided, further, that in case of dispute the determination of the depart-
112 ment as to the character of such assembly, reconstruction or alter-
113 ation shall be conclusive.

114 "Imported motor vehicle" shall mean any motor vehicle which
115 shall be brought into this state from another country or state other-
116 wise than in the ordinary course of business by or through a manu-
117 facturer, dealer or used car dealer and which has not been registered
118 in this state.

[S., '13, § 1571-m1; 38 G. A., ch. 275, §§ 1, 2; 38 G. A., ch.
370, § 1; 39 G. A., ch. 159, §§ 1, 19.]

SEC. 3046. When license required.

1 Every motor vehicle kept in this state and whose owner is a resi-
2 dent of this state, and every motor vehicle kept in this state, except
3 temporarily by a nonresident owner and every motor vehicle kept and
4 used in this state a majority of the time, and every motor vehicle used
5 in this state and not properly licensed under the laws of another state
6 shall not be operated by its own power upon any public highway with-
7 out being licensed and without carrying license number plates and
8 proper license certificate and without having had its license fee duly
9 paid, all as required by law.

10 Any such motor vehicle once licensed in the state and by removal
11 not longer subject to license in this state, shall upon being returned
12 to this state and subject to license be again originally licensed.

13 Every motor vehicle originally licensed as provided by law shall,
 14 so long as it is subject to license, within the state, pay a license fee in
 15 advance as herein further provided.

[38 G. A., ch. 275, § 3; 39 G. A., ch. 159, § 2.]

SEC. 3048. Registration by county treasurer—plates—trailers.

1 Upon receipt of the application and license fee for a motor
 2 vehicle, as provided in this chapter, the county treasurer shall file
 3 such application in his office and register such motor vehicle with
 4 the name, postoffice address and business address of the owner,
 5 together with the facts stated in such application, in a book or index
 6 to be kept for the purpose, under the distinctive number assigned to
 7 such motor vehicle by the county treasurer, which book or index shall
 8 be open to public inspection during reasonable business hours, and he
 9 shall give to the owner a receipt for the fee paid, and shall forthwith
 10 assign to such motor vehicle a distinctive number, and, without
 11 expense to the applicant, shall issue and deliver, or forward by mail
 12 or express to the owner, a certificate of registration and container for
 13 same in such form as the department may prescribe, and duplicate
 14 number plates bearing a number corresponding to the number assigned
 15 to such motor vehicle.

16 Upon receipt of the application and license fee for a trailer, as
 17 provided in this chapter, the county treasurer shall issue a receipt for
 18 the fee paid and shall at once forward the duplicate receipt to the
 19 department. The county treasurer shall register and assign to the
 20 trailer a distinctive number and shall forward to the owner a certifi-
 21 cate of registration and a single number plate bearing the number cor-
 22 responding to the number assigned to the trailer. In the event of the
 23 loss, mutilation or destruction of any number plate, the owner of the
 24 registered motor vehicle, or manufacturer, or dealer, as the case may
 25 be, may obtain from the department a duplicate thereof upon filing
 26 in the office of the department an affidavit showing such facts and
 27 the payment of a fee of fifty cents for each plate. Duplicate certifi-
 28 cates of registration may be issued by the county treasurer in like
 29 cases, without the payment of any fee therefor.

[S. S., '15, § 1571-m5; 38 G. A., ch. 275, §§ 1, 5; 39 G. A.,
 ch. 159, § 3.]

SEC. 3048-a1. County fund from fees—use.

1 Each county treasurer shall be allowed to retain twenty-five cents
 2 for each motor vehicle license issued by him out of money collected
 3 in each year for the registration of such motor vehicles, the same to
 4 be deducted, and reported to the department, when the county treas-
 5 urer transfers the money collected under the provisions of this chapter.

6 The money thus retained by the county treasurer shall be cred-
 7 ited to the county fund of each county for the payment of salaries,
 8 postage, and other office expenses incurred in the collection of the fees
 9 provided for in this chapter.

[39 G. A., ch. 68.]

SEC. 3050. Number plates—requirements.

1 On or before the first day of December of each year, the depart-
 2 ment shall deliver, or cause to be delivered to the county treasurer of

3 each county, approximately as many duplicate number plates and cer-
 4 tificate containers as there are motor vehicles registered in such county
 5 during the preceding year, the plates so delivered to each county
 6 treasurer to be in numerical sequence. Thereafter, during the year,
 7 the department, upon requisition of the county treasurer, shall deliver
 8 additional number plates and certificate containers. The department
 9 shall keep an accurate record of all number plates issued to each
 10 county, and shall also keep a record showing the assignment thereof
 11 by the county treasurer to motor vehicles.

12 Such number plates shall be of metal, at least six inches wide and
 13 not less than fifteen inches in length, on which there shall be the ini-
 14 tials "Ia" and numerals indicating the year for which it is issued;
 15 and shall be of a distinctively different color each year, and there shall
 16 be at all times a marked contrast between the colors of the number
 17 plates and that of the numerals or letters thereon; said colors to be
 18 designated by the department.

19 The distinctive number assigned to the vehicle shall be set forth
 20 in numerals four inches long, each stroke of which shall be at least
 21 five-eighths of an inch in width.

22 In the case of a motor vehicle registered by a manufacturer or
 23 dealer, there shall be on such plate, in addition to the foregoing, the
 24 letter "D" and, in case of a motor vehicle registered by a used car
 25 dealer, the letters "U.D.", each stroke of each such letter to be at least
 26 four inches long and five-eighths of an inch in width.

27 The number plates for use on a motor bicycle or a motorcycle
 28 shall be one-half the size above stated.

29 All number plates issued shall be and remain the property of the
 30 state of Iowa.

[S., '13, §§ 1571-m12, 1571-m13; 38 G. A., ch. 275, §§ 1, 7;
 39 G. A., ch. 159, § 4.]

SEC. 3052. Surrender of plates.

1 When a motor vehicle is permanently dismantled and can no
 2 longer be used on the public highway or when same is sold outside the
 3 state, the owner thereof shall detach the license plates and certificate
 4 of registration and surrender them to the county treasurer, who shall
 5 cancel the registration of record and report such cancellation forth-
 6 with to the department upon blanks provided for that purpose. Such
 7 license plates shall be destroyed by the county treasurer who shall so
 8 advise the department.

9 A failure to comply with the provisions of this section shall con-
 10 stitute a misdemeanor and upon conviction shall be punishable by a
 11 fine of not less than five dollars nor more than fifty dollars or by im-
 12 prisonment not exceeding ten days.

[38 G. A., ch. 275, § 9; 39 G. A., ch. 159, § 5.]

SEC. 3053. Schedule of fees.

1 An annual license fee shall be paid for each motor vehicle oper-
 2 ated upon the public highways of this state unless said vehicle is
 3 specifically exempted under the provisions of this chapter. Said
 4 license fee shall be paid to the county treasurer at the same time the
 5 application is made for the registration or reregistration of said motor

6 vehicle and the county treasurer shall not issue a registration
7 certificate for any motor vehicle until the proper license fee has been paid.

8 Provided that where there is no delinquency, and the registration
9 is made during April, May or June, the fee shall be three-fourths of
10 the annual license fee herein required; and where made during July,
11 August or September the fee shall be one-half such annual fee; and
12 where made during October or November the fee shall be one-fourth
13 of such annual license fee; no fee being required for the month of
14 December for a new car in good faith delivered during that month.

15 Such reduction in the license fee shall not be allowed until the
16 applicant first file with the county treasurer an affidavit stating the
17 date on which the motor vehicle first came into his possession or control,
18 in connection with his purchase or prospective purchase thereof,
19 and the name and address of the party from whom purchased.

20 Any person who shall wilfully make false statement in such affidavit
21 shall be deemed guilty of perjury and punished accordingly.

22 The amount of said license fee shall be and is fixed at the following
23 rates:

24 1. For all motor vehicles except motor trucks, motorcycles and
25 motor bicycles, a fee equal to one per cent of the value as fixed by the
26 executive council, plus forty cents for each one hundred pounds or
27 fraction thereof of weight of vehicle, as fixed by the executive council,
28 provided that no motor vehicle regardless of age shall be licensed for a
29 full year for less than ten dollars.

30 The executive council shall annually classify all such motor vehicles
31 by value and by weight. The value shall be fixed at the next
32 even one hundred dollars above the retail list price f.o.b. the factory,
33 and the weight shall be fixed at the next even one hundred pounds
34 above the manufacturers' shipping weight or the actual weight of the
35 vehicle fully equipped.

36 2. After said motor vehicle has been registered five times, that
37 part of the license fee which is based on the value of said vehicle shall
38 be one-half the rate as fixed when new, except as provided in paragraph
39 one above, and the sworn statement of the registrant as to the
40 number of times such motor vehicle has been registered shall be conclusive
41 evidence of that fact.

42 3. For all motorcycles the annual license fee shall be five dollars.
43 When said motorcycle has been registered five times, the annual
44 license fee shall be one-half the rate when new.

45 4. For all motor trucks, the fee shall be fixed in accordance with
46 the following schedule:

47 (a) Motor trucks equipped with all pneumatic tires:

48	For 1 ton or less capacity	\$ 15.00 per annum		
49	“ 1½ ton capacity	22.50	“	“
50	“ 2 “ “	30.00	“	“
51	“ 2½ “ “	45.00	“	“
52	“ 3 “ “	65.00	“	“
53	“ 3½ “ “	90.00	“	“
54	“ 4 “ “	105.00	“	“
55	“ 4½ “ “	120.00	“	“
56	“ 5 “ “	135.00	“	“
57	“ 6 “ “	165.00	“	“

58	(b) Motor trucks equipped with two or more solid rubber tires:	
59	For 1 ton or less capacity	\$ 15.00 per annum
60	“ 1½ ton capacity	22.50 “ “
61	“ 2 “ “	30.00 “ “
62	“ 2½ “ “	55.00 “ “
63	“ 3 “ “	75.00 “ “
64	“ 3½ “ “	100.00 “ “
65	“ 4 “ “	115.00 “ “
66	“ 4½ “ “	130.00 “ “
67	“ 5 “ “	145.00 “ “
68	“ 6 “ “	175.00 “ “

69 Provided that for all trucks having a load capacity above two
70 tons and operated exclusively within the limits of cities and towns, the
71 annual license fee shall be two-thirds the rates fixed above.

72 The license fee for each ton of load capacity above six tons shall
73 be fifty dollars in addition to the six ton rate, provided that no license
74 shall be issued for any motor truck having a greater load capacity
75 than six tons without a specific permit from the municipal authorities
76 for operation entirely within the limits of municipalities and without
77 a specific permit from the state highway department and board of
78 supervisors for operation without the limits of municipalities. Said
79 permit may define and limit the streets and highways over which said
80 heavy trucks may be licensed to operate.

81 (c) Motor trucks equipped with iron, steel or hard tires:

82	1 ton or less capacity	\$40.00
83	1½ ton capacity	50.00

84 No license issued for heavier load capacities.

85 5. Trailers weighing less than one thousand pounds, or with a
86 loading capacity of less than one thousand pounds, shall not be sub-
87 ject to a license fee.

88 All other trailers shall be subject to a license fee to be fixed in
89 accordance with the following schedule:

90 When equipped with pneumatic tires:

91	Trailers with capacity of ½ ton, but not exceed-	
92	ing 1 ton capacity	\$10.00
93	Trailers with capacity of 1 ton, but not exceed-	
94	ing 2 ton capacity	15.00
95	Trailers with capacity of 3 tons, but not exceed-	
96	ing 4 ton capacity	25.00
97	Trailers with capacity of 4 tons, but not exceed-	
98	ing 5 ton capacity	40.00
99	Trailers with capacity of 5 tons, but not exceed-	
100	ing 6 ton capacity	50.00
101	Trailers with capacity of 6 tons, but not exceed-	
102	ing 7 ton capacity	60.00

103 When equipped with two or more solid rubber tires:

104	Trailers with capacity of 1 ton, but not exceed-	
105	ing 2 ton capacity	\$ 5.00
106	Trailers with capacity of 2 tons, but not exceed-	
107	ing 3 ton capacity	15.00
108	Trailers with capacity of 3 tons, but not exceed-	
109	ing 4 ton capacity	35.00

110	Trailers with capacity of 4 tons, but not exceed-	
111	ing 5 ton capacity	50.00
112	Trailers with capacity of 5 tons, but not exceed-	
113	ing 6 ton capacity	60.00
114	Trailers with capacity of 6 tons, but not exceed-	
115	ing 7 ton capacity	70.00
116	When equipped with iron, steel or hard tires:	
117	Trailers with capacity of 1 ton, but not exceed-	
118	ing 2 ton capacity	\$15.00
119	Trailers with capacity of 2 tons, but not exceed-	
120	ing 3 ton capacity	30.00

121 All motor trucks, trailers, and motor vehicles used for other
 122 than the conveyance of passengers and the personal effects of said
 123 passengers shall have attached thereto a conspicuous metal plate giv-
 124 ing the actual weight of the vehicle equipped and weight of loading
 125 capacity as specified by the manufacturer or maker and no license
 126 shall be issued until the vehicle is so equipped. Any person violating
 127 any of the provisions of this section shall be deemed guilty of a mis-
 128 demeanor, and upon conviction, shall be subject to a fine of not less
 129 than five dollars nor more than fifty dollars for the first and second
 130 offenses. Upon a third conviction, the department shall have author-
 131 ity to cancel the certificate of registration and call in the number
 132 plates and a new license shall not be issued for any such motor ve-
 133 hicle for a period of one year.

134 6. If during the first half of the year for which a motor vehicle
 135 was registered and the required registration fee paid therefor, such
 136 car is destroyed by fire or accident, or stolen and not recovered by the
 137 owner before the expiration of the registration period for which such
 138 fee was paid, or sold and continuously used beyond the boundaries
 139 of the state of Iowa, said owner shall upon the first day of January
 140 following such theft or destruction by accident be paid a refund to
 141 the amount of one-half the motor vehicle license fee paid for such
 142 year. The motor vehicle department is hereby authorized to make
 143 such payments according to the above provisions, when sufficient
 144 proof of such destruction by accident, theft, or sale for continuous
 145 use beyond the boundaries of the state, is properly certified,
 146 approved by the county treasurer, and filed with the motor vehicle
 147 department.

148 The provisions of this subsection shall apply to such losses as
 149 occur on or after January first, nineteen hundred twenty-three.

[S. S., '15, § 1571-m7; 38 G. A., ch. 275, §§ 1, 10; 39 G. A.,
 ch. 16, § 1; 39 G. A., ch. 72, § 1; 39 G. A., ch. 159, § 6;
 39 G. A., ch. 253, § 1; 40 G. A., ch. 93; 40 G. A., ch. 94,
 §§ 1, 2.]

NOTE: 39 G. A., ch. 159, § 6, amended subdivision five of the above section
 by inserting after the word "passengers" in the second line of the last paragraph
 of said subdivision the words "and the personal effects of said passengers". 39
 G. A., ch. 253, § 1, repealed subdivision five and enacted a substitute therefor
 without reenacting the amendment already made by chapter 159. The last para-
 graph of the substitute, however, is an exact reenactment of the last paragraph
 of the repealed subdivision five and the amendment contained in chapter 159 has
 been applied in the above section to the substitute enacted by chapter 253. Chap-
 ter 159 took effect by publication and chapter 253 on July 4, 1921.

SEC. 3056. Manufacturer to file schedule of prices.

1 Every manufacturer of a motor vehicle sold or offered for sale
2 within this state, either by the manufacturer, distributor, dealer or
3 any other person, shall, on or before the first day of September, an-
4 nually, file in the office of the department a sworn statement showing
5 the various models manufactured by him, and the retail list price and
6 weight of each model as of September first of that year.

7 When the retail list price of the car is reduced below the price on
8 file, the manufacturer shall immediately notify the department, which
9 shall issue at once to county treasurers a supplementary list of classifi-
10 cations and on all subsequent registrations this list shall be the basis
11 of fixing the registration fee.

12 The motor vehicle department shall have the power to fix the
13 license fee on all makes and models of cars which are not now being
14 furnished or upon which the statement from the factory cannot be
15 obtained.

16 No motor vehicle shall be registered in this state unless the manu-
17 facturer thereof has furnished to the department the sworn statement
18 herein provided, giving the list price and weight of the model of the
19 motor vehicle that is offered for registration, except that the county
20 treasurer shall have authority to fix the value and weight of any
21 rebuilt or foreign car or any car on which the list price and weight is
22 not available, provided the department shall have authority to review
23 the action of the county treasurer in such cases, establish the correct
24 value and weight and revoke the findings of the county treasurer, if
25 found incorrect.

[38 G. A., ch. 275, § 13; 39 G. A., ch. 168, § 1; 40 G. A., ch.
93.]

SEC. 3057. Exemptions.

1 All motor vehicles owned by the government and used in the
2 transaction of official business by the representatives of foreign
3 powers or by officers, boards or departments of the government of the
4 United States, and by the state of Iowa, counties, municipalities and
5 other subdivisions of government, and such self-propelling vehicles as
6 are used neither for the conveyance of persons for hire, pleasure or
7 business nor for the transportation of freight, and small trailers, under
8 one thousand pounds capacity, equipped with rubber tires, used with
9 pleasure motor vehicles and used for carrying personal baggage or
10 effects, are hereby exempted from the payment of the fees in this chap-
11 ter prescribed, but shall not be exempt from the penalties herein pro-
12 vided. The department shall furnish, on application, free of charge,
13 distinguishing plates for motor vehicles thus exempted and keep a
14 separate record thereof.

[38 G. A., ch. 275, § 14; 39 G. A., ch. 159, § 7.]

SEC. 3059. Lien—penalties—procedure in re delinquents—remittance by treasurer.

1 All registration or other fees herein or heretofore provided for in
2 this chapter shall be and continue a lien against the motor vehicle for
3 which said fees are payable until such time as they are paid as pro-
4 vided by law, with any accrued penalties.

5 The lien of the original registration fee shall attach, at the time
6 the same is first payable, as provided by law, and the lien of all re-
7 newals of registration shall attach on January first of each year there-
8 after.

9 The collection of same may be enforced against any motor vehicle
10 or it may be collected by suit against the owner who shall remain per-
11 sonally liable therefor until such time as the transfer thereof shall be
12 reported to the county treasurer or until such time as said vehicle
13 ceases to be in use and all fees and penalties to such date shall be paid.

14 On January first of each year, a penalty of one dollar shall be
15 added to all fees not paid by that date, and one dollar shall be added
16 to such fees on the first of each month thereafter that the same remains
17 unpaid, until paid. Such delinquencies shall begin and penalty accrue
18 the first of the month following the purchase of a new vehicle, and the
19 first of the month following the date cars are brought into the state,
20 except as herein otherwise provided.

21 In the first week of May of each year the county treasurer shall
22 cause to be published in each of the official newspapers in his county,
23 a list of all motor vehicles owned within his county upon which the
24 license fee has not been paid for that year, except such motor vehicles
25 held by used car dealers and listed by them with the county treasurer,
26 as herein elsewhere provided. Such list shall show the factory num-
27 ber, make and model of the vehicle together with the name and post-
28 office address of the owner thereof as shown by the records of his office
29 and the amount of the license fee and penalty due upon the vehicle.
30 Immediately after the publication of the list as herein provided, it shall
31 be the duty of the county treasurer to collect the license and penalty.

32 The county treasurer shall collect from each delinquent, two
33 dollars on each vehicle on which the fee is delinquent to cover cost of
34 publication. The cost of publication provided for in this section shall
35 be paid as other bills for the maintenance of the department, but shall
36 first be certified by the county treasurer of the county in which the
37 publication was made, and approved by the department.

38 The county treasurer shall remit to the department one-half of
39 one per cent of all fees and penalties collected, as provided above, each
40 year, to be used as a working fund to cover refunds necessary to be
41 made; any surplus remaining to be accounted for and delivered to
42 the state treasurer at the end of each fiscal year.

43 He shall collect the license fee and penalties on each motor vehicle
44 registered by him and shall be responsible on his bond for such amount.
45 He shall remit such amount to the treasurer of state as herein pro-
46 vided.

47 The county treasurer shall on the fifteenth day of each month
48 report under oath to the department, on forms furnished by it, giving
49 a full and complete statement of all fees and penalties so received by
50 him during the preceding calendar month. The department shall im-
51 mediately upon receiving same, report to the treasurer of state the
52 amount so collected by such county treasurer. The treasurer of state
53 shall keep proper books of account for the purposes specified herein
54 and shall report to the department each remittance from the county
55 treasurer, when said remittance is received.

56 The treasurer of state shall maintain in the state treasury, of the
57 money collected as in this chapter provided, a cash balance of not to

58 exceed five hundred thousand dollars. When such cash balance be-
59 comes less than one hundred thousand dollars he shall draw upon the
60 treasurer of each county of the state in proportion to the amounts in
61 their possession respectively a sum sufficient in the aggregate to
62 restore said cash balance to a sum not exceeding said maximum. Such
63 drafts shall be honored by the treasurer of each county upon pres-
64 entation.

65 The department shall check and audit such fees and penalties
66 collected, and shall effect a settlement with the county treasurer
67 annually.

68 It shall be the duty of the county treasurer to deliver to the
69 sheriff of the county, fifteen days from the date of publication of the
70 delinquent motor list, a certified list of the motor vehicles on which
71 the fees are delinquent, as shown by the record of his office, which
72 list shall show name and address of owner, make of car, license num-
73 ber, factory and engine number, amount of fees and penalty due.

74 It shall be the duty of the sheriff of the county to forthwith pro-
75 ceed to the collection of the unpaid fees and penalties as certified to
76 him by county treasurer by taking possession of the motor vehicle
77 described in said certified list and proceed to advertise and sell same
78 upon ten days' notice for the purpose of collecting fees, penalties and
79 costs. Said certified list shall for all purposes be a sufficient warrant
80 therefor.

81 The procedure of the sale of the motor vehicle for the collection
82 of the license fees, penalties and costs shall be the same as that pro-
83 vided for the collection of the taxes on personal property by distress
84 and sale as set forth in section forty-six hundred sixty-six of the com-
85 piled code.

86 Should a motor vehicle on which the fee is delinquent be removed
87 from the county in which it was originally registered, either by trans-
88 fer or removal by owner to another county, without having notified
89 the county treasurer or department of such removal and the sheriff
90 knowing to which county same was removed, may forward the war-
91 rant to the sheriff of the county where such motor vehicle is at that
92 time, when he shall proceed to collect the same as though the vehicle
93 had been originally registered in his county, and make return to the
94 county treasurer of the county from which he received the warrant.

95 The sheriff shall be entitled to receive as costs, the sum of two
96 dollars for serving the writ or warrant of seizure and ten cents for
97 each mile actually traveled by him in collecting the fee and penalties,
98 and one dollar per day for care of the motor vehicle while in his pos-
99 session, which shall be collected from the owner of such delinquent
100 motor vehicle; such costs and mileage, and costs of care while in his
101 possession, shall be retained by him in full for his services.

102 When the fee and penalties have been collected the same shall
103 forthwith be returned to the county treasurer, together with a report
104 showing the name and address of the owner and description of car
105 upon which such fee was collected. Thereupon the county treasurer

106 shall issue to the owner number plates and a receipt showing pay-
107 ment of fees and penalties.

[S., '13, §§ 1571-m15, 1571-m21; S. S., '15, § 1571-m7; 38 G. A., ch. 275, §§ 1, 16; 39 G. A., ch. 155, § 1; 39 G. A., ch. 159, § 8; 40 G. A., ch. 95, § 1.]

NOTE: 39 G. A., ch. 159, § 8, amended certain lines of the above section by striking out a part of them and by inserting some new matter. 39 G. A., ch. 155, § 1, repealed these same lines and enacted a substitute therefor. Both chapters took effect by publication, but chapter 155 took effect first. This made it impossible to strictly apply the amendment contained in chapter 159, but it has been worked in immediately following the language substituted by chapter 155 for lines which chapter 159 amended.

SEC. 3060. Books, forms, supplies, receipts—requirements.

1 It is hereby made the duty of the department to prepare and fur-
2 nish the treasurer of each county all blank books, blank forms and all
3 supplies required for the administration of this chapter, including
4 applications for registration and transfer of vehicles, triplicate
5 receipts, one of which shall be returned to the department on the day
6 the license is issued, one delivered to the owner of the motor vehicle,
7 and one retained by the treasurer of the county, and including orig-
8 inal remittance sheets to be used in remitting fees to the department,
9 in such form as the department may prescribe.

10 All receipts for fees paid, certificates of registration, notices of
11 transfer, and other blanks required for the administration of this
12 chapter shall contain the license number, and manufacturer's num-
13 ber, factory number, name of owner, and such other matters as the
14 department may deem necessary for the efficient administration of
15 this chapter.

16 It shall be the duty of the department to install and maintain a
17 numerical and a county index, using for such numerical index the
18 duplicate registration receipt and compiling therefrom the county or
19 alphabetical index, both of which shall contain the following informa-
20 tion; viz., name and address of owner, license number, make, factory
21 number, model, style, engine number, date of purchase, registration
22 certificate number, number of cylinders, rated load carrying capacity,
23 weight, list price or value of car fixed by the executive council, fees
24 paid and date of payment.

25 The certificate of registration provided for herein shall contain
26 on its face the name of the owner of the motor vehicle, his postoffice
27 address, date of issue, fee paid, license number, make of car, style of
28 car, model, engine number, factory number, and signature of owner.
29 The reverse side of the certificate of registration shall contain notice
30 of sale and transfer of the motor vehicle by the owner to the purchaser
31 with a description of the car as set out in the certificate of registra-
32 tion which shall have blank spaces for the signature of both the owner
33 and purchaser.

[S., '13, §§ 1571-m2, 1571-m4; 38 G. A., ch. 275, §§ 1, 17;
39 G. A., ch. 159, § 9.]

SEC. 3061. Transfer of ownership—procedure.

1 Upon the transfer of ownership of any registered motor vehicle,
2 the owner shall immediately give notice to the county treasurer, upon
3 the form on the reverse side of the certificate of registration, stating

4 the date of such transfer, the name and postoffice address, with street
5 number if in a city, of the person to whom transferred, the license
6 number, and such other information as the department may require.
7 The purchaser of the motor vehicle shall join in the notice of transfer
8 to the county treasurer and shall at the same time make application
9 for the transfer of the motor vehicle and for a new certificate of
10 registration.

11 Upon filing the application for transfer, the applicant shall pay a
12 fee of one dollar for the transfer, thereupon the county treasurer, if
13 satisfied of the genuineness and regularity of such transfer, shall
14 register said motor vehicle in the name of the transferee and issue a
15 new certificate of registration as provided in this chapter. Until said
16 transferee has received said certificate of registration and has written
17 his name upon the face thereof, for the purpose of this chapter, deliv-
18 ery and title to said motor vehicle shall be deemed not to have been
19 made and passed. The county treasurer shall forthwith notify the
20 department of such transfer and upon receipt of such statement, the
21 department shall file such statement in his office and note upon the
22 registration book or index, such change of ownership.

23 The provisions provided for herein for the transfer of motor
24 vehicles shall apply to the sale and transfer of all motor vehicles to
25 manufacturers or dealers or used car dealers.

[S., '13, § 1571-m9; 38 G. A., ch. 275, §§ 1, 18; 39 G. A.,
ch. 159, § 10.]

SEC. 3062. Fees in lieu of taxes.

1 The registration fees imposed by this chapter upon motor vehi-
2 cles, other than those of manufacturers and dealers and used car deal-
3 ers, shall be in lieu of all taxes, general or local, to which motor vehi-
4 cles may be subject.

[S., '13, § 1571-m8; 38 G. A., ch. 275, §§ 1, 19; 39 G. A., ch.
159, § 11.]

SEC. 3063. Purchase of secondhand vehicles—conditions—de- facement—penalties.

1 It shall be unlawful for any person, firm, association, or corpora-
2 tion or agent to buy any secondhand or used automobile, or motor
3 vehicle without requiring and receiving from the vendor thereof, a
4 certificate of registration and transfer from the officer whose duty it
5 is to register or license motor vehicles in the state in which said motor
6 vehicle is registered or licensed, showing the factory number, license
7 number, description, and ownership of said motor vehicle or to sell or
8 offer for sale any secondhand or used motor vehicle without furnish-
9 ing to the vendee of said motor vehicle, a certificate of registration
10 and transfer from the officer whose duty it is to register or license
11 motor vehicles in the state in which said motor vehicle is registered or
12 licensed, showing the factory number, description, license number and
13 ownership of said motor vehicle.

14 It shall be unlawful for any person, firm, association or corpora-
15 tion or agent to deface, or alter any serial number, engine number or
16 assembling number of a motor vehicle or registration number on cer-
17 tificate of registration or to wilfully deface any license plate or to have
18 in his or its possession a motor vehicle, the serial number or engine

19 number of which is defaced, altered or tampered with unless said per-
 20 son, firm, association or corporation has in his or its possession a
 21 certificate of registration and transfer from the officer whose duty it
 22 is to register or license motor vehicles in the state in which said motor
 23 vehicle is registered, showing good and sufficient reason why numbers
 24 are defaced, changed or tampered with; and also showing the original
 25 serial or engine number, and also showing the ownership of said motor
 26 vehicle.

27 Any person, firm, association or corporation found guilty, per-
 28 sonally or by agent, of violating any of the provisions of this section
 29 shall be imprisoned in the penitentiary not more than five years or be
 30 fined not more than one thousand dollars or be imprisoned in the
 31 county jail not more than one year.

[38 G. A., ch. 275, § 20; 39 G. A., ch. 159, § 12; 40 G. A., ch.
 95, § 2.]

SEC. 3063-a1. Used car dealers—report of used cars—penalty.

1 Used car dealers having on hand January first of any year for
 2 sale or trade, used motor vehicles upon which license in Iowa for the
 3 previous year has been paid, as hereinafter provided, may operate
 4 such motor vehicles as provided by section thirty hundred sixty-six
 5 of this supplement. Used car dealers licensed under the provision of
 6 this chapter must, on or before January fifth of each year, furnish the
 7 county treasurer with a list of all used motor vehicles held by them for
 8 sale or trade, and upon which the license fee for the current year is
 9 not paid, giving license number, initials of state issuing license plates,
 10 the year, together with the factory number, description and previous
 11 ownership at the time such motor vehicle was transferred to the used
 12 car dealer and all motor vehicles owned or controlled by licensed manu-
 13 facturer, dealer or used car dealer acquired from other states must list
 14 same with the county treasurer as herein provided: such listing to be
 15 made within forty-eight hours after said motor vehicle comes within
 16 the border of the state. Blanks or forms for such listing shall be pre-
 17 pared by the state department and placed in the hands of county
 18 treasurers not later than December fifteenth of any year.

19 Any person, firm or corporation found guilty, personally or by
 20 agent, of violating any of the provisions of this section, shall be guilty
 21 of a misdemeanor and punished accordingly.

[39 G. A., ch. 159, § 12.]

SEC. 3064. Operation without registration—nonresidents.

1 Upon the sale of a motor vehicle by a manufacturer or dealer,
 2 the vendee shall at once make application by mail or otherwise, for
 3 registration thereof, after which he may operate the same upon the
 4 public highway without its individual number plate thereon for a
 5 period of not more than fifteen days, provided that during such period
 6 the motor vehicle shall have attached thereto, in accordance with the
 7 provisions hereof, both on the front and rear of such vehicle, paste-
 8 board cards bearing the words, "license applied for", and the regis-
 9 tration number of the dealer from whom the car was purchased to-
 10 gether with the date of purchase plainly stamped or stenciled thereon.
 11 The letters and figures upon such cards shall not be less than one inch
 12 in height except that the letters in the words "license applied for",

13 shall not be less than two inches in height, provided that no manu-
 14 facturer or dealer shall issue or permit the use of such card until an
 15 application for a license has been made, as herein provided, by the
 16 person to whom it is issued.

17 The department shall, upon the application of any manufacturer
 18 or dealer, furnish such cards free of charge with the words "license
 19 applied for" printed thereon, and sufficient blank space to permit the
 20 printing, stamping or stenciling thereon of the dealers' number and
 21 the date. Provided further, that a motor vehicle that is being brought
 22 into this state from another state either for use or for sale herein,
 23 or a motor vehicle manufactured or assembled within the state, or a
 24 motor vehicle brought into the state by a manufacturer or dealer and
 25 sold to another manufacturer or dealer, may be driven upon the public
 26 highway for a period of not to exceed ten days provided it shall carry,
 27 both on the front and rear a pasteboard card bearing the words, "car
 28 in transit", and the date of purchase. The words, letters and figures
 29 upon said car shall be of the same size and general character as those
 30 required in this section for the cards showing that application has
 31 been made for a license. Nothing in this section, however, shall be
 32 construed so as to interfere with the use of motor vehicles upon the
 33 highways of this state that are owned by persons living in another
 34 state, regulation of which is provided for elsewhere in this chapter.

[S., '13, § 1571-m10; 38 G. A., ch. 275, §§ 1, 21; 39 G. A.,
 ch. 159, § 13.]

SEC. 3065. Display of plates and certificates and wrongful use thereof.

1 Every motor vehicle required to be licensed shall have conspicu-
 2 ously displayed the number plates furnished, one on the front end
 3 and one on the rear end of such vehicle, each securely fastened, so as
 4 to prevent the same from swinging and each so placed that the same
 5 shall not become habitually obscured by dust and mud. The number
 6 plates of a junked or dismembered vehicle shall not thereafter be used,
 7 and no number plate shall be detached from the vehicle for which it is
 8 issued and to which it belongs for the purpose of using the same upon
 9 any other vehicle, and any such plates shall not be used upon any
 10 vehicle, other than that for which it was issued.

11 The certificate of registration issued by the county treasurer shall
 12 also be displayed in a proper holder that will protect the same, of a
 13 kind approved by the executive council and placed in plain view in
 14 such place on or in the vehicle where the same can be easily seen by
 15 any peace officer or other person desiring to ascertain when the license
 16 fee was paid, and whether the car bears the proper certificate of regis-
 17 tration.

18 Such certificate container shall be attached to the vehicle in the
 19 front of the driver's compartment so that same may be seen by anyone
 20 passing on the right of the vehicle.

21 The executive council may at its discretion approve devices for
 22 holding and displaying the certificate of registration, and may require
 23 such devices to receive and hold such certificate so that when the cer-
 24 tificate is removed from the holder the certificate will be destroyed or
 25 mutilated so it cannot be used on other vehicles.

26 It shall be unlawful to change the license numbers assigned by
27 the county treasurer to any motor vehicle, unless for some cause a
28 new number may be assigned according to law or to change the colors
29 or make any counterfeit of certificate of registration, or to use or
30 display on any motor vehicle any other than the certificate of registra-
31 tion licensing such vehicle or to intentionally use or display any such
32 certificate on which the names, numbers, or data stated are not true,
33 or do not correspond to the vehicle licensed.

34 Such certificate of registration shall be of a distinctively different
35 color each year and shall have data thereon that shall identify only
36 the car on which same is carried.

37 Any violation of this section shall constitute a misdemeanor, and
38 upon conviction shall be punishable by a fine of not less than ten dol-
39 lars nor more than one hundred dollars, or by imprisonment not ex-
40 ceeding thirty days.

[S., '13, §§ 1571-m11, 1571-m21; S. S., '15, § 1571-m12a; 38
G. A., ch. 275, §§ 1, 22; 39 G. A., ch. 159, § 14.]

SEC. 3066. General registration by dealer.

1 Every person, firm, association or corporation manufacturing or
2 dealing in motor vehicles, including used motor vehicles, may instead
3 of registering each motor vehicle, make an application for a general
4 distinctive number for all the motor vehicles owned or controlled by
5 such manufacturer, dealer or used car dealer. On the payment of a
6 registration fee of twenty-five dollars, such application shall be regis-
7 tered in the office of the department. The department shall there-
8 upon assign and issue to such manufacturer, dealer or used car dealer
9 a general distinctive number, and without expense to the applicant,
10 issue and promptly deliver to such manufacturer, dealer or used car
11 dealer, a certificate of registration and two number plates with a num-
12 ber corresponding to the number of such certificate.

13 Such number plates shall be displayed by each motor vehicle of
14 such manufacturer, dealer or used car dealer when the same is oper-
15 ated or driven on the public highways. Such manufacturer, dealer
16 or used car dealer may obtain as many duplicates of such number
17 plates as may be desired upon the payment to the department of three
18 dollars for each duplicate set, provided that if a manufacturer, dealer
19 or used car dealer has an established place of business in more than
20 one city or town, such manufacturer, dealer or used car dealer shall
21 secure a separate and distinct certificate of registration and number
22 plates for each such place of business. Nothing in this section shall
23 be construed to apply to a motor vehicle operated by a manufacturer,
24 dealer or used car dealer for private use or for hire, which said motor
25 vehicle shall be individually registered as provided in this chapter, it
26 being expressly understood that motor vehicles owned by a manu-
27 facturer, dealer, or used car dealer, when such motor vehicles are
28 equipped with "D" or "U.D." plates, as herein provided, may be oper-
29 ated in the conduct of the business of such manufacturer, dealer, or
30 used car dealer. Provided further that no "D" or "U.D." plates shall
31 be used upon motor vehicles for any purpose other than the transac-
32 tion of business incident to the automotive industry of such licensed
33 manufacturer, dealer, or used car dealer, nor shall said "D" or "U.D."
34 plates be used upon so called service cars or service trucks of such

35 licensed manufacturer, dealer, or used car dealer, nor upon the sales
36 cars of a manufacturer or wholesale dealer in accessories.

[S. S., '15, § 1571-m14; 38 G. A., ch. 275, §§ 1, 23; 39 G. A.,
ch. 159, § 15.]

SEC. 3066-a1. Display of used car dealer's plates.

1 In case of the use of "U.D." plates by used car dealers, such plates
2 shall be displayed in the same manner as prescribed herein for dealers'
3 plates, except that the "U.D." plate shall be of such length and so
4 attached that that portion of the number plate of the last registration,
5 showing the initials of the state where registered, and the year shall
6 be visible, provided, however, that the "U.D." plates shall not be used
7 upon a motor vehicle upon which the current year's license fee in this
8 state has been paid. Any violation of this section shall constitute a
9 misdemeanor, and, upon conviction, shall be punished accordingly.

[39 G. A., ch. 159, § 15.]

SEC. 3066-a2. Duplicate numbers—dealer and used car dealer.

1 Where any manufacturer, dealer and used car dealer are one and
2 the same person, firm or corporation, and apply for both "D" and
3 "U.D." number plates, there shall be assigned to such person, firm
4 or corporation the same number for both his "D" and "U.D." number
5 plates.

[39 G. A., ch. 159, § 15.]

**SEC. 3066-a3. Operation of vehicle without proper numbers—
penalty.**

1 Any manufacturer, dealer, or used car dealer operating a motor
2 vehicle upon the public highways of the state which has not been regis-
3 tered according to law or has not displayed thereon two number plates
4 issued by the automobile department showing the payment of a license
5 fee for the current year, or which has not displayed thereon, "car in
6 transit" cards or "license applied for" cards where the same may
7 lawfully be driven with such cards attached, shall be guilty of a mis-
8 demeanor and punished accordingly. Upon a second conviction such
9 license may be revoked by the secretary of state, if, after hearing, the
10 secretary of state determines that such manufacturer, dealer, or used
11 car dealer has wilfully violated the law with reference to the opera-
12 tion of motor vehicles upon the public highway without proper number
13 plates or identification cards attached.

[39 G. A., ch. 159, § 15.]

SEC. 3068-a1. Approved headlight lenses.

1 It shall be the duty of the state highway commission to examine
2 all headlight lenses submitted to it by manufacturers and dealers, and
3 any such lenses so submitted which, when in operation with an electric
4 bulb or other lighting device of a capacity not in excess of that pro-
5 vided by this chapter, casts a light which complies with the provisions
6 of this chapter, shall be placed upon the approved list of the state
7 department. The fee for each such examination shall be twenty-five
8 dollars, and the state highway commission is hereby authorized to
9 collect and remit to the state treasurer said fee and credit to the
10 account of the primary road fund. It shall also be the duty of the

11 state department to furnish county treasurers with a list of such lenses
 12 as are upon the approved list of the department, and such lenses used
 13 on any motor vehicle operated in this state equipped with a lighting
 14 device of a candle power not exceeding the provisions of this chapter,
 15 together with the lenses so approved by the department, shall be con-
 16 clusively presumed to be lawful.

[39 G. A., ch. 159, § 16.]

SEC. 3068-a2. Sale without lights prohibited.

1 No person shall offer or expose for sale, sell, transfer, deliver, or
 2 have in his possession with intent to sell, any motor vehicle which is
 3 not equipped with head and rear lights as prescribed by law.

[39 G. A., ch. 219, § 1.]

SEC. 3068-a3. Violation—penalty.

1 Any person violating the preceding section shall be punished by
 2 a fine of not less than twenty-five dollars nor more than one hundred
 3 dollars.

[39 G. A., ch. 219, § 2.]

SEC. 3068-a4. Second conviction—penalty.

1 If any person who has been convicted of violating section thirty
 2 hundred sixty-eight-a two of this supplement shall again be convicted
 3 of a violation of said section, he shall be punished by a fine of not less
 4 than fifty dollars nor more than two hundred dollars, but such former
 5 conviction shall be referred to in the indictment or information, stat-
 6 ing the court, date, and place that the judgment was rendered.

[39 G. A., ch. 219, § 3.]

SEC. 3068-a5. Third and subsequent conviction—penalty.

1 If any person who has been convicted of a second offense as speci-
 2 fied in the preceding section shall again be convicted of violating sec-
 3 tion thirty hundred sixty-eight-a two of this supplement, he shall be
 4 punished by a fine of not less than one hundred dollars nor more than
 5 three hundred dollars, but such former convictions shall be referred
 6 to in the indictment or information, stating the courts, dates, and
 7 places that the judgments were rendered.

[39 G. A., ch. 219, § 4.]

SEC. 3068-a6. Prima facie evidence.

1 On the trial of any of the offenses named in the two preceding
 2 sections, a duly authenticated copy of the record of the former judg-
 3 ment in any court wherein said conviction was had shall be prima
 4 facie evidence of such former conviction and may be used in evidence.

[39 G. A., ch. 219, § 5.]

SEC. 3070. Maximum speed, load, and width of vehicle—mud lugs.

1 Every person operating a motor vehicle on the public highway of
 2 this state shall drive the same in a careful and prudent manner, and
 3 at a rate of speed that will not endanger the property of another, or
 4 the life or limb of any person, and shall in no event drive the same
 5 at a greater rate than as follows:

6 1. Thirty miles per hour if the weight of vehicle and load is less
7 than three tons and the vehicle is equipped with pneumatic tires, and
8 twenty-five miles per hour if such vehicle is equipped with solid rub-
9 ber tires.

10 2. Twenty-five miles per hour if the weight of the vehicle and
11 load is more than three tons and less than six tons and the vehicle is
12 equipped with pneumatic tires, and twenty miles per hour if such
13 vehicle is equipped with solid rubber tires.

14 3. Sixteen miles per hour if the weight of the vehicle and load
15 is more than six tons and the vehicle is equipped with pneumatic tires,
16 and twelve miles per hour if such vehicle is equipped with solid tires.

17 4. Ten miles per hour if the vehicle or any trailer is equipped with
18 two or more metal tires.

19 Provided that the local authorities of any city or town may estab-
20 lish a suburban district in which the maximum speed of any vehicle
21 shall not exceed twenty miles per hour, and a business district in
22 which the maximum speed of any vehicle shall not exceed fifteen miles
23 per hour, provided that such city or town shall have placed conspicu-
24 ously on every main highway where the rate of speed changes, signs of
25 sufficient size to be easily readable by a person using the highway,
26 bearing the words: "City of" "Town of".
27 "Slow down to miles" (the rate being inserted), and
28 also an arrow pointing in the direction where the speed is to be
29 reduced or changed, and also on further condition that such ordinance,
30 rule or regulation shall fix the punishment for violation thereof, not
31 to exceed twenty-five dollars, or five days in jail, which punishment
32 shall, during the existence of such ordinance, rule or regulation, super-
33 sede those otherwise specified in this chapter.

34 The total maximum load on any one wheel of any motor vehicle
35 including the weight of the vehicle and the load it carries, shall be
36 four tons, provided the total maximum weight of the vehicle and load
37 shall not in any event exceed fourteen tons.

38 The total load on any wheel of any motor vehicle shall be limited
39 to eight hundred pounds per inch width of tire measured between
40 flanges of the rims, and the enforcement of this provision is hereby
41 made the duty of the state highway commission. Any violation of
42 this provision is hereby made a misdemeanor and shall be punished
43 accordingly.

44 The maximum width of any motor vehicle and its load shall be
45 limited to eight feet, excepting loads of loose hay, straw and similar
46 farm products.

47 No motor vehicle shall operate over any highway, improved with
48 a gravel or paved surface, which has projections of metal or wood
49 beyond the tread of traffic surface of the tire excepting vehicle
50 equipped with caterpillar tread; provided that tractors, traction en-
51 gines or similar motor vehicles may be operated which have "V"
52 shaped or diagonal cleats arranged in such a manner that two or more
53 cleats are continuously in contact with the road surface and that the
54 weight per inch width of such cleats in continuous contact with the
55 road surface measured in the direction of the movement of the vehicle
56 does not exceed eight hundred pounds per inch width of tire.

[S., '13, §§ 1571-m19, 1571-m20, 1571-m22; 38 G. A., ch. 275,
§§ 1, 27; 39 G. A., ch. 159, § 17.]

SEC. 3073. Criminal acts—revocation of certificates.

1 Whoever while in an intoxicated condition operates a motor
2 vehicle shall upon conviction be sentenced to the penitentiary for a
3 period not exceeding one year, or be punished by a fine of not more
4 than one thousand dollars or by both such fine and imprisonment.

5 Any person operating a motor vehicle, who, knowing that injury
6 has been caused to a person, due to the culpability of said operator, or
7 to accident, leaves the place of said injury or accident without stopping
8 and giving his name, postoffice address, including street number, and
9 registration number of said motor vehicle, to the injured party and
10 at once, after aiding the injured party, reporting such injury or acci-
11 dent to and leaving the same information at the office of some peace
12 officer as near as practicable to the place of injury or accident, or to
13 the county attorney or sheriff of the county in which said injury or
14 accident took place, and give such aid to the injured person as the
15 circumstances may require, shall be guilty of a felony punishable by
16 fine of not more than five hundred dollars or by imprisonment for a
17 term not exceeding two years, or by both such fine and imprisonment;
18 and if any person be convicted the second time of either of the fore-
19 going offenses, he shall be guilty of a felony punishable by imprison-
20 ment for a term of not less than one year and not more than five years,
21 or by a fine not exceeding one thousand dollars.

22 A conviction of a violation of this section shall be reported forth-
23 with by the trial court or the clerk thereof, to the department, who
24 shall, upon recommendation of the trial court, suspend the certificate
25 of registration of the motor vehicle operated by the person violating
26 this section, or if he be an owner, the certificate of registration of his
27 motor vehicle; and if no appeal therefrom is taken, or if an appeal duly
28 taken be dismissed or the judgment affirmed, and upon notice thereof
29 by said clerk, the department shall revoke the certificate of registra-
30 tion of said motor vehicle, and shall order the certificate of registration
31 delivered to the department, and shall not reissue said certificate of
32 registration or any other certificate of registration to such person
33 unless the department, in its discretion, after an investigation, or
34 upon rehearing, decides to reissue or issue a certificate.

[S., '13, § 1571-m23; 38 G. A., ch. 275, §§ 1, 30; 39 G. A.,
ch. 154, § 1; 40 G. A., ch. 96.]

SEC. 3078. Disposition of funds.

1 Ninety-four per cent of all moneys collected pursuant to the pro-
2 visions of this chapter, except as otherwise provided by law and sec-
3 tion thirty hundred eighty-one of the compiled code, shall be credited
4 to the primary road fund by the treasurer of state and shall be appor-
5 tioned among the several counties in the same ratio that the area of
6 each county bears to the total area of the state, said apportionment to
7 be made by the state highway commission.

8 Two and one-half per cent of all moneys collected pursuant to the
9 provisions of this chapter, shall be set aside and shall constitute a main-
10 tenance fund for the state highway commission.

11 Three and one-half per cent of all of said money collected pur-
12 suant to the provisions of this chapter shall constitute a fund for the
13 payment of salaries as provided by law for the motor vehicle depart-
14 ment, the expenses for plates, certificate containers, blanks, etc., and
15 maintenance of the automobile department.

16 The maintenance fund for said state highway commission shall
 17 be drawn out only on warrants drawn by the auditor of state on item-
 18 ized vouchers approved by the state highway commission, the expendi-
 19 tures of which commission shall be audited by the state board of audit,
 20 and a full and complete report of all said expenditures shall be pub-
 21 lished in the annual report under the chapter creating the highway
 22 commission.

23 Biennially, at the close of the calendar year, any unexpended bal-
 24 ances remaining in the funds provided for the maintenance of the
 25 state highway department and the motor vehicle department which
 26 have accrued from the motor license fees paid in for that period, shall
 27 be apportioned among the several counties in the same manner as the
 28 ninety-four per cent of said funds is apportioned.

[S. S., '15, § 1571-m32; 37 G. A., ch. 212, § 1; 38 G. A., ch.
 275, §§ 1, 35; 39 G. A., ch. 155, § 2; 39 G. A., ch. 188,
 § 1.]

**SEC. 3079. Record by owner of garage—alteration of engine num-
 ber.**

1 It is hereby made the duty of each and every person, firm, asso-
 2 ciation, corporation, copartnership operating a public garage in this
 3 state to keep for public inspection a record of the license number and
 4 engine or factory serial number of all motor vehicles taken in or held
 5 in charge by said garage for the purpose of selling, rental, livery,
 6 storage or repair.

7 Said record shall be filled out and signed personally by the owner
 8 or driver of the motor vehicle taking such vehicle to the garage and if
 9 signed by other than the owner, then the owner's name must be signed
 10 first followed by the name of the driver, and shall contain the name
 11 and address of the owner of the motor vehicle, the name and address
 12 of the person delivering or taking the motor vehicle to the garage, and
 13 the license number and the engine number thereof and records shall
 14 be verified by the operator of the garage.

15 The alteration or obliteration of said engine number shall be
 16 prima facie evidence of larceny of said motor vehicle, and the pro-
 17 prietor, agents, servants or employees, immediately upon the discovery
 18 of such obliteration or alteration, shall notify the sheriff and police
 19 officers of the proper county, and shall hold the said motor vehicle for
 20 a period of twenty-four hours or until investigation shall have been
 21 made by the sheriff or police officers. Provided, such record need not
 22 be made when a motor vehicle is taken in or held in charge a second
 23 time, when the owner or driver is personally known to the proprietor
 24 of such garage, his agent or employee.

25 Any person, firm, association, corporation or copartnership found
 26 guilty, personally or by agent, of violating any of the provisions of
 27 this section shall be fined in a sum not to exceed one hundred dollars.

[37 G. A., ch. 423, §§ 1, 2; 38 G. A., ch. 275, § 36; 39 G. A., ch.
 159, § 18.]

SEC. 3080. Publication of law—department rules.

1 The department shall issue this chapter in pamphlet form,
 2 together with such rules, instruction and explanatory matter as may

3 seem advisable. Copies of such pamphlet shall be given as wide dis-
 4 tribution as the department shall determine and a supply shall be
 5 furnished each county treasurer.

6 The department shall have full authority to make such rules and
 7 issue such instructions as may be necessary to insure and obtain uni-
 8 formity in the administration and full enforcement of the provisions
 9 of this chapter. All local officials charged with the administration and
 10 enforcement of this chapter shall act and be governed in their official
 11 acts herein required by the rules promulgated by the department.

[38 G. A., ch. 275, § 37; 39 G. A., ch. 209, § 4.]

CHAPTER 17-A

MOTOR VEHICLE CARRIERS

SECTION 3081-a1. Definitions.

1 1. The term "motor vehicle" when used in this chapter means
 2 any automobile, automobile truck, motor bus, or any other self-pro-
 3 pelled vehicle not operated or driven upon fixed rails or track.

4 2. The term "motor carrier" when used in this chapter means
 5 any person, firm, or corporation, lessee, trustee or receiver, operating
 6 any motor vehicles with or without trailers attached, upon any public
 7 highway for the transportation of passengers or property for com-
 8 pensation, between fixed termini or over a regular route even though
 9 there may be periodic or irregular departures from said termini or
 10 route, or for delivering oils, goods or merchandise other than farm
 11 products in the vicinity of and from a distributing point except such
 12 motor carriers operating solely within the limits of a municipality.

13 The provisions of this section shall not be so construed as to apply
 14 to resident retail merchants who deliver goods and merchandise, other
 15 than oils, or oil products, in quantities of five gallon or less, in pur-
 16 suance of bona fide sales to residents outside the limits of cities and
 17 towns and special charter cities, or to any vehicle used in collecting
 18 dairy products from the producer.

19 Nothing in this chapter shall be construed as affecting the opera-
 20 tion of school busses, which are used in conveying school children to
 21 or from consolidated or other schools.

22 3. The term "highway" when used in this chapter means every
 23 public street, road, highway, or thoroughfare of any kind in this state
 24 used by the public whether actually dedicated to the public or accepted
 25 by the proper authorities or otherwise.

26 4. The terms "board" or "commission" when used in this chapter
 27 mean the board of railroad commissioners of the state of Iowa.

[40 G. A., ch. 97, § 1.]

SEC. 3081-a2. Rules and regulations.

1 The board of railroad commissioners of the state of Iowa is hereby
 2 vested with the power to prescribe rules and regulations for the
 3 operation of motor vehicles as defined herein for the protection and
 4 safety of the public.

[40 G. A., ch. 97, § 2.]

SEC. 3081-a3. Rates.

1 All charges made by any motor carrier for any service rendered
2 or to be rendered in the transportation of passengers or property, or
3 in connection therewith, shall be just, reasonable, and nondiscrimi-
4 nating, and every unjust, unreasonable, or discriminating charge for
5 such service or any part thereof is prohibited and declared unlawful.

[40 G. A., ch. 97, § 3.]

SEC. 3081-a4. Certificates of authority.

1 It is hereby declared unlawful for any motor carrier to operate
2 or furnish service within this state without first having obtained
3 from the board of railroad commissioners a certificate authorizing
4 such operation. Before such certificate shall be issued, the board of
5 railroad commissioners shall after a public hearing make a finding
6 that the service proposed to be rendered will promote the public con-
7 venience. If such finding be made, it shall be its duty to issue such
8 certificate; but a certificate shall be granted when it appears to the
9 satisfaction of the board of railroad commissioners that such person,
10 firm, or corporation was actually operating in good faith, over the
11 route for which such certificate shall be sought, on April fourteenth,
12 nineteen hundred twenty-three. If such finding be not made, it shall
13 refuse such certificate.

14 When the certificate is granted, it may attach to the exercise of
15 the rights therein conferred such terms and conditions as in its judg-
16 ment the public safety, convenience, and necessity may require. For
17 just cause, the board may at any time modify, amend, or revoke any
18 certificate issued.

19 The board shall adopt rules governing the procedure to be fol-
20 lowed in the filing of applications and in the conduct of hearings upon
21 such applications and in the granting of such certificates.

22 All applications shall be in writing and in addition to the other
23 information required, shall contain the following:

- 24 1. The complete route over which the applicant desires to operate.
- 25 2. The proposed schedule or schedules setting forth in detail, the
26 service which the applicant proposes to render.
- 27 3. A complete and detailed description of the property proposed
28 to be devoted to the public service.

29 Notice of the filing of the application and the date and place of
30 the hearing thereupon shall be published in some newspaper of gen-
31 eral circulation in each of the counties in which the service is proposed
32 to be rendered once each week for two consecutive weeks prior to said
33 hearing. The hearing shall be held in one of the counties in which the
34 service is proposed to be rendered to be selected by the applicant.

[40 G. A., ch. 97, § 4.]

SEC. 3081-a5. Appeal.

1 Appeal may be taken from an adverse decision of such board of
2 railroad commissioners by the parties making such application, to the
3 district court of any county in Iowa in which any portion of the route
4 over which they are authorized to operate is located, within thirty
5 days from the time such decision was rendered by giving at least ten
6 days' notice to such board of railroad commissioners to be served on
7 the chairman or secretary of such board in the same manner as orig-

8 inal notices are now served and by filing a bond for costs in the sum
9 of not less than one hundred dollars with the clerk of said court.

10 Upon such appeal being taken the secretary of such board shall
11 make and certify a transcript of all papers, records, and proceedings
12 in connection with such application and hearing and file the same with
13 the clerk of said court on or before the first day of the next term
14 thereof following the taking of such appeal.

15 The appeal shall be tried in equity and submitted upon the tran-
16 script of the evidence and the record made before the commission,
17 and the district court shall either affirm, modify, or reverse the order
18 of the commission.

19 An appeal may be taken from the judgment of the district court
20 to the supreme court, as from other judgments.

[40 G. A., ch. 97, § 5.]

SEC. 3081-a6. Assignability of certificate.

1 No certificate of authorization issued under the provisions of
2 this chapter shall be sold, transferred, leased, or assigned nor shall
3 any contract or agreement with reference to or affecting any such
4 certificate be made except with the written approval of the board.
5 Nor shall any person, natural or artificial, be permitted to take over
6 any such certificate unless he or it shall assume all the obligations
7 imposed upon an original applicant.

[40 G. A., ch. 97, § 6.]

SEC. 3081-a7. Maximum load.

1 No motor carrier shall be permitted to operate a vehicle, equipped
2 with solid rubber tires which together with its maximum load, weighs
3 more than sixteen thousand pounds or one equipped with pneumatic
4 tires which together with its maximum load, over twenty thousand
5 pounds over the public highways of this state.

[40 G. A., ch. 97, § 7.]

SEC. 3081-a8. Power of cities and towns—scope of act.

1 Cities and towns shall have power, by ordinance, to adopt general
2 rules of operation and to designate the streets or routes over which
3 motor carriers shall travel, provided, however, that the exercise of
4 the power granted in this section shall be reasonable and fair.

5 Nothing in this chapter shall be construed as conferring on the
6 board of railroad commissioners the right to regulate any motor
7 vehicle used in the business of transporting live stock or other farm
8 product from the place of production to market.

9 Nothing in this chapter shall be construed as repealing sections
10 thirty-eight hundred fourteen-a one to thirty-eight hundred fourteen-a
11 five, inclusive, and section forty-three hundred seventy-eight of
12 this supplement.

13 Motor vehicles operating, or proposing to operate, between cities
14 and towns, the corporate limits of which are not to exceed one mile
15 apart, shall be considered as coming within the purview of the acts
16 described in this section.

[40 G. A., ch. 97, § 8.]

SEC. 3081-a9. Taxes.

1 In addition to the regular license fees or taxes imposed on motor
2 vehicles in this state, every motor carrier shall pay the following
3 taxes for the maintenance and the up-keep of the public highways:

4 Motor vehicles having pneumatic tires, one-eighth cent per ton
5 mile of travel over and along the public highways.

6 Motor vehicles having hard rubber or solid tires, one-fourth cent
7 per ton mile of travel over and along the public highways.

8 In figuring the ton miles of passenger travel, the maximum seat-
9 ing capacity of each passenger-carrying motor vehicle unit (trailers
10 to be included) at one hundred fifty pounds per passenger seat, plus
11 the weight of the vehicle, multiplied by the number of miles operated,
12 the sum thus obtained to be divided by two thousand, shall determine
13 the ton miles of passenger travel each month. In no event, however,
14 shall the number of miles operated be considered as less than the
15 number required to be operated by the carrier to maintain its filed
16 schedules.

17 In figuring the ton miles of freight travel, the maximum freight-
18 carrying capacity of each freight-carrying truck or vehicle unit
19 (trailers to be included) plus the weight of the vehicle, multiplied by
20 the number of miles operated, the entire sum thus obtained to be
21 divided by two thousand shall determine the ton miles of freight
22 travel per month.

23 The motor carrier shall keep a daily record upon a form pre-
24 scribed by the commission of all schedules maintained, motor vehicle
25 and trailer units used and motor vehicle and trailer units laid up for
26 repairs, during the current month, and on or before the tenth day of
27 the month following shall certify under oath to the commission upon
28 such forms as may be prescribed by the commission, a summary of
29 the daily record which shall show the grand total ton miles of travel,
30 both passenger and freight, made by the motor carrier during the
31 preceding month.

32 The daily record of each month's business shall thereupon be filed
33 and preserved for a period of at least five years and thereafter until
34 permission for their destruction shall have been obtained from the
35 commission. Such daily record of each month's business shall be
36 examined at least once each year by the commission or an authorized
37 representative, and compared with the sworn summaries on file with
38 the commission.

39 Any wilful falsification of the sworn monthly summaries, in
40 addition to other penalties imposed by the statute, shall result in im-
41 mediate revocation of the motor carrier's certificate.

42 Errors in monthly summaries as compared to the daily records
43 shall be adjusted to the figures of the daily records from time to time
44 as discovered and certified to the county treasurers by the commis-
45 sion in the same manner as the regular monthly certification as here-
46 inafter required.

47 Regularly each month, on or before the last day of the month, the
48 commission shall certify to the various county treasurers in the
49 counties through or in which any motor carrier is operating, the total
50 amount of the special tax due from each motor carrier for operation
51 over the public highways for the preceding month.

52 This tax shall be computed by multiplying the total number of
53 ton miles operated by each motor carrier as shown by their sworn

54 monthly summary to the commission by the rate or rates of taxation
55 as in this chapter specified.

56 Thereupon the county treasurer shall enter the amount of the tax
57 so certified upon the tax books of the county and serve a notice upon
58 the motor carrier of the amount of tax due, which shall be payable
59 not later than the fifteenth day of the month after the date of its
60 certification from the commission.

61 All taxes in this manner assessed shall become a first lien upon
62 the property of the motor carrier used in said business, until paid.
63 In addition to the remedy upon the bond for collection of the tax, the
64 property of the motor carrier may be advertised and sold for the
65 nonpayment of any such taxes in the same manner and at the same
66 time and under the same general rules and conditions as apply to all
67 other property in the state. Upon failure of any motor carrier to
68 pay any tax when due, the county treasurer shall notify the commis-
69 sion at once, and the commission may in its discretion revoke the
70 carrier's certificate.

71 The money received by the county treasurer from this source
72 shall be allocated to the various city and county road districts in the
73 proportion that the number of miles of public highway used by the
74 taxed motor carrier in any one district bears to the total number of
75 miles used within the county. Such funds shall be used by each
76 governmental agency receiving the same for the maintenance and
77 repair of the highways and streets over which the carrier operates.

[40 G. A., ch. 97, § 9.]

SEC. 3081-a10. Bonds.

1 No certificate of authorization shall be issued by the commission
2 to any motor carrier until and after such motor carrier shall have
3 filed with the commission of this state a liability insurance bond, in
4 a form to be approved by the commission, in some company authorized
5 to do business in this state, in such a penal sum as the commission
6 may deem necessary to adequately protect the interests of the public
7 with due regard to the number of persons and amount of property
8 involved, which liability insurance shall bind the obligors thereunder
9 to make compensation for injuries to persons and loss of or damage to
10 property resulting from the operation of such motor carrier, and for
11 which they would be legally liable.

12 Said commission shall also require a satisfactory bond in such
13 penal sum and conditioned on the payment of all fees, taxes or charges
14 which may be due the state or any governmental unit in the state
15 under any permit of operation and for the faithful carrying out of
16 any permit granted by said commission. No other or additional bonds
17 than as herein described shall be required of any motor carrier by any
18 city or town or other agency of the state.

[40 G. A., ch. 97, § 10.]

SEC. 3081-a11. Safety rules.

1 The commission in the exercise of the authority by this chapter
2 vested in it to supervise and regulate all motor carriers shall promul-
3 gate such safety rules and regulations as it may deem necessary to
4 govern and control the operation of motor carriers over and along
5 the public highways of this state, and to enforce the same by such
6 penalties and forfeitures as it may prescribe, including the revocation

7 of the permit granted under the provisions of this chapter. Any such
8 safety rules promulgated in addition to any others deemed necessary
9 by the commission shall include the following:

10 1. Every motor carrier unit and all parts thereof shall be main-
11 tained in a safe and sanitary condition at all times, and shall be at
12 all times subject to the inspection of the commission and its duly
13 authorized representatives.

14 2. Every driver employed by a motor carrier shall be at least
15 twenty-one years of age, of good moral character, shall be fully com-
16 petent to operate the motor vehicle under his charge, and shall hold
17 a regular chauffeur's license from the state motor vehicle department.

18 3. On passenger-carrying motor carrier units passengers will
19 not be allowed to ride on the running boards, fenders or any other
20 part of the outside of the vehicle.

21 4. On freight-carrying motor carrier units no part of the load
22 shall be allowed to project more than six inches beyond the running
23 board of said motor vehicle, or measure more than eight feet wide
24 over all.

25 5. No passenger-carrying motor carrier unit shall be driven over
26 and along the public highways of this state at a greater rate of speed
27 than twenty-five miles per hour.

28 6. No freight-carrying motor carrier unit shall be driven over
29 and along the public highways of this state at a greater rate of speed
30 than twenty miles per hour.

31 7. Accidents arising from or in connection with the operation of
32 motor carriers shall be reported to the commission in such detail and
33 in such manner as the commission may require.

34 8. The commission shall require and every motor carrier shall
35 have attached to each unit or vehicle such distinctive markings or
36 tags as shall be adopted by the commission.

[40 G. A., ch. 97, § 11.]

SEC. 3081-a12. Violations.

1 Every owner, officer, agent, or employee of any motor carrier,
2 and every other person who violates or fails to comply with, or who
3 procures, aids or abets in the violation of any provision of this chap-
4 ter, or who fails to obey, observe or comply with any order, decision,
5 rule or regulation, direction, demand or requirement, or any part or
6 provision thereof, of the commission, or who procures, aids or abets
7 any corporation or person in his failure to obey, observe or comply
8 with any such order, decision, rule, direction, demand or regulation
9 or any part or provision thereof, shall forfeit the certificate as pro-
10 vided herein.

[40 G. A., ch. 97, § 13.]

SEC. 3081-a13. Appropriation.

1 There is hereby appropriated out of the funds in the state treas-
2 ury, not otherwise appropriated, the sum of ten thousand dollars an-
3 nually, or so much thereof as may be necessary, the same to be
4 expended by the state railroad commission to carry out the provisions
5 of this chapter.

[40 G. A., ch. 305.]

TITLE XII

COUNTY AND TOWNSHIP GOVERNMENT

CHAPTER 1

BOARD OF SUPERVISORS

SECTION 3123. Meetings.

1 The members of the board of supervisors shall meet at the county
 2 seat of their respective counties on the second secular day in January
 3 and on the first Monday in April and the second Monday in June,
 4 September and November in each year, and shall hold such special
 5 meetings as are provided by law, but in the event a quorum of said
 6 board fails to appear on a day set for a regular or an adjourned meet-
 7 ing the auditor of said county shall adjourn said meeting from day
 8 to day until a quorum is present.

[R., '60, § 307; C., '73, § 296; C., '97, § 412; S., '13, § 412;
 38 G. A., ch. 26, § 1; 39 G. A., ch. 239.]

CHAPTER 2

POWERS AND DUTIES OF BOARD OF SUPERVISORS

SECTION 3130. Powers specified.

1 The board of supervisors at any regular meeting shall have the
 2 following powers, to wit:
 3 1. To appoint one of its number chairman in the absence of the
 4 regular chairman, and a clerk, in the absence of the auditor or his
 5 deputy.
 6 2. To adjourn from time to time, as occasion shall require.
 7 3. To make such orders concerning the corporate property of
 8 the county as it may deem expedient.
 9 4. To examine and settle all accounts of the receipts and expendi-
 10 tures of the county, and to examine, settle and allow all claims against
 11 the county, unless otherwise provided for by law.
 12 5. To build and keep in repair the necessary buildings for the use
 13 of the county and of the courts; provided that no such building shall
 14 be erected or repaired when the probable cost thereof shall exceed two
 15 thousand dollars, except under an express written contract and upon
 16 proposals therefor, invited by advertisement for four weeks in all the
 17 official papers of the county in which the work is to be done. The
 18 contracts shall be let to the lowest responsible bidder at a time and
 19 place which shall be distinctly stated in said advertisement. The board

20 may on the day fixed for letting said contract adjourn the hearing
21 to some later date and place, of which all parties shall take notice.
22 The board may reject any and all bids and advertise for new ones.
23 Bonds for the faithful performance of the contract shall be required,
24 and every bond so given shall be construed as giving the county the
25 right to withhold any payment provided for in the contract until all
26 claims for which the county might be made liable under section sixty-
27 five hundred thirty-two of the compiled code, are receipted for or
28 released, whether such right is inserted into the contract or not. The
29 detailed plans and specifications for the erection or repair of such
30 building shall be on file and open to public inspection in the office of
31 the auditor of the county in which the work is to be done before adver-
32 tisement for bids.

33 6. To cause the county buildings to be insured in the name of the
34 county, or otherwise, for its benefit, and in case there are no county
35 buildings, to provide suitable rooms for county purposes.

36 7. To set off, organize and change the boundaries of townships
37 in the respective counties, designate and give names thereto, and de-
38 fine the place of holding the first election.

39 8. To grant licenses for keeping ferries in the respective counties,
40 as provided by law.

41 9. To purchase, for the use of the county, any real estate neces-
42 sary for the erection of buildings for county purposes; to remove the
43 site of, or designate a new site for, any county buildings required to
44 be at the county seat, when such site shall not be beyond the limits
45 of the town, village or city at which the county seat is, at the time of
46 such proposed change, located, and in case of such removal or change
47 of site for county building to sell any interest the county may have
48 in the real estate and the improvements thereon, which were thereto-
49 fore used and occupied for that purpose, and to permit any person,
50 persons, or corporation to use any portion of the lands owned by the
51 county for ornamental or art purposes, or for the erection of any
52 monument or fountain under such restrictions and regulations as the
53 board of supervisors may from time to time enact; provided that such
54 use does not interfere with the use for which such real estate was
55 originally acquired by the county, and to lease or sell to school dis-
56 tricts real estate owned by the county and not needed for county
57 purposes.

58 10. To require any county officer to make a report, under oath,
59 to it on any subject connected with the duties of his office, and to re-
60 quire any such officer to give such bonds, or additional bonds, as shall
61 be reasonable or necessary for the faithful performance of his duty;
62 any such officer who shall neglect or refuse to make such report or
63 give such bonds within twenty days after being so required may be
64 removed from office by the board by a vote of a majority of the mem-
65 bers elected thereto.

66 11. To represent the respective counties, and to have the care and
67 management of the property and business thereof, in all cases where
68 no other provision shall be made.

69 12. To manage and control the school fund of the respective coun-
70 ties as shall be provided by law.

71 13. To appoint commissioners to act with similar commissioners
72 duly appointed in any other county or counties, and to authorize them

- 73 to lay out, alter or discontinue any highway extending through their
74 own and one or more other counties, subject to the ratification of the
75 board.
- 76 14. To fix the compensation of all services of county and town-
77 ship officers not otherwise provided for by law, and to provide for
78 the payment of the same.
- 79 15. To authorize the taking of a vote of the people for the re-
80 location of the county seat, as provided by law.
- 81 16. To alter, vacate or discontinue any state or territorial high-
82 way within their respective counties.
- 83 17. To lay out, establish, alter or discontinue any county high-
84 way heretofore laid out, or hereafter to be laid through or within the
85 county, as may be provided by law.
- 86 18. To provide for the erection of all bridges which may be nec-
87 essary, and which the public convenience may require, within their
88 respective counties, and to keep the same in repair, except as is other-
89 wise provided by law.
- 90 19. To determine what bounties, in addition to those already pro-
91 vided by law, if any, shall be offered and paid by the county on the
92 scalps of such wild animals taken and killed within the county as it
93 may deem it expedient to exterminate, but no such bounty shall ex-
94 ceed five dollars.
- 95 20. To purchase for the use of the county any real estate neces-
96 sary for the erection of buildings for the support of the poor of the
97 county, and for a farm to be used in connection therewith; to remove
98 the site of and designate a new site for the erection of any building
99 or buildings for the care and support of the poor, and in case of such
100 removal or change of site or purchase of real estate for buildings and
101 a place to be kept and used for the care and support of the poor, to
102 sell any interest that the county may have in the real estate and im-
103 provements thereon which were theretofore used and occupied for
104 that purpose, and make appropriations not exceeding three hundred
105 dollars in any one year for the growing of experimental crops thereon
106 under the direction of the board.
- 107 21. To have and exercise all the powers in relation to the poor
108 given by law to the county authorities.
- 109 22. To make such rules and regulations, not inconsistent with
110 law, as it may deem necessary for its own government, the transac-
111 tion of business, and the preservation of order.
- 112 23. To purchase real estate for county fairs, the title of such
113 real estate to be in the name of the county.
- 114 24. To employ a competent person who shall perform all of the
115 duties now belonging to the office of county surveyor, and who may
116 be employed by them for the purpose of making general specifica-
117 tions for the grading, repairing and building of roads, bridges and
118 culverts, and to perform such other duties as the board of super-
119 visors may determine.
- 120 25. To contract with any free public library in the county for
121 the free use of the books thereof by the residents of the county out-
122 side of the cities and towns therein, as provided in section thirty-
123 seven hundred fifty-two of this supplement, which contract when
124 made shall supersede all contracts made by townships or school cor-
125 porations, and to levy annually on the taxable property of the county

126 outside of cities and towns a tax of not more than one mill on the
127 dollar to be used exclusively for that purpose.

[R., '60, § 312; C., '73, § 303; C., '97, § 422; S. S., '15, § 422;
37 G. A., ch. 33, § 1; 39 G. A., ch. 32, § 1.]

SEC. 3136. Board of supervisors authorized to license—fee.

[Repealed by 40 G. A., ch. 98, § 2.]

SEC. 3137. Penalty.

[This and the preceding section repealed by 40 G. A., ch. 98, § 2,
and sections 3467-a9 and 3467-a10 enacted (apparently) in lieu
thereof.]

SEC. 3138. Supervisors to tax dogs.

[Repealed by 39 G. A., ch. 140, § 15.]

SEC. 3139. Dogs to be assessed.

[This and the preceding section, along with sections 1848 to 1850,
inclusive, of the compiled code, repealed by 39 G. A., ch. 140, § 15, and
sections 3139-a1 to 3139-a14, inclusive, enacted in lieu thereof.]

**SEC. 3139-a1. Dog license—application—fee—license in lieu of
tax—additional fee—duration—license tag.**

1 On or before the fifteenth day of January each year, the owner
2 of any dog three months old or over shall in written or printed form,
3 supplied by the board of supervisors, apply to the county auditor for
4 a license tag for each such dog owned by him.

5 Such application shall state the breed, sex, age, color, and mark-
6 ings of such dog and the name and address of the owner, and shall be
7 accompanied by a fee of one dollar for each male or spayed female
8 dog, and three dollars for each female dog, and such license shall be the
9 only license or tax required for said dog except that in counties where
10 the revenue derived under sections thirty-one hundred thirty-nine-a
11 one to thirty-one hundred thirty-nine-a fourteen, inclusive, of this
12 supplement, does not equal the amount of claims upon the domestic
13 animal fund in any one year, the board of supervisors shall have power
14 to levy an additional fee of not to exceed two dollars on any dog, male
15 or female, not owned in cities already levying a municipal dog tax.

16 Such license tag shall have stamped thereon the year in which
17 it is issued and the name of the county issuing it and shall bear the
18 serial number under which the dog is licensed as shown by the record
19 book in the office of the county auditor. All licenses shall be void
20 upon the fifteenth day of January of the following year.

21 The board of supervisors shall furnish to the county auditor the
22 metal tags required under this section.

23 Such tag shall be affixed to a substantial collar to be furnished by
24 the owner, and with the tag attached, shall at all times be kept on
25 the dog for which the license is issued.

[C., '97, § 458; S., '13, § 458; 37 G. A., ch. 50, § 2; 39 G. A., ch.
140, § 1; 40 G. A., ch. 99, § 1.]

NOTE: A reference to 40 G. A., ch. 99, § 6, will reveal the fact that the series
of amendments enacted by said chapter are not effective until January 1, 1924.

SEC. 3139-a2. Who deemed owner.

1 Any person who owns, keeps or harbors a dog shall be considered
 2 the owner thereof within the meaning of the preceding section.
 [C., '97, § 457; 39 G. A., ch. 140, § 2.]

SEC. 3139-a3. Authority to take application—fee—duty of auditor.

1 Applications for license tags may be sworn to before any person
 2 qualified to administer an oath and mailed to the county auditor.
 3 Where an acknowledgment is taken by the county auditor, no fee
 4 shall be charged. Upon receipt of such application the auditor shall
 5 immediately issue the license tag and deliver the same to the appli-
 6 cant or forward it by mail as the case may be.

[37 G. A., ch. 50, § 2; 39 G. A., ch. 140, § 3; 40 G. A., ch.
 99, § 2.]

NOTE: Section 3139-a3 was twice repealed and two different substitutes enacted by the 40 G. A. The above section is the substitute enacted by 40 G. A., ch. 99. The following section is the substitute enacted by 40 G. A., ch. 100.

SEC. 3139-a3a. Applications—fee.

1 Applications in writing accompanied by the fee provided for in
 2 section thirty-one hundred thirty-nine-a one of this supplement shall
 3 be made to the county auditor who shall, upon receipt of such applica-
 4 tion and fee, issue the license and tag for such dog to the applicant.
 5 Provided further than any county officer who has heretofore admin-
 6 istered oaths in connection with applications for dog licenses and
 7 failed to collect the fee of twenty-five cents therefor shall be relieved
 8 from responsibility for such failure to collect.

[37 G. A., ch. 50, § 2; 39 G. A., ch. 140, § 3; 40 G. A., ch. 100.]

SEC. 3139-a4. Transferability of license and tag.

1 No license tag issued for one dog shall be transferable to another
 2 dog. Whenever the ownership of any dog is permanently transferred
 3 from one person to another, the license tag may be transferred by
 4 notation on the original license record by the county auditor. When-
 5 ever a dog licensed in one county is permanently transferred to an-
 6 other county, the license tag may also be transferred by application
 7 to the county auditor of the county to which the dog is removed and
 8 the payment to him of a fee of twenty-five cents. Upon the payment
 9 of the fee above referred to, a new license tag shall be issued for such
 10 dog.

[39 G. A., ch. 140, § 4; 40 G. A., ch. 99, § 3.]

SEC. 3139-a5. Auditor to keep account.

1 The county auditor shall keep an accurate record of all such fees
 2 collected by him or paid over to him by others, and shall turn the same
 3 over to the county treasurer, who shall keep the same as a fund to be
 4 known as the domestic animal fund.

[C., '97, § 459; S., '13, § 458-b; 39 G. A., ch. 140, § 5.]

SEC. 3139-a6. Assessor to secure data as to dogs—fee.

1 Each assessor, for taxation purposes, shall annually, at the time
 2 of assessing property, as required by law, make diligent inquiry as to
 3 the number of dogs owned, harbored or kept by any person so assessed
 4 and report the same to the county auditor, and shall be allowed as a
 5 fee the sum of ten cents each for all dogs so reported, in addition to any
 6 and all other fees or salary permitted to him by law, providing that
 7 such fee shall be paid from the domestic animal fund.

[C., '97, § 457; 39 G. A., ch. 140, § 6.]

SEC. 3139-a7. Killing of licensed and unlicensed dogs.

1 Any dog, which has not been licensed as above provided, shall be
 2 deemed a wild dog, and it shall be the duty of each peace officer of the
 3 state, including the peace officers of the cities and towns, to kill any
 4 dog found within the county without a collar and tag. Any other
 5 person may also kill such dog at any time and any licensed dog may be
 6 killed if caught in the act of worrying, maiming or killing any domestic
 7 animal, or fowl.

[37 G. A., ch. 50, § 3; 39 G. A., ch. 140, § 7.]

NOTE: As to right to kill dogs, see § 1851 of the compiled code.

SEC. 3139-a8. Removal of license tag.

1 It shall be unlawful for any person except the owner or his
 2 authorized agent to remove any license tag from a dog collar, or to
 3 remove any collar with a license tag attached thereto from any dog.

[37 G. A., ch. 50, § 2; 39 G. A., ch. 140, § 8.]

SEC. 3139-a9. Violations—penalty.

1 Any person violating or failing or refusing to comply with any of
 2 the provisions of the last preceding section shall be guilty of a misde-
 3 meanor, and upon conviction shall be fined not exceeding forty dollars
 4 or confined in the county jail not more than thirty days, in the discre-
 5 tion of the court.

[37 G. A., ch. 50, § 2; 39 G. A., ch. 140, § 9.]

SEC. 3139-a10. Delinquency—penalty—notice—entry of tax.

1 All license fees shall become delinquent on the first day of June
 2 of the year in which they are due and payable and a penalty of one
 3 dollar shall be added to each unpaid license on and after June first.

4 Between the first and the twentieth day of May, the county audi-
 5 tor shall cause to be published once in each of the official papers of the
 6 county a list of the names of all persons owning dogs reported by the
 7 assessor upon which the tax has not been paid. If the license is paid
 8 upon any dog after publication and before June first there shall be
 9 collected in addition to the license fee the costs of publication. If such
 10 license is collected on or after June first, in addition to the license fee
 11 the auditor or treasurer shall collect a penalty of one dollar and costs
 12 of publication.

13 Not later than May first the county auditor shall cause to be
 14 spread upon the tax books of the county any delinquent license tax
 15 together with the penalty and costs of publication, which tax, penalty
 16 and costs shall be collectible in the same manner and in the same way

17 as any other delinquent tax. Should such tax, penalty, or costs be
18 uncollectible, the costs of publication and collection shall be paid from
19 the domestic animal fund.

[39 G. A., ch. 140, § 10; 40 G. A., ch. 99, § 4.]

SEC. 3139-a11. Blanks.

1 All forms for blanks and tags necessary in carrying out sections
2 thirty-one hundred thirty-nine-a one to thirty-one hundred thirty-
3 nine-a fourteen, inclusive, of this supplement, shall be prepared by the
4 county auditor and furnished by the county.

[39 G. A., ch. 140, § 11.]

SEC. 3139-a12. When property right in dog recognized.

1 All owners of dogs who comply with the provisions of sections
2 thirty-one hundred thirty-nine-a one to thirty-one hundred thirty-
3 nine-a fourteen, inclusive, of this supplement, by procuring license tag
4 for the same and have the same wearing a collar and tag, as therein
5 provided, shall have a property right in their dog. All dogs not pro-
6 vided with license tag and collar, as above required, shall be considered
7 wild dogs, and in them no one shall be held to have any property right.

[39 G. A., ch. 140, § 12; 40 G. A., ch. 99, § 5.]

SEC. 3139-a13. Nonapplicability of statute.

1 None of the provisions of sections thirty-one hundred thirty-nine-a
2 one to thirty-one hundred thirty-nine-a fourteen, inclusive, of this sup-
3 plement, shall apply to the owners or proprietors of kennels, or to
4 dogs in kennels, where such dogs are not allowed to run at large. Dogs
5 exempted from taxation under the provisions of this section shall be
6 assessed and taxed as personal property.

[39 G. A., ch. 140, § 13.]

SEC. 3139-a14. Interpretative clause.

1 In event that any one or more of the provisions of sections thirty-
2 one hundred thirty-nine-a one to thirty-one hundred thirty-nine-a four-
3 teen, inclusive, of this supplement, shall be held unconstitutional by any
4 court, the decision holding such provision unconstitutional shall not
5 affect the validity of the remaining provisions of said sections, it being
6 the intention of the legislature that the provisions of said sections are
7 severable.

[39 G. A., ch. 140, § 14.]

SEC. 3140. County auditor to prepare assessor's book.

1 It shall be the duty of each county auditor to provide suitable
2 columns properly headed in the assessor's book to carry out the pro-
3 visions of sections thirty-one hundred forty-two and thirty-one hundred
4 forty-three of the compiled code.

[S., '13, § 458-a.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted in order to eliminate reference to sections expressly or impliedly repealed by 39 G. A., ch. 140.

SEC. 3141. Domestic animal fund.

[Apparently repealed by 39 G. A., ch. 140, §§ 15, 16—at least now obsolete.]

CHAPTER 3

COUNTY AUDITOR

SECTION 3146. Clerk or recorder may be auditor.

[Repealed by 40 G. A., ch. 247.]

SEC. 3147. Treasurer may not be.

[Repealed by 40 G. A., ch. 247.]

SEC. 3158. Financial report—what to contain.

[Repealed by 40 G. A., ch. 247, and the three following sections enacted in lieu thereof.]

SEC. 3158-a1. Financial report.

1 The county auditor shall, during the month of January of each
2 year, compile and prepare a financial report, which shall contain
3 schedules showing:

4 1. The amount of the various classes of warrants drawn on the
5 county fund, except for court expenses, during the preceding year,
6 including therein, among other items, the total amount paid each
7 county officer, also their deputies and extra help, also other employees
8 of the county, and amounts paid for rent and various other expenses,
9 including printing and stationery, furniture and fixtures, publishing-
10 ing proceedings of the board of supervisors, postage allowed each
11 county official, complete election expenses, including printing of bal-
12 lots, expenses of registration and items of like nature.

13 2. The amount of warrants drawn on the county fund for various
14 court expenses, which shall include among other items the salary paid
15 the county attorney and the amounts received by him as commission
16 on fines and from other sources, and the amount paid to assistant
17 counsel.

18 3. The amount paid jurors, witnesses and bailiffs, respectively,
19 in district court, amount paid for shorthand reporting, amount paid
20 for printing and stationery, amount paid for attorney fees for defend-
21 ing criminals, amount paid for meals for jurors, and items of like
22 nature.

23 4. The expenses of the grand jury, stating amounts paid grand
24 jurors, bailiffs, witnesses, and items of like nature.

25 5. The expenses of the coroner's court, stating amount paid coro-
26 ner, coroner's clerk, constable fees, witness fees and items of like
27 nature.

28 6. The expenses of justice courts, stating amounts paid various
29 justices, constables, total amount paid witnesses, jurors, attorney
30 fees, for printing and items of like nature.

31 7. The amount drawn by each member of the board of super-
32 visors from the several funds of the county for services during the
33 preceding year.

34 8. A recapitulation of the total amount of warrants drawn on the
35 county fund with a comparison with the amount of warrants drawn
36 on the county fund each year for the last five years.

37 9. The various classes of warrants drawn on the poor fund for
38 the preceding year, with a comparison with the total amount of war-
39 rants drawn on such fund each year for the last five years.

40 10. The amount of warrants drawn on the fund for the support
 41 of the insane for the preceding year, including the amounts received
 42 by each commissioner as fees and expenses, fees of witnesses, sher-
 43 iff's fees and expenses, the cost of transportation and items of like
 44 nature.

45 11. The total cost of maintenance of insane at county asylum,
 46 with number confined therein, and total paid the various state hospi-
 47 tals for the insane, with the number of patients from the county con-
 48 fined in such hospitals.

49 12. The amount paid the various state institutions during the
 50 preceding year.

51 13. The amounts paid the sheriff for boarding prisoners during
 52 the preceding year, together with the amount paid the sheriff as jail
 53 expenses, with a comparison with the amounts paid for boarding
 54 prisoners and for jail expenses each year during the last five years.

55 14. The amounts paid for the condemning of intoxicating liquors
 56 during the preceding year, also cost of convictions, both in justice
 57 courts and in the district court, for the violation of the laws relating
 58 to the sale of intoxicating liquors, together with the amount of fines
 59 collected for such violation and the amounts received as mulct tax,
 60 if any.

61 15. The amount of warrants drawn on the county road fund and
 62 each of the various other funds of the county.

[S., '13, § 480-a; 40 G. A., ch. 247, § 1.]

SEC. 3158-a2. Publication of comparisons.

1 The comparisons with preceding years provided for in the preced-
 2 ing section shall, after the taking effect of the permanent code, be as
 3 follows:

- 4 1. The first year, comparison only with the preceding year.
- 5 2. The second year, with the two preceding years.
- 6 3. The third year, with the three preceding years.
- 7 4. The fourth year, with the four preceding years.
- 8 5. The fifth year, with the five preceding years.
- 9 6. Thereafter in the same order and manner for each five year
 10 period.

[S., '13, § 480-a; 40 G. A., ch. 247, § 2.]

SEC. 3158-a3. Additional matter.

- 1 Said financial report shall also contain the following:
- 2 1. The report of the county auditor as required by law to be
 3 made to the superintendent of public instruction, relating to school
 4 funds and property.
 - 5 2. The various reports as required by law to be made to the
 6 county board of supervisors of magistrates and other officers, includ-
 7 ing forfeited recognizances in their offices, fines, penalties, forfeitures
 8 imposed in their respective courts, and forfeited appearance bonds in
 9 criminal cases, all of which by law go into the county treasury for the
 10 benefit of the school fund.
 - 11 3. The various reports made during the preceding year, by the
 12 county treasurer, auditor, recorder, sheriff, clerk of the district court,
 13 and the soldiers' relief commission, as required by law.
 - 14 4. The reports of the various committees that may be appointed

15 by the board of supervisors to examine the affairs and accounts of
16 the various county officials and employees.

17 5. Such other and further matters and information as the board
18 of supervisors may direct or the auditor may deem advisable.

[S., '13, § 480-a; 40 G. A., ch. 247, § 3.]

SEC. 3161. Record and report of fees collected.

[Repealed by 40 G. A., ch. 250, and substitute embraced in chapter 8-C, title XII, of this supplement.]

SEC. 3162. Compensation.

[Repealed by 40 G. A., ch. 250, and substitute embraced in chapter 8-A, title XII, of this supplement.]

SEC. 3163. Salary in lieu of fees—fees to be reported.

[Repealed by 40 G. A., ch. 250, and substitute embraced in chapter 8-C, title XII, of this supplement.]

SEC. 3164. Deputy—qualifications—compensation—other assistants—salaries of—how determined.

[Repealed by 40 G. A., ch. 250, and substitute embraced in chapters 8-A and 8-B, title XII, of this supplement.]

CHAPTER 4

COUNTY TREASURER

SECTION 3165-a1. Official seal—registration certificates.

1 The county treasurer shall be provided with an impression seal on
2 the face of which shall appear the name of the county, the word
3 "county", either in full or abbreviated; the word "treasurer", either
4 in full or abbreviated; and the word, "Iowa", and the impression
5 of said seal shall be placed upon each motor vehicle registration certificate
6 signed by the county treasurer.

[39 G. A., ch. 141.]

SEC. 3173. Separate account of each fund.

[Repealed by 40 G. A., ch. 248.]

SEC. 3174. Separate account for each official term.

[This and the preceding section repealed by 40 G. A., ch. 248, and the following section enacted in lieu thereof.]

SEC. 3174-a1. Separate account of each fund.

1 The treasurer shall, for each term of his office, keep a separate
2 account of the several taxes for state, county, school, highway, or
3 other purposes, and of all other funds created by law, whether regular,
4 temporary, or special, and no moneys in any such fund shall be paid
5 out or used for any other purpose, except as specially authorized by
6 law. The treasurer shall charge himself with the amount of the tax

7 or other fund and credit himself with the amounts disbursed on each
8 and with the amount of delinquent taxes, when authorized to do so.

[C., '51, §§ 156, 161; R., '60, §§ 364, 367; C., '73, §§ 331, 334;
C., '97, §§ 487, 489; 40 G. A., ch. 248.]

SEC. 3176. Compensation.

[Repealed by 40 G. A., ch. 250, and substitute embraced in chapter 8-A, title XII, of this supplement.]

SEC. 3177. Compensation in full—fees accounted for—additional compensation.

[Repealed by 40 G. A., ch. 250, and substitute embraced in chapters 8-A and 8-C, title XII, of this supplement.]

SEC. 3178. Deputies—qualification—compensation—other assistants.

[Repealed by 40 G. A., ch. 250, and substitute embraced in chapters 8-A and 8-B, title XII, of this supplement.]

SEC. 3178-a1. Resident collectors in certain counties.

[Repealed by 40 G. A., ch. 250, and substitute embraced in chapter 8-A, title XII, of this supplement.]

SEC. 3179. Fees to be reported and paid to county.

[Repealed by 40 G. A., ch. 250, and substitute embraced in chapter 8-C, title XII, of this supplement.]

CHAPTER 5

COUNTY RECORDER

SECTION 3185-a1. Federal liens.

1 The notice of a lien for any tax in favor of the government of
2 the United States, or any release of such lien, may be filed and
3 recorded in the office of the county recorder in any county within
4 which the property subject to the lien is situated. Such county
5 recorder shall file, record and index any such notice of lien or any
6 release of the same without fee.

[40 G. A., ch. 101, § 1.]

SEC. 3187. Fees to be reported and paid to county—compensation.

[Repealed by 40 G. A., ch. 250, and substitute embraced in chapters 8-A and 8-C, title XII, of this supplement.]

SEC. 3188. Deputy recorders.

[Repealed by 40 G. A., ch. 250, and substitute embraced in chapters 8-A and 8-B, title XII, of this supplement.]

CHAPTER 6

COUNTY ATTORNEY

SECTION 3191. Assistants—compensation.

[Repealed by 40 G. A., ch. 250, and substitute embraced in chapters 8-A and 8-B, title XII, of this supplement.]

SEC. 3194. Compensation.

[Repealed by 40 G. A., ch. 250, and substitute embraced in chapter 8-A, title XII, of this supplement.]

CHAPTER 7

SHERIFF

SECTION 3206. Fees to be collected.

- 1 Each sheriff is entitled to charge and receive the following fees:
- 2 1. For serving a notice and making return thereof, for the first
- 3 person served, fifty cents, and each additional person, twenty-five
- 4 cents.
- 5 2. For each warrant served, two dollars, and the repayment of
- 6 necessary expenses incurred, in executing such warrant, as sworn to
- 7 by the sheriff, if service of the warrant cannot be made, the repay-
- 8 ment of all necessary expenses actually incurred by the sheriff while
- 9 attempting in good faith to serve such warrant.
- 10 3. For serving and returning a subpoena, for each person served,
- 11 twenty cents, and the necessary expenses incurred while serving sub-
- 12 poenas in criminal cases or insane process.
- 13 4. For summoning a grand or trial jury, for each person served,
- 14 sixty cents, and the repayment of expenses actually incurred by him.
- 15 5. For summoning a jury to assess the damages to the owners of
- 16 lands taken for public improvements, and attending them, five dollars
- 17 per day, and necessary expenses incurred. This paragraph shall not
- 18 be so construed as to allow a sheriff to make separate charges for
- 19 different assessments, which can be made by the same jury and com-
- 20 pleted in one day of ten hours.
- 21 6. For serving an execution, attachment, or order for the delivery
- 22 of personal property, injunction, or any order of court, and making
- 23 return thereof, two dollars.
- 24 7. For making and executing a certificate or deed for lands sold
- 25 on execution, or a bill of sale for personal property sold, one dollar.
- 26 8. For the time necessarily employed in making an inventory of
- 27 personal property attached or levied upon, fifty cents per hour.
- 28 9. For a copy of any paper required by law, made by him, for
- 29 each one hundred words or fraction thereof, ten cents.
- 30 10. Mileage in all cases required by law, going and returning, ten
- 31 cents per mile, provided that this paragraph shall not apply where
- 32 provision is made for expenses, and in no case shall the law be con-
- 33 strued to allow both mileage and expenses for the same services and
- 34 for the same trip.

35 11. He shall be paid for boarding a prisoner, a compensation of
 36 twenty cents for each meal, and not to exceed three meals in twenty-
 37 four consecutive hours; and fifteen cents for each night's lodging.

38 12. He shall be paid for waiting on and washing for prisoners,
 39 the sum of five cents per prisoner per day.

40 13. For attending sale of property, for each day, one dollar.

41 14. For conveying one or more persons to any state, county, or
 42 private institution by order of court, or commission, he shall be allowed
 43 his necessary expenses, for himself and such person or persons, and
 44 in addition thereto, forty cents per hour for the time necessarily
 45 employed in going to and from such institution, same to be charged
 46 and accounted for as fees. Should the sheriff need any assistance
 47 in taking any person to any such institution, the same shall be fur-
 48 nished at the expense of the county.

49 15. He shall be allowed for serving any warrant for the seizure
 50 of intoxicating liquors, one dollar; for the removal and custody of
 51 such liquor, actual and reasonable expenses; for the destruction of
 52 such liquor under the order of court, one dollar, and his actual and
 53 reasonable expenses; for posting and leaving notices in such cases,
 54 one dollar and his actual expenses.

55 16. When mileage or expenses of the sheriff are to be paid from
 56 the public treasury, he shall file an itemized claim for the same, veri-
 57 fied by affidavit and accompanied by proper vouchers, before the same
 58 can be allowed or paid.

59 17. The amounts allowed the sheriff by law for mileage and for
 60 necessary and actual expenses paid by him and for board of prisoners
 61 and for waiting on and washing for prisoners, as in this section pro-
 62 vided, may be retained by him in addition to his salary. But all other
 63 fees of every kind and nature which he receives for services performed
 64 in his official capacity, or by virtue of his office, shall belong to the
 65 county and be paid into the county treasury accordingly.

[C., '51, § 2536; R., '60, §§ 1570, 4145; C., '73, §§ 3788, 3789,
 3807; C., '97, § 511; S., '13, § 511; 37 G. A., ch. 49, § 1;
 38 G. A., ch. 256, § 1; 40 G. A., ch. 102, §§ 1, 2.]

SEC. 3207-a1. Adjudicated condemnation funds.

1 On or before the first day of January in each year the sheriff of
 2 each county in Iowa having any condemnation funds in his possession
 3 shall make a detailed report under oath of all funds in his possession
 4 received from condemnation proceedings of any kind that have been
 5 finally adjudicated, reciting therein the names of the parties to whom
 6 said funds belong, when received, and describing the property con-
 7 demned, which report shall be filed with the county treasurer, and
 8 the sum so shown due from such sheriff paid over to the county treas-
 9 urer, who shall make a detailed receipt therefor.

[40 G. A., ch. 103, § 1.]

SEC. 3207-a2. Unadjudicated condemnation funds.

1 Every sheriff having any condemnation funds in his possession
 2 in cases not finally adjudicated, shall make a further report of funds
 3 received by him in such cases, in detail as called for in the preceding
 4 section, and file the same with the county auditor for examination
 5 and checking by the board of supervisors, and where any sheriff's

6 term is expiring he shall pay such condemnation funds in cases not
 7 finally adjudicated to his successor in office; taking his receipt therefor.
 [40 G. A., ch. 103, § 2.]

SEC. 3207-a3. Duty and liability of treasurer.

1 The county treasurer receiving such funds shall enter the same
 2 in detail in a book kept for that purpose, listing the names of the
 3 parties to whom such funds are due, description of property con-
 4 demned and amount of each item so due, and the same shall be paid
 5 out by him to the parties to whom the same is due, upon warrants
 6 ordered by the board of supervisors and issued by the county auditor,
 7 drawn upon said condemnation fund, and shall not be payable out of
 8 any other fund. Such county treasurer and his sureties shall be
 9 liable for such funds the same as for other funds received in his
 10 official capacity.

[40 G. A., ch. 103, § 4.]

SEC. 3207-a4. Record of funds.

1 Any sheriff receiving funds as provided in section thirty-two
 2 hundred seven-a two of this supplement shall list the same in detail
 3 in a book kept for that purpose, and pay the same to the parties
 4 entitled thereto, upon final adjudication of such cases, or if held, after
 5 final adjudication until the end of the calendar year to the county
 6 treasurer as provided in section thirty-two hundred seven-a one of
 7 this supplement.

[40 G. A., ch. 103, § 5.]

SEC. 3207-a5. Liability of sheriff.

1 Nothing contained in the four preceding sections shall be con-
 2 strued as relieving such sheriffs or the sureties on their bonds from
 3 liability for such funds so received by them until such payment has
 4 been made to the county treasurer or successor in office as herein
 5 provided.

[40 G. A., ch. 103, § 6.]

SEC. 3208. Fees to be reported and paid to county.

[Repealed by 40 G. A., ch. 250, and substitute embraced in chap-
 ter 8-C, title XII, of this supplement.]

SEC. 3209. Compensation.

[Repealed by 40 G. A., ch. 250, and substitute embraced in chap-
 ter 8-A, title XII, of this supplement.]

SEC. 3210. Compensation in certain counties.

[Repealed by 40 G. A., ch. 250, and substitute embraced in chap-
 ter 8-A, title XII, of this supplement.]

SEC. 3211. Deputies—bond—qualification—compensation.

[Repealed by 40 G. A., ch. 250, and substitute embraced in chap-
 ters 8-A and 8-B, title XII, of this supplement.]

CHAPTER 8

CORONER

SECTION 3219. Witnesses—shorthand reporter—compensation.

[Repealed by 40 G. A., ch. 249.]

SEC. 3220. Finding of jurors—form.

[Repealed by 40 G. A., ch. 249.]

SEC. 3221. Finding kept secret.

[This and the two preceding sections repealed by 40 G. A., ch. 249, and the five following sections enacted in lieu thereof.]

SEC. 3221-a1. Witnesses and jurors.

1 The coroner shall issue subpoenas for such witnesses as have
2 knowledge touching the manner of the death of the person whose
3 inquest is being held, returnable at such time and place as he may
4 direct. They shall be sworn as in other cases, and their evidence
5 reduced to writing under the direction of the coroner, subscribed by
6 them, and returned to the district court, with the verdict and all other
7 papers in the case. The coroner may enforce the attendance of wit-
8 nesses and jurors, and punish them for contempt in disobeying his
9 process, in like manner as a justice of the peace may do in criminal
10 proceedings before him. In the absence of any officer authorized to
11 serve subpoenas or other process, the coroner may deputize some
12 suitable person to serve the same or may himself perform such duties.

[C., '51, §§ 190-192, 199; R., '60, §§ 400-402, 409; C., '73, §§
356-358, 365; C., '97, § 520; S., '13, § 520; 38 G. A., ch.
122, § 4; 40 G. A., ch. 249, § 1.]

SEC. 3221-a2. Shorthand reporter.

1 For the purpose of preserving the testimony of such witnesses,
2 and all the acts and doings of the coroner and jury, the coroner may
3 appoint a shorthand reporter who shall, before entering upon his
4 duties as such reporter, take an oath to be administered by the cor-
5 oner, that he will faithfully take down in shorthand the evidence as
6 it is given by the witnesses at such inquest or investigation, and that
7 he will correctly extend the same into longhand.

[S., '13, § 520; 40 G. A., ch. 249, § 2.]

SEC. 3221-a3. Compensation—record.

1 Such reporter shall receive compensation not to exceed fifty cents
2 per hour for time actually employed in any inquest or investigation,
3 and for extending the notes, and when such shorthand report is
4 extended into longhand by the said shorthand reporter and certified
5 to by the coroner and reporter to the effect that it contains a full, true
6 and complete report of all proceedings, and filed, it shall be the official
7 record of the said inquest or investigation.

[S., '13, § 520; 40 G. A., ch. 249, § 3.]

SEC. 3221-a4. Finding of jurors.

1 The jurors, having inspected the body, heard the testimony and
 2 made all needful inquiries, shall return to the coroner their verdict in
 3 writing, under their hands, in substance as follows, stating the mat-
 4 ters in the following form suggested, as far as found:

5 State of Iowa, }
 6 } ss.
 7County. }

8 An inquisition holden at....., in.....county,
 9 on the.....day of....., A. D. 19...., before
 10, coroner of the said county, upon the body of
 11(or person unknown), there lying dead, by the
 12 jurors whose names are hereto subscribed.

13 The said jurors upon their oaths do say (here state when, how,
 14 by what person, means, weapon, or accident he came to his death, and
 15 whether feloniously).

16 In testimony whereof, the said jurors have hereunto set their
 17 hands, the day and year aforesaid (which shall be attested by the
 18 coroner).

[C., '51, § 193; R., '60, § 403; C., '73, § 359; C., '97, § 521; 40
 G. A., ch. 249, § 4.]

SEC. 3221-a5. Finding kept secret.

1 If the jurors find that a crime has been committed on the deceased
 2 and name the person who they believe has committed it, the verdict
 3 shall not be made public until after the arrest of the person.

[C., '51, § 194; R., '60, § 404; C., '73, § 360; C., '97, § 522; 40
 G. A., ch. 249, § 5.]

SEC. 3225. Contents and effect of warrant—report of coroner.

1 The warrant of the coroner shall recite substantially the trans-
 2 actions before him, and the verdict of the jury of inquest leading to
 3 the arrest, and such warrant shall be a sufficient foundation for the
 4 proceeding of the justice instead of an information. The coroner
 5 shall report to the clerk of the district court all cases of death which
 6 may call for the exercise of his jurisdiction; with the cause or mode
 7 of death, in accordance with forms furnished by the state board of
 8 health.

[C., '51, § 198; R., '60, § 408; C., '73, § 364; C., '97, § 526; 40
 G. A., ch. 249, § 6.]

SEC. 3226. Disposition of body—expenses.

1 The coroner, except as otherwise provided by law, shall cause the
 2 body of the deceased person which he is called to view to be delivered
 3 to his friends, if any there be, but if not, he shall cause him to be
 4 decently buried, and the expense to be paid from any property found
 5 with the body, or, if there be none, from the county treasury, by
 6 certifying an account of the expenses; which, being presented to the
 7 board of supervisors, shall be allowed by them, in a reasonable amount
 8 and paid as other claims on the county.

[C., '51, § 200; R., '60, § 410; C., '73, § 366; C., '97, § 527;
 40 G. A., ch. 249, § 7.]

SEC. 3228. Justice may act as coroner.

1 When there is no coroner, or in case of his absence or inability
 2 to act, any justice of the peace of the same county is authorized to
 3 perform the duties of coroner in relation to dead bodies, and in such
 4 cases if any person is charged with a crime, may cause him to be
 5 brought before him by his warrant, and may proceed with his pre-
 6 liminary hearing as a justice of the peace.

[C., '51, § 201; R., '60, § 411; C., '73, § 367; C., '97, § 528; 40
 G. A., ch. 249, § 8.]

SEC. 3231. Compensation of coroner.

[Repealed by 40 G. A., ch. 250, and substitute embraced in chap-
 ter 8-A, title XII, of this supplement.]

CHAPTER 8-A
COMPENSATION OF COUNTY OFFICERS, DEPUTIES, AND CLERKS**SECTION 3231-a1. Compensation of county auditor.**

1 Each county auditor shall receive for his annual salary in coun-
 2 ties having a population of:
 3 1. Less than ten thousand, seventeen hundred dollars.
 4 2. Ten thousand and less than fifteen thousand, eighteen hundred
 5 dollars.
 6 3. Fifteen thousand and less than twenty thousand, nineteen
 7 hundred dollars.
 8 4. Twenty thousand and less than twenty-five thousand, two
 9 thousand dollars.
 10 5. Twenty-five thousand and less than thirty thousand, twenty-
 11 one hundred dollars.
 12 6. Thirty thousand and less than thirty-five thousand, twenty-
 13 two hundred dollars.
 14 7. Thirty-five thousand and less than forty thousand, twenty-four
 15 hundred dollars.
 16 8. Forty thousand and less than fifty thousand, twenty-eight
 17 hundred dollars.
 18 9. Fifty thousand and less than fifty-eight thousand, three thou-
 19 sand fifty dollars.
 20 10. Fifty-eight thousand and less than sixty-five thousand,
 21 thirty-three hundred dollars.
 22 11. Sixty-five thousand or over, thirty-four hundred dollars.
 23 12. Over twenty-five thousand, having a special charter city
 24 with a population of five thousand or over, when the county auditor
 25 prepares and makes up the city tax books for such special charter
 26 city, three hundred dollars in addition to the compensation as fixed
 27 by the above schedule.

28 In counties having two places at which the district court is held,
 29 five hundred dollars additional.

[C., '73, § 3798; C., '97, § 479; S. S., '15, § 479; 38 G. A., ch.
 293, § 1; 40 G. A., ch. 250, § 1.]

SEC. 3231-a2. Compensation of deputy auditor and clerks.

1 Each deputy auditor shall receive as his annual salary in counties
2 having a population of:

3 1. Less than fifty thousand, one-half the amount of the salary of
4 the auditor, but if that amount is less than fifteen hundred dollars,
5 the board of supervisors may allow an additional amount to make an
6 aggregate not to exceed said sum.

7 2. Fifty thousand or over, one deputy to be designated by the
8 auditor as chief deputy shall receive one-half the amount of the sal-
9 ary of the auditor, but if that amount is less than seventeen hundred
10 and fifty dollars, the board of supervisors may allow an additional
11 amount to make an aggregate not to exceed said sum, and each addi-
12 tional deputy shall receive one-half the amount of the salary of the
13 auditor unless said amount exceeds fifteen hundred dollars, in which
14 event the salary shall not exceed said last named sum.

15 3. In any county having within its limits a city with a population
16 of forty-five thousand or over, the salaries of the chief deputy and
17 one to be designated by the auditor as second deputy shall each be
18 sixty-five per cent of the amount of the salary of the auditor, and
19 each additional deputy shall receive one-half the amount of the salary
20 of the auditor. If more than four deputies are required or additional
21 clerks, the board of supervisors shall fix the amount of their com-
22 pensation.

[R., '60, § 648; C., '73, § 771; C., '97, § 481; S. S., '15, § 481;
37 G. A., ch. 77, § 2; 38 G. A., ch. 278, § 2; 39 G. A., ch.
260, § 2; 40 G. A., ch. 250, § 2.]

SEC. 3231-a3. Compensation of county treasurer.

1 Each county treasurer shall receive for his annual salary in coun-
2 ties having a population of:

3 1. Less than ten thousand, seventeen hundred dollars.

4 2. Ten thousand and less than fifteen thousand, eighteen hundred
5 dollars.

6 3. Fifteen thousand and less than twenty thousand, nineteen
7 hundred dollars.

8 4. Twenty thousand and less than twenty-five thousand, two
9 thousand dollars.

10 5. Twenty-five thousand and less than thirty thousand, twenty-
11 one hundred dollars.

12 6. Thirty thousand and less than thirty-five thousand, twenty-
13 two hundred dollars.

14 7. Thirty-five thousand and less than forty thousand, twenty-
15 four hundred dollars.

16 8. Forty thousand and less than fifty thousand, twenty-eight
17 hundred dollars.

18 9. Fifty thousand and less than fifty-eight thousand, three thou-
19 sand fifty dollars.

20 10. Fifty-eight thousand and less than sixty-five thousand, thirty-
21 three hundred dollars.

22 11. Sixty-five thousand and over, thirty-four hundred dollars.

23 12. Over twenty-five thousand having a special charter city where
24 the taxes are collected by the county treasurer, three hundred dollars
25 in addition to the compensation as fixed by the above schedule in this
26 section.

27 13. Forty thousand or over, in which there is a city of the first
 28 class, of any form of government, the board of supervisors may allow
 29 additional compensation to the county treasurer not to exceed fifty
 30 dollars per annum for each five thousand population of such cities.

31 In counties where the district court is held at two different places
 32 the county treasurer shall receive five hundred dollars in addition to
 33 the compensation as fixed by the above schedule in this section.

[C., '51, § 211; R., '60, § 422; C., '73, § 3793; C., '97, § 490;
 S. S., '15, §§ 490, 490-a; 38 G. A., ch. 293, § 2; 39 G. A.,
 ch. 74, § 1; 40 G. A., ch. 250, § 3.]

SEC. 3231-a4. Compensation of deputy treasurer and clerks.

1 Each deputy treasurer shall receive as his annual salary in coun-
 2 ties having a population of:

3 1. Less than fifty thousand, one-half the amount of the salary of
 4 the treasurer, but if that amount is less than fifteen hundred dollars,
 5 the board of supervisors may allow an additional amount to make an
 6 aggregate not to exceed said sum.

7 2. Fifty thousand or over, one deputy to be designated by the
 8 treasurer as chief deputy shall receive one-half the amount of the
 9 salary of the treasurer, but if that amount is less than seventeen
 10 hundred and fifty dollars, the board of supervisors may allow an addi-
 11 tional amount to make an aggregate not to exceed said sum, and each
 12 additional deputy shall receive one-half the amount of the salary of
 13 the treasurer unless said amount exceeds fifteen hundred dollars, in
 14 which event the salary shall not exceed said last named sum.

15 3. Fifty-three thousand or over, in which there exists a city,
 16 not the county seat, having a population of six thousand or over, the
 17 treasurer may appoint a resident deputy collector of taxes for such
 18 city and vicinity under bond as provided for other deputies, and his
 19 compensation shall be the same as a deputy in a county with a popu-
 20 lation of less than fifty thousand. The treasurer in such case shall
 21 prepare the necessary books and records for such deputy each year.

22 4. In any county having within its limits a city with a popula-
 23 tion of forty-five thousand or over, the salaries of the chief deputy
 24 and one to be designated by the treasurer as second deputy shall each
 25 be sixty-five per cent of the amount of the salary of the treasurer,
 26 and each additional deputy shall receive one-half the amount of the
 27 salary of the treasurer. If more than four deputies are required or
 28 additional clerks, the board of supervisors shall fix the amount of their
 29 compensation.

[C., '51, § 417; R., '60, § 648; C., '73, §§ 771, 3793; C., '97,
 § 491; S. S., '15, § 491; 37 G. A., ch. 77, § 3; 37 G. A.,
 ch. 331, § 1; 38 G. A., ch. 278, § 3; 39 G. A., ch. 132, § 1;
 39 G. A., ch. 260, § 3; 40 G. A., ch. 250, § 4.]

SEC. 3231-a5. Compensation of county recorder.

1 Each county recorder shall receive for his annual salary in coun-
 2 ties having a population of:

3 1. Less than fifteen thousand, sixteen hundred dollars.

4 2. Fifteen thousand and less than twenty thousand, seventeen
 5 hundred dollars.

6 3. Twenty thousand and less than twenty-five thousand, eighteen
 7 hundred dollars.

8 4. Twenty-five thousand and less than thirty thousand, nineteen
9 hundred dollars.

10 5. Thirty thousand and less than thirty-five thousand, two thou-
11 sand dollars.

12 6. Thirty-five thousand and less than forty thousand, twenty-one
13 hundred dollars.

14 7. Forty thousand and less than fifty thousand, twenty-two hun-
15 dred dollars.

16 8. Fifty thousand and less than fifty-eight thousand, twenty-
17 three hundred dollars.

18 9. Fifty-eight thousand and less than seventy thousand, twenty-
19 four hundred dollars.

20 10. Seventy thousand and less than ninety thousand, twenty-five
21 hundred dollars.

22 11. Ninety thousand and over, thirty-one hundred dollars.

23 In any county where a recorder's office is kept in two different
24 places, the recorder shall receive five hundred dollars in addition to
25 the compensation as fixed by the above schedule.

[C., '51, §§ 211, 213; R., '60, §§ 422, 424; C., '73, § 3792; C.,
'97, § 495; S. S., '15, § 495; 38 G. A., ch. 293, § 3; 40
G. A., ch. 250, § 5.]

SEC. 3231-a6. Compensation of deputy recorder and clerks.

1 Each deputy recorder shall receive as his annual salary in coun-
2 ties having a population of:

3 1. Less than fifty thousand, one-half the amount of the salary of
4 the recorder, but if that amount is less than fifteen hundred dollars,
5 the board of supervisors may allow an additional amount to make an
6 aggregate not to exceed said sum.

7 2. Fifty thousand or over, one deputy to be designated by the
8 recorder as chief deputy shall receive one-half the amount of the
9 salary of the recorder, but if that amount is less than seventeen hun-
10 dred fifty dollars, the board of supervisors may allow an additional
11 amount to make an aggregate not to exceed said sum, and each addi-
12 tional deputy shall receive one-half the amount of the salary of the
13 recorder unless said amount exceeds fifteen hundred dollars, in which
14 event the salary shall not exceed said last named sum.

15 3. In any county having within its limits a city with a popula-
16 tion of forty-five thousand or over, the salaries of the chief deputy
17 and one to be designated by the recorder as second deputy shall each
18 receive sixty-five per cent of the amount of the salary of the recorder
19 and each additional deputy shall receive one-half the amount of the
20 salary of the recorder. If more than four deputies are required or
21 additional clerks, the board of supervisors shall fix the amount of
22 their compensation.

[C., '51, § 417; R., '60, § 648; C., '73, § 771; C., '97, § 496;
S., '13, § 496; 37 G. A., ch. 77, § 4; 38 G. A., ch. 278, § 4;
39 G. A., ch. 260, § 4; 40 G. A., ch. 250, § 6.]

SEC. 3231-a7. Compensation of sheriff.

1 Each sheriff shall receive for his annual salary in counties hav-
2 ing a population of:

3 1. Less than fifteen thousand, seventeen hundred dollars.

- 4 2. Fifteen thousand and less than twenty thousand, eighteen hundred
5 dollar.
- 6 3. Twenty thousand and less than twenty-five thousand, nineteen
7 hundred dollars.
- 8 4. Twenty-five thousand and less than thirty-five thousand, two
9 thousand dollars.
- 10 5. Thirty-five thousand and less than forty thousand, twenty-one
11 hundred dollars.
- 12 6. Forty thousand and less than fifty thousand, twenty-two hundred
13 dollars.
- 14 7. Fifty thousand and less than fifty-eight thousand, twenty-four
15 hundred dollars.
- 16 8. Fifty-eight thousand and less than sixty-five thousand, twenty-
17 six hundred dollars.
- 18 9. Sixty-five thousand and over, twenty-eight hundred dollars.
- 19 10. In any county in which district court is held in two places,
20 three hundred dollars per annum in addition to the foregoing schedule.
- 21 11. In any county where the sheriff is not furnished a residence
22 by the county, an additional sum of three hundred dollars per annum.
- [C., '51, § 2536; R., '60, § 4145; C., '73, §§ 3788, 3789; C.,
'97, § 509; S. S., '15, §§ 510-a, 510-c; 38 G. A., ch. 293, §
4; 40 G. A., ch. 250, § 7.]

SEC. 3231-a8. Compensation of deputy sheriff.

- 1 Each deputy sheriff shall receive as his annual salary in counties
2 having a population of:
- 3 1. Less than fifty thousand, and in any county where district
4 court is held in but one place, not to exceed fifteen hundred dollars,
5 fixed by the board of supervisors.
- 6 2. Fifty thousand or over, sixty-five per cent of the amount of
7 salary of the sheriff to be paid to the one designated by the sheriff
8 as chief deputy, but in the event such amount exceeds eighteen hundred
9 dollars, then to be reduced to said sum.
- 10 3. In any county where district court is held in two places, for
11 the chief deputy and for any deputy other than the chief deputy in
12 charge of the office where such court is held outside the county seat,
13 sixty-five per cent of the amount of the salary of the sheriff.
- [C., '51, § 417; R., '60, § 648; C., '73, § 771; C., '97, § 510;
S. S., '15, § 510-b; 38 G. A., ch. 278, § 5; 40 G. A., ch.
250, § 8.]

SEC. 3231-a9. Compensation of county attorney.

- 1 Each county attorney shall receive as his annual salary in coun-
2 ties having a population of:
- 3 1. Less than fifteen thousand, eleven hundred dollars.
- 4 2. Fifteen thousand and under twenty thousand, fourteen hundred
5 dollars.
- 6 3. Twenty thousand and under twenty-five thousand, sixteen
7 hundred dollars.
- 8 4. Twenty-five thousand and under thirty-five thousand, seven-
9 teen hundred dollars.
- 10 5. Thirty-five thousand and under forty-five thousand, two thousand
11 dollars.

12 6. Forty-five thousand and under fifty-five thousand, twenty-two
13 hundred dollars.

14 7. Fifty-five thousand and under sixty-five thousand, twenty-five
15 hundred dollars.

16 8. Sixty-five thousand and over, three thousand dollars.

17 9. The attorney fees allowed in suits for the county on written
18 instruments, including school fund mortgages, foreclosed, and attor-
19 ney fees allowed in criminal cases.

20 10. In any county where district court is held in two places, an
21 additional sum of five hundred dollars.

22 The county attorney shall also receive his necessary and actual
23 expenses incurred in attending upon his official duties at a place other
24 than his residence and the county seat, which shall be audited and
25 allowed by the board of supervisors of the county.

[C., '97, § 308; S. S., '15, § 308; 38 G. A., ch. 232, § 1; 40 G.
A., ch. 250, § 9.]

SEC. 3231-a10. Compensation of assistant county attorney.

1 Assistant county attorneys shall receive as their annual salary
2 in counties having a population of:

3 1. Less than thirty-six thousand, no compensation.

4 2. Thirty-six thousand and less than forty-five thousand, one
5 thousand dollars.

6 3. Forty-five thousand and less than seventy thousand, fifteen
7 hundred dollars.

8 4. Seventy thousand and over, two thousand dollars.

[C., '97, § 303; S., '13, § 303-a; 37 G. A., ch. 21, § 1; 40 G. A.,
ch. 250, § 10.]

SEC. 3231-a11. Compensation of clerk of district court.

1 Each clerk of the district court shall receive as his annual salary
2 in counties having a population of:

3 1. Less than ten thousand, seventeen hundred dollars.

4 2. Ten thousand and less than fifteen thousand, eighteen hundred
5 dollars.

6 3. Fifteen thousand and less than twenty thousand, nineteen
7 hundred dollars.

8 4. Twenty thousand and less than twenty-five thousand, two
9 thousand dollars.

10 5. Twenty-five thousand and less than thirty thousand, twenty-
11 one hundred dollars.

12 6. Thirty thousand and less than thirty-five thousand, twenty-
13 two hundred dollars.

14 7. Thirty-five thousand and less than forty thousand, twenty-
15 four hundred dollars.

16 8. Forty thousand and less than fifty thousand, twenty-eight
17 hundred dollars.

18 9. Fifty thousand and less than fifty-eight thousand, three thou-
19 sand fifty dollars.

20 10. Fifty-eight thousand and less than sixty-five thousand,
21 thirty-three hundred dollars.

22 11. Sixty-five thousand and over, thirty-four hundred dollars.

23 12. In any county where the district court is held in two places
24 four hundred dollars additional.

[C., '51, § 211; R., '60, § 422; C., '73, § 3784; C., '97, § 297;
S., '13, § 297; 37 G. A., ch. 426, § 1; 38 G. A., ch. 293,
§ 5; 40 G. A., ch. 250, § 11.]

SEC. 3231-a12. Compensation of deputy clerk.

1 Each deputy clerk shall receive as his annual salary in counties
2 having a population of:

3 1. Less than fifty thousand, one-half the amount of the salary
4 of the clerk, but if that amount is less than fifteen hundred dollars,
5 the board of supervisors may allow an additional amount to make an
6 aggregate not to exceed said sum.

7 2. Fifty thousand or over, one deputy to be designated by the
8 clerk as chief deputy shall receive one-half the amount of the salary of
9 the clerk, but if that amount is less than seventeen hundred and fifty
10 dollars, the board of supervisors may allow an additional amount to
11 make an aggregate not to exceed said sum, and each additional deputy
12 shall receive one-half the amount of the salary of the clerk unless
13 said amount exceeds fifteen hundred dollars, in which event the salary
14 shall not exceed said last named sum.

15 3. In any county having within its limits a city with a population
16 of forty-five thousand or over, the salaries of the chief deputy and one
17 to be designated by the clerk as second deputy shall each be sixty-five
18 per cent of the amount of the salary of the clerk, and each additional
19 deputy shall receive one-half the amount of the salary of the clerk.
20 If more than four deputies are required or additional clerks, the board
21 of supervisors shall fix the amount of the compensation.

22 In any county in which the district court is held in two places,
23 the deputy having charge of the office where said court is held outside
24 the county seat, shall receive one-half the amount of the salary of
25 the clerk.

[C., '51, § 417; R., '60, § 648; C., '73, § 771; C., '97, § 298;
S. S., '15, §§ 298, 298-a; 37 G. A., ch. 77, § 1; 38 G. A., ch.
278, § 1; 39 G. A., ch. 260, § 1; 40 G. A., ch. 250, § 12.]

SEC. 3231-a13. Compensation of county superintendent.

1 Each county superintendent of schools shall receive an annual
2 salary of not less than eighteen hundred dollars, and such additional
3 compensation as may be allowed by the board of supervisors in each
4 particular county, but in no case to exceed three thousand dollars.

5 The county superintendent shall also receive the expenses of
6 necessary office stationery and postage and those incurred upon at-
7 tending meetings called by the superintendent of public instruction;
8 claims therefor to be made by verified statement filed with the county
9 auditor who shall draw his warrant upon the county treasurer there-
10 for.

[R., '60, § 2074; C., '73, § 1776; C., '97, § 2742; S., '13, §
2742; 38 G. A., ch. 293, § 6; 39 G. A., ch. 112, §§ 1, 2; 40
G. A., ch. 250, § 13.]

SEC. 3231-a14. Compensation of deputy county superintendent.

1 Each deputy county superintendent shall receive such annual
2 salary as shall be allowed by the county board of education, and

3 which said board shall fix each year in accordance with the provisions
4 of the teachers' minimum wage law.

[C., '51, § 417; R., '60, § 648; C., '73, § 771; S. S., '15, § 2734-b; 37 G. A., ch. 317, § 1; 38 G. A., ch. 303, § 1; 38 G. A., ch. 311, § 1; 40 G. A., ch. 250, § 14.]

SEC. 3231-a15. Salaries payable in monthly installments.

1 The salaries fixed by the foregoing sections of this chapter shall
2 be paid out of the general fund of the county in twelve equal install-
3 ments, one on the first day of each calendar month.

[C., '97, § 308; S. S., '15, § 308; 38 G. A., ch. 232, § 1; 40 G. A., ch. 250, § 15.]

SEC. 3231-a16. Dual county seats.

1 In any county having two county seats and where the district
2 court is held in two places, the first deputy county auditor, county
3 treasurer, county clerk, and county recorder, or the deputy in charge
4 of such office, shall receive sixty-five per cent of the amount of the
5 salary of his principal.

[40 G. A., ch. 250, § 15-a.]

SEC. 3231-a17. Compensation of coroner—fees.

1 The coroner is entitled to charge and receive as his compensa-
2 tion the following fees, which shall be paid out of the county treas-
3 ury when they cannot be obtained from the estate of the deceased:

4 1. For a view of each body upon which an inquest is held, ten
5 dollars.

6 2. For a view of each body upon which no inquest is held, five
7 dollars.

8 3. For issuing each subpoena, warrant, or order for a jury,
9 twenty-five cents.

10 4. For docketing each case, one dollar.

11 5. For each mile traveled to and returning from an examination
12 or inquest, ten cents.

13 6. For taking down in writing the evidence of witnesses, when
14 no stenographer is employed as hereinbefore provided, ten cents per
15 one hundred words.

16 7. For returning a copy of the verdict with minutes of the testi-
17 mony to the state inspector of mines, as provided by law, three dollars.

18 8. For all other services, the same fees as are allowed sheriffs in
19 similar cases, to be paid in like manner.

[C., '51, § 2539; R., '60, § 4148; C., '73, § 3799; C., '97, § 531; 38 G. A., ch. 122, § 3; 40 G. A., ch. 250, § 16.]

CHAPTER 8-B

DEPUTY OFFICERS, ASSISTANTS, AND CLERKS

SECTION 3231-a18. Appointment.

1 Each county auditor, treasurer, recorder, sheriff, county attorney,
2 clerk of the district court, and county superintendent of schools, may,
3 with the approval of the board of supervisors, appoint one or more

4 deputies or assistants, respectively, not holding a county office, for
 5 whose acts he shall be responsible. The number of deputies, assist-
 6 ants, and clerks for each office shall be determined by the board of
 7 supervisors, and such number together with the approval of each ap-
 8 pointment shall be by resolution made of record in the proceedings of
 9 such board.

[C., '51, §§ 411, 415; R., '60, §§ 642, 646, 2069; C., '73, §§ 766, 769, 1770; C., '97, §§ 298, 303, 481, 491, 496, 510, 2734; S., '13, § 303-a; S. S., '15, §§ 298, 481, 491, 510-b, 2734-b; 37 G. A., ch. 317, § 1; 37 G. A., ch. 331, § 1; 38 G. A., ch. 278, §§ 1-5; 38 G. A., ch. 311, § 1; 40 G. A., ch. 250, § 17.]

SEC. 3231-a19. Certificate of appointment—custody.

1 When any such appointment has been approved by the board of
 2 supervisors, the officer making such appointment shall issue in writing
 3 a certificate of such appointment, and file the same in the office of the
 4 auditor where it shall be kept.

[C., '51, § 411; R., '60, § 642; C., '73, § 766; C., '97, §§ 298, 303, 481, 491, 496, 510; S., '13, §§ 303-a, 496; S. S., '15, §§ 298, 481, 491, 510-b; 38 G. A., ch. 278, §§ 1-5; 40 G. A., ch. 250, § 18.]

SEC. 3231-a20. Revocation of appointment—custody.

1 Any certificate of appointment may be revoked in writing at any
 2 time by the officer making the appointment, which revocation shall
 3 be filed and kept in the office of the auditor.

[C., '51, § 411; R., '60, § 642; C., '73, § 766; C., '97, §§ 298, 481, 491, 496, 510; S., '13, § 496; S. S., '15, §§ 298, 481, 491, 510-b; 38 G. A., ch. 278, §§ 1-4; 40 G. A., ch. 250, § 19.]

SEC. 3231-a21. Qualifications.

1 Each deputy shall be required to give a bond in an amount to be
 2 fixed by the officer having the approval of the bond of his principal,
 3 with sureties to be approved by such officer. Such bond when ap-
 4 proved shall be filed and kept in the office of the auditor. Each deputy
 5 shall take the same oath as his principal, which shall be indorsed on
 6 the certificate of appointment.

[C., '51, §§ 411, 416; R., '60, §§ 642, 647; C., '73, §§ 766, 770; C., '97, §§ 298, 481, 491, 496, 510; S., '13, § 496; S. S., '15, §§ 298, 481, 491, 496, 510-b; 38 G. A., ch. 278, §§ 1-5; 40 G. A., ch. 250, § 20.]

SEC. 3231-a22. Powers and duties.

1 Each deputy, assistant, and clerk shall perform such duties as
 2 may be assigned to him or her by the officer making the appointment,
 3 and during the absence or disability of his principal, the deputy or
 4 deputies shall perform the duties of such principal, except a deputy
 5 superintendent of schools shall not perform the duties of his or her
 6 principal in visiting schools or hearing appeals.

[C., '51, § 412; R., '60, § 643; C., '73, § 767; C., '97, §§ 298, 481, 491, 496; S., '13, § 496; S. S., '15, §§ 298, 481, 491; 37 G. A., ch. 331, § 1; 38 G. A., ch. 278, §§ 1-4; 40 G. A., ch. 250, § 21.]

SEC. 3231-a23. Temporary assistance for county attorney.

1 The county attorney may with the approval of a judge of the
 2 district court procure such assistants in the trial of a person charged
 3 with felony as he shall deem necessary and for such assistants upon
 4 presenting to the board of supervisors a certificate of the district
 5 judge before whom said cause was tried, certifying to the services
 6 rendered, shall be allowed a reasonable compensation therefor, to be
 7 fixed by the board of supervisors, but nothing in this chapter shall
 8 prevent the board of supervisors from employing an attorney to
 9 assist the county attorney in any cause or proceeding in which the
 10 state or county is interested.

[C., '97, § 303; S., '13, § 303-a; 40 G. A., ch. 250, § 26.]

SEC. 3231-a24. Temporary assistance for county auditor.

1 In case no deputy shall be appointed, but on account of the pres-
 2 sure of business in his office the auditor is compelled temporarily to
 3 employ assistants, he shall file the bill for such services with the board
 4 of supervisors at their next regular meeting and it shall make a rea-
 5 sonable allowance therefor.

[C., '97, § 481; S. S., '15, § 481; 38 G. A., ch. 278, § 2; 40
 G. A., ch. 247, § 4.]

 CHAPTER 8-C

COLLECTION AND ACCOUNTING OF FEES BY COUNTY OFFICERS

SEC. 3231-a25. Fees belong to county.

1 Except as in this chapter provided, all fees and charges of what-
 2 ever kind collected for official service by any county auditor, treasurer,
 3 recorder, sheriff, clerk of the district court, and their respective depu-
 4 ties or clerks, shall belong to the county.

[R., '60, § 431; C., '73, § 3785; C., '97, §§ 299, 508; S., '13, §
 508; S. S., '15, §§ 479-a, 490-a; 40 G. A., ch. 250, § 22.]

SEC. 3231-a26. Record of fees.

1 Each such officer shall keep a record to be known as the "fee
 2 book" of the office to which it relates and shall be kept in such office
 3 as a part of the permanent county records. It shall be ruled in appro-
 4 priate columns for the date, kind of service, for whom rendered and
 5 the amount of fee collected, and when the charge is for recording an
 6 instrument, the names of the parties thereto. And all said items
 7 shall be entered upon said record at the time the service is rendered.

[C., '51, § 212; R., '60, § 423; C., '73, § 3796; C., '97, §§ 480,
 492; S., '13, § 498; 40 G. A., ch. 250, § 23.]

SEC. 3231-a27. Quarterly reports and payments.

1 Each of such officers shall make itemized and verified reports
 2 quarterly to the board of supervisors showing in detail the fees col-
 3 lected during the preceding quarter. Each such officer shall quarterly
 4 pay into the county treasury all fees collected during the preceding
 5 quarter, take duplicate receipts therefor and file one of such receipts

6 in the office of the auditor. Each such officer shall also enter upon
7 the fee book of his office the date and amount of each payment into
8 the county treasury.

[R., '60, § 431; C., '73, §§ 3785, 3796; C., '97, §§ 299, 480,
492, 495, 508; S., '13, § 508; S. S., '15, § 495; 38 G. A.,
ch. 23, § 1; 40 G. A., ch. 250, § 24.]

SEC. 3231-a28. Exceptions.

1 The foregoing provisions shall not apply to the service of the
2 sheriff for dieting, lodging, and care of prisoners.

[C., '97, § 508; S., '13, § 508; 40 G. A., ch. 250, § 25.]

CHAPTER 9

GENERAL DUTIES OF COUNTY OFFICERS

SECTION 3241-a1. Expenditures confined to receipts.

1 It shall be unlawful for any county, or for any officer thereof
2 to allow any claim, or to issue any warrant, or to enter into any con-
3 tract, which will result, during said year, in an expenditure from any
4 county fund in excess of an amount equal to the collectible revenues in
5 said fund for said year, plus any unexpended balance in said fund for
6 any previous years.

7 Any officer allowing a claim, issuing a warrant, or making a con-
8 tract contrary to the provisions of this section, shall be held personally
9 liable for the payment of the claim or warrant, or the performance of
10 the contract.

[40 G. A., ch. 104, § 1; 40 G. A., ch. 105, § 1.]

SEC. 3241-a2. Exceptions.

1 The preceding section shall not apply:

2 1. To expenditures for bridges or buildings destroyed by fire or
3 flood or other extraordinary casualty, or expenses incurred in con-
4 nection with the operation of the courts.

5 2. To expenditures for bridges which are made necessary in any
6 year by the construction of a public drainage improvement.

7 3. To expenditures for the benefit of any person entitled to re-
8 ceive help from public funds.

9 4. To expenditures authorized by vote of the electors.

10 5. To expenditures contracted prior to July fourth, nineteen hun-
11 dred twenty-three, for and on account of county activities authorized
12 by law.

13 6. To expenditures contracted prior to July fourth, nineteen hun-
14 dred twenty-three, of every kind and character for the funding and
15 refunding of legal obligations or indebtedness of the county by bond-
16 ing or otherwise as provided by law.

17 7. To expenditures from the county funds which are to be re-
18 funded from the primary road fund.

19 8. To expenditures from the county general fund legally payable
20 from that fund and contracted prior to January first, nineteen hun-
21 dred twenty-four.

[40 G. A., ch. 104, § 2; 40 G. A., ch. 105, § 2.]

SEC. 3241-a3. Attending conventions—unallowable expense.

1 It shall be unlawful for the county board of supervisors to allow
 2 any claim or authorize the issue of any warrant for the purpose of
 3 defraying the expense of any county official to any state convention
 4 of county officials or of any such group meetings of county officials
 5 of a portion of the state of Iowa less than the entire state. If any
 6 warrants are authorized and issued contrary to the provisions of this
 7 section, the county treasurer shall refuse to honor the same by pay-
 8 ment.

[40 G. A., ch. 106, §§ 1, 2.]

CHAPTER 10
SUBMISSION OF QUESTIONS TO VOTERS**SECTION 3242-a1. Expenditures in special cases.**

1 In any county where a courthouse has been or is destroyed by
 2 fire and an amount of not less than one hundred thousand dollars has
 3 been raised by public subscription and donated to the county for the
 4 purpose of erecting a courthouse, the board of supervisors may use
 5 the amount so donated for the construction of the courthouse and in
 6 addition thereto may appropriate from the general fund of the county
 7 for such purpose a sum not exceeding one-half of the amount do-
 8 nated, provided there is in the general fund of the county, unappropri-
 9 ated for other purposes, an amount sufficient from which to pay such
 10 appropriation.

[40 G. A., ch. 107.]

CHAPTER 11
COUNTY BONDS**SECTION 3261. County bonds—form of.**

1 When the outstanding indebtedness of any county on the first
 2 day of January, April, June, or September in any year exceeds the
 3 sum of five thousand dollars, the board of supervisors, by a two-thirds
 4 vote of all its members, may fund or refund the same, and issue the
 5 bonds of the county therefor in sums not less than one hundred dollars
 6 nor more than one thousand dollars each, payable at a time stated, not
 7 more than twenty years from their date. In counties containing a city
 8 or cities of the first class, the indebtedness incurred in the making and
 9 repairing of the bridges may be refunded whenever such outstanding
 10 indebtedness equals or exceeds the sum of five thousand dollars, the
 11 tax to pay such bonds and interest to be levied as hereinafter provided,
 12 but only on the assessable property in the county outside of the limits
 13 of said city or cities of the first class. Said bonds shall bear interest
 14 not exceeding five per cent per annum, payable semiannually, and be
 15 substantially in the following form, but subject to changes that will
 16 conform them to the resolution of the said board, to wit:

17 No....., Iowa,

18 The county of....., in the state of Iowa, for value

19 received, promises to pay to bearer.....dollars, lawful
 20 money of the United States of America, on....., with interest
 21 on said sum from the date hereof until paid at the rate of.....per
 22 cent per annum, payable.....annually on the first days of.....
 23 and.....in each year, on presentation and surrender of the
 24 interest coupons hereto attached. Both principal and interest payable
 25 at.....

26 This bond is issued by the board of supervisors of said county
 27 pursuant to the provisions of section thirty-two hundred sixty-one,
 28 chapter eleven, title twelve of the code of Iowa, and in conformity to
 29 a resolution of said board duly passed.

30 And it is hereby certified and recited that all acts, conditions and
 31 things required by the laws and constitution of the state of Iowa to be
 32 done precedent to and in the issue of this bond have been properly
 33 done, happened and been performed in regular and due form, as
 34 required by law, and that the total indebtedness of said county,
 35 including this bond, does not exceed the constitutional or statutory
 36 limitations.

37 In testimony whereof, said county, by its board of supervisors,
 38 has caused this bond to be signed by the chairman of the board and
 39 attested by the auditor, with the county seal attached, this.....
 40 day of.....

41
 42 Chairman Board of Supervisors.

43 Attest:
 44
 45 County Auditor,County, Iowa.

46 (Form of Coupon.)

47 The treasurer of.....county, Iowa, will pay to bearer
 48dollars, on....., at....., for
 49annual interest on its.....bond, dated
 50

51 No.....
 52County Auditor.

[C., '73, § 289; C., '97, § 403; S., '13, § 403; 40 G. A., ch. 108,
 § 12.]

SEC. 3266-a1. Unexpended balance—transfer.

1 The board of supervisors may, by resolution, transfer to the gen-
 2 eral fund any excess remaining from the proceeds of a county bond
 3 issue voted by the people, after the full completion of the purposes
 4 thereof.

[40 G. A., ch. 109, §1.]

CHAPTER 12

SUPPORT OF THE POOR

SECTION 3300. Expenses—tax.

1 The expense of supporting the poor shall be paid out of the county
 2 treasury in the same manner as other disbursements for county pur-
 3 poses; and in case the ordinary revenue of the county proves insuffi-

4 cient for the support of the poor, the board may levy a poor tax, not
5 exceeding three mills on the dollar, to be entered on the tax list and
6 collected as the ordinary county tax.

[C., '51, § 844; R., '60, § 1412; C., '73, § 1381; C., '97, § 2247;
S., '13, § 2247; 40 G. A., ch. 110.]

CHAPTER 13

COUNTY HOMES

SECTION 3301. County homes — establishment — submission to • vote.

1 The board of supervisors of each county may order the establish-
2 ment of a county home in such county whenever it is deemed advisable,
3 and may make the requisite contracts and carry such order into effect,
4 provided the cost of said county home, if in excess of fifteen thousand
5 dollars, shall be first estimated by said board and approved by vote of
6 the people.

[C., '51, § 828; R., '60, § 1396; C., '73, § 1372; C., '97, § 2241;
S. S., '15, § 2241; 39 G. A., ch. 273.]

SEC. 3302. Contracts—government.

[Repealed by 40 G. A., ch. 251, and the two following sections
enacted in lieu thereof.]

SEC. 3302-a1. County home—rules.

1 The board of supervisors, or any committee appointed by it for
2 that purpose, may make all contracts and purchases requisite for the
3 county farm and home and may prescribe rules or regulations for
4 the management and government of the same, and for the sobriety,
5 morality and industry of its occupants.

[C., '51, § 833; R., '60, § 1401; C., '73, § 1373; C., '97, §
2242; S., '13, § 2242; 40 G. A., ch. 251, § 1.]

SEC. 3302-a2. Receipts and disbursements published—inventory.

1 The board of supervisors shall, during the month of January of
2 each year, publish in the official papers of the county as part of its
3 proceedings, a financial statement of the receipts of the county home,
4 or county farm, itemizing the same and stating the source thereof,
5 which report shall also set forth the total expenditures thereof and
6 the value of the property on hand on January first of the year for
7 which the report is made and a comparison with the inventory of the
8 previous year.

[38 G. A., ch. 260, § 1; 40 G. A., ch. 251, § 2.]

SEC. 3304. Admission to county home—labor.

[Repealed by 40 G. A., ch. 251, and the two following sections
enacted in lieu thereof.]

SEC. 3304-a1. Admission—labor required.

1 The steward shall receive into the county home any person pro-
 2 ducing an order as hereafter provided, and enter in a book to be kept
 3 for that purpose, the name, age, and date of his reception, and may
 4 require of persons so admitted such reasonable and moderate labor
 5 as may be suited to their ages and bodily strength, the proceeds of
 6 which, together with the receipts of the poor farm, shall be appro-
 7 priated to the use of the county home in such manner as the board
 8 may determine.

[C., '51, §§ 835, 836; R., '60, §§ 1403, 1404; C., '73, §§ 1375,
 1376; C., '97, § 2244; S., '13, § 2244; 40 G. A., ch. 251,
 § 3.]

SEC. 3304-a2. Admission only on order.

1 No person shall be admitted to the county home except upon the
 2 written order of a township trustee or member of the board of super-
 3 visors, and relief shall be furnished in the county home only, when the
 4 person is able to be taken there, except as hereinbefore otherwise pro-
 5 vided.

[C., '51, § 837; R., '60, § 1405; C., '73, § 1377; C., '97, § 2244;
 S., '13, § 2244; 40 G. A., ch. 251, § 4.]

CHAPTER 14
COUNTY PUBLIC HOSPITALS**SECTION 3309. Public hospital—proceedings for establishment of.**

1 Any county may establish a public hospital in the following man-
 2 ner: When the board of supervisors of any county shall be presented
 3 with a petition signed by two hundred resident freeholders of such
 4 county, one hundred fifty of whom shall not be residents of the city,
 5 town, or village where it is proposed to locate such public hospital,
 6 asking that an annual tax may be levied for the establishment and
 7 maintenance of a public hospital at a place in the county named
 8 therein, and shall specify in their petition the maximum amount of
 9 money proposed to be expended in purchasing or building said hos-
 10 pital, such board of supervisors shall submit the question to the quali-
 11 fied electors of the county at the next general election to be held in
 12 the county, or at a special election called for that purpose, first giving
 13 ninety days' notice thereof in one or more newspapers published in
 14 the county, if any be published therein, and by posting such notice,
 15 written or printed, in each township of the county, which notice shall
 16 include the text of the petition and state the amount of tax to be levied
 17 upon the assessed property of the said county, which tax shall not
 18 exceed two mills on the dollar, for a period of time not exceeding
 19 twenty years and be for the issue of county bonds to provide funds
 20 for the purchase of a site or sites and the erection thereon of a public
 21 hospital, and hospital buildings, and for the support of same; which
 22 said election shall be held at the usual places in such county for elect-
 23 ing county officers, the vote to be canvassed in the same manner as
 24 that for county officers.

25 When the board of supervisors in counties, having a population
 26 of not less than fifty-five thousand or more than sixty-five thousand,
 27 shall be presented with a petition signed by three hundred freeholders
 28 of said county of whom two hundred shall be residents of the city,
 29 town, or village where it is proposed to establish said hospital, which
 30 petition asks for the erection of a detention or contagious disease
 31 hospital at a cost not to exceed forty thousand dollars, the board of
 32 supervisors of said county may order the erection of said detention
 33 or contagious disease hospital at a cost not to exceed forty thousand
 34 dollars, and may issue bonds of the county in addition to all other
 35 outstanding indebtedness, covering the cost of the erection of said
 36 detention or contagious disease hospital, said bonds shall be payable
 37 at the pleasure of the county, at any time within fifteen years,
 38 and shall draw interest at not more than five per cent, and the board
 39 of supervisors shall make a levy sufficient to pay the interest and
 40 principal on said bonds when due, and said tax shall be paid to the
 41 county treasurer of said county and kept in a separate fund which
 42 shall be known as the detention or contagious disease hospital fund,
 43 which fund shall be used to pay off the principal and interest on said
 44 bonds.

[S., '13, § 409-a; 38 G. A., ch. 239, § 1; 40 G. A., ch. 108,
 § 13.]

SEC. 3318. Annual levy for improvement and maintenance.

1 In counties exercising the rights conferred by this chapter, the
 2 board of trustees of said hospital shall, at its regular August meeting
 3 each year, determine and fix the amount necessary for the improve-
 4 ment and maintenance of any such public hospital so established, dur-
 5 ing the ensuing year, in addition to the tax for the hospital fund here-
 6 inbefore provided for, and the president and secretary of the board
 7 shall certify the same to the auditor of such county before September
 8 first of each year; and the board of supervisors of said county shall,
 9 at its September session following, levy a sufficient tax upon the as-
 10 sessed value of the taxable property in the county as will produce said
 11 sum for the ensuing year, but said levy shall not exceed two mills on
 12 such assessed valuation.

[S., '13, § 409-j; 39 G. A., ch. 95.]

SEC. 3327-a1. County wards in public or private hospitals.

1 The board of supervisors of any county in which no county hospi-
 2 tal has been established may in its discretion establish one or more
 3 wards in any public or private hospital situated in the county for the
 4 use of the county under such regulations as may be agreed upon with
 5 the board having such hospital in charge. For such purpose the board
 6 of supervisors may levy a tax of not to exceed one-half of one mill on
 7 the dollar of the taxable property within the county.

[39 G. A., ch. 83, § 1.]

SEC. 3327-a2. Persons entitled to occupy county wards.

1 All questions as to the character of patients who shall occupy said
 2 wards so established and all rules relating to the occupancy thereof
 3 shall be determined by the board of supervisors in the same manner and

4 with the same force and effect as in the case of patients assigned to
5 the county hospital in counties having such.
[39 G. A., ch. 83, § 2.]

CHAPTER 15

COUNTY AID FOR THE BLIND

SECTION 3334. Board of supervisors to aid the blind.

[Repealed by 40 G. A., ch. 252.]

SEC. 3335. Financial aid from the county.

[Repealed by 40 G. A., ch. 252.]

SEC. 3336. Who not entitled to relief.

[Repealed by 40 G. A., ch. 252.]

SEC. 3337. Examiner of the blind—appointment.

[Repealed by 40 G. A., ch. 252.]

SEC. 3338. Duties of examiner—fee.

[Repealed by 40 G. A., ch. 252.]

SEC. 3339. Application for relief—how made.

[Repealed by 40 G. A., ch. 252.]

SEC. 3340. Duty of clerk.

[Repealed by 40 G. A., ch. 252.]

SEC. 3341. Duty of board of supervisors.

[This and the seven preceding sections repealed by 40 G. A., ch. 252, and the six following sections enacted in lieu thereof.]

SEC. 3341-a1. Aid for blind.

1 Any person declared to be blind, under the provisions of this
2 chapter, if male over twenty-one and if female over eighteen years
3 of age, who is not a charge of any charitable institution, and has not
4 an income of over three hundred dollars per annum, and who has
5 resided in Iowa five years and in the county one year immediately
6 before applying therefor, may receive as a benefit the sum of not
7 more than three hundred dollars per annum as the board of super-
8 visors may determine.

[S. S., '15, §§ 2722-i, 2722-j, 2722-k; 38 G. A., ch. 200, §§
1, 2; 40 G. A., ch. 252, § 1.]

SEC. 3341-a2. Examiner for the blind.

1 The board of supervisors in each county shall appoint a regular
2 practicing physician who shall examine applicants for said benefit.

[S. S., '15, § 2722-l; 40 G. A., ch. 252, § 2.]

SEC. 3341-a3. Duties of examiner.

1 The examiner of the blind shall examine all applicants referred
2 to him by the board of supervisors, and indorse on the application a
3 certificate showing whether the applicant is blind or not. The ex-
4 aminer shall keep a register in which he shall enter the name, age, and
5 place of residence of the applicant, and the facts ascertained by the
6 examination, and enter the same on the certificate. He shall be paid
7 from the county treasury for his services the sum of two dollars for
8 each applicant examined.

[S. S., '15, § 2722-m; 40 G. A., ch. 252, § 3.]

SEC. 3341-a4. Application for relief—how made—proof.

1 Any person claiming benefits under the provisions of this chapter
2 may go before the auditor of the county of his residence and make
3 affidavit to the facts which bring him within its provisions, which
4 shall be deemed an application for the benefit. The affidavit shall be
5 accompanied by the affidavits of two reputable citizens, residents of
6 the county, that they have known said applicant to be a resident of
7 the state for five years and of the county for one year immediately
8 preceding the filing of the application. The auditor shall present
9 the matter to the board of supervisors, which shall refer the applica-
10 tion to the examiner of the blind.

[S. S., '15, § 2722-n; 40 G. A., ch. 252, § 4.]

SEC. 3341-a5. Duty of auditor.

1 The auditor shall register the name, address, and number of the
2 applicant, and date of the examination of each applicant who has
3 been determined to be entitled to said benefit, and each year on or
4 before the fifteenth day of January, he shall certify to the board of
5 supervisors the name and address of each such applicant.

[S. S., '15, § 2722-o; 40 G. A., ch. 252, § 5.]

SEC. 3341-a6. Duty of board of supervisors.

1 It shall be the duty of the board of supervisors of each county
2 in this state to cause warrants to be drawn upon the county general
3 fund, or poor fund at the discretion of the board, properly indorsed,
4 payable to each of said persons in said county each quarter in each
5 year thereafter, during the life of said persons, while they are resi-
6 dents of said county and while said disability continues. Where the
7 beneficiary under the provisions of this chapter is for any cause un-
8 able to judiciously expend said fund, the same may be paid to the
9 overseer of the poor or some person appointed by the board of super-
10 visors, who shall expend the same for the use and benefit of the bene-
11 ficiary.

[S. S., '15, §§ 2722-i, 2722-p; 40 G. A., ch. 252, § 6.]

CHAPTER 16

SOLDIERS' RELIEF, MEMORIAL HALLS, AND MONUMENTS

SECTION 3345. Burial of indigent soldiers and sailors—wives and widows of same.

1 The board of supervisors shall designate some suitable person in
 2 each township to cause to be decently interred the body of any honor-
 3 ably discharged soldier, sailor, or marine who served in the army or
 4 navy of the United States during any war, who may hereafter die
 5 without leaving sufficient means to defray the expenses of his funeral.
 6 Such burial shall not be made in any cemetery or burying ground or
 7 part thereof used exclusively for the burial of the pauper dead. The
 8 expenses of such burial shall in no case exceed the sum of one hundred
 9 dollars, and in case surviving relatives of the deceased shall desire to
 10 conduct the funeral, and are unable or unwilling to pay the charges
 11 therefor, they shall be permitted to do so and the expenses shall be
 12 paid as herein provided. The provisions herein contained shall also
 13 apply to the deceased wife or widow of such indigent soldier, sailor,
 14 or marine who may hereafter die without leaving sufficient means to
 15 defray the expenses of her funeral.

[C., '97, § 433; S., '13, § 433; 40 G. A., ch. 111.]

SEC. 3352. Vacancies—various ways for filling.

1 If, for any reason, the grand army posts of the county fail to
 2 select a member or members of such committee to fill any vacancy oc-
 3 ccurring therein, within six months after a vacancy occurs, then the
 4 Spanish-American war veterans' association shall appoint a member
 5 or members to fill any existing vacancies upon such committee from
 6 their association and in any case where the Spanish-American war
 7 veterans' association fail within one year after vacancy occurs to
 8 assume the duty of filling vacancies upon such committee, the Ameri-
 9 can legion posts shall assume the duty of filling any vacancy upon the
 10 committee from members of their association.

[37 G. A., ch. 114, § 3; 39 G. A., ch. 142.]

CHAPTER 18

BOUNTIES ON WILD ANIMALS

SECTION 3357. Bounties—evidence.

[Repealed by 40 G. A., ch. 253.]

SEC. 3358. Pocket gophers—bounty.

[Repealed by 40 G. A., ch. 253.]

SEC. 3359. Proof required.

[Repealed by 40 G. A., ch. 253.]

SEC. 3360. To whom presented.

[Repealed by 40 G. A., ch. 253.]

SEC. 3361. Rattlesnakes.

[Repealed by 40 G. A., ch. 253.]

SEC. 3362. Proof required.

[Repealed by 40 G. A., ch. 253.]

SEC. 3363. To whom presented.

[Repealed by 40 G. A., ch. 253.]

SEC. 3364. Groundhogs.

[Repealed by 40 G. A., ch. 253.]

SEC. 3365. Proof required.

[Repealed by 40 G. A., ch. 253.]

SEC. 3366. To whom presented.

[Repealed by 40 G. A., ch. 253.]

SEC. 3367. Crows.

[Repealed by 40 G. A., ch. 253.]

SEC. 3368. Proof required.

[Repealed by 40 G. A., ch. 253.]

SEC. 3369. Destroyed by auditor.

[This and the twelve preceding sections repealed by 40 G. A., ch. 253, and the seven following sections enacted in lieu thereof.]

SEC. 3369-a1. Bounties on certain animals.

1 The board of supervisors of each county shall allow and pay
 2 from the county treasury bounties for wild animals caught and
 3 killed within the county as follows:

4 For each adult wolf, ten dollars.

5 For each cub wolf, four dollars.

6 For each lynx, one dollar.

7 For each wildcat, one dollar.

8 For each pocket gopher, ten cents.

[R., '60, § 2193; C., '73, § 1487; C., '97, § 2348; S., '13, §§
 2348, 2348-a; 38 G. A., ch. 249, § 1; 40 G. A., ch. 253,
 § 1.]

SEC. 3369-a2. Optional bounties.

1 The board may by resolution adopted and entered of record
 2 authorize the payment of bounties as follows:

3 For each crow, ten cents.

4 For each groundhog, twenty-five cents.

5 For each rattlesnake, fifty cents.

[S., '13, §§ 2348-d, 2348-g, 2348-j; 40 G. A., ch. 253, § 2.]

SEC. 3369-a3. Additional bounties.

1 The board may determine what bounties, in addition to those
 2 named in the two preceding sections, if any, shall be offered and

3 paid by the county on the scalps of such wild animals taken and killed
4 within the county as it may deem it expedient to exterminate, but no
5 such bounty shall exceed five dollars.

[C., '73, § 303; C., '97, § 422; S. S., '15, § 422; 40 G. A., ch. 253, § 3.]

SEC. 3369-a4. Filing claims—proofs.

1 All claims for bounties shall be verified by the claimant, and filed
2 with the county auditor, with such other proof as may be required by
3 the board.

[R., '60, § 2195; C., '73, § 1487; C., '97, § 2348; S., '13, §§ 2348, 2348-b, 2348-e; 38 G. A., ch. 249, § 1; 40 G. A., ch. 253, § 4.]

SEC. 3369-a5. Showing required.

1 The verified claim shall show that each animal for which bounty
2 is claimed was caught and killed within the county within thirty days
3 next prior to the filing of the claim, and the claimant shall exhibit
4 before the county auditor:

- 5 1. The whole skin of each wolf, lynx, or wildcat.
- 6 2. Both front feet and claws of each gopher.
- 7 3. The head and feet of each crow.
- 8 4. The head or scalp of each groundhog.
- 9 5. Two inches of the tail, with rattles attached, of each rattle-
- 10 snake.

[R., '60, § 2194; C., '73, § 1488; C., '97, § 2348; S., '13, §§ 2348, 2348-a—2348-f, 2348-h, 2348-i, 2348-k; 38 G. A., ch. 249, § 1; 40 G. A., ch. 253, § 5.]

SEC. 3369-a6. Auditor to destroy proofs.

1 The auditor shall:

2 1. Destroy or deface the skin of each wolf, lynx, and wildcat so
3 as to prevent their use in obtaining another bounty, and may return
4 to the owner any such defaced skins, and the rattles of any rattle-
5 snake.

6 2. Destroy the heads, scalps, feet, claws, and other portions re-
7 quired to be exhibited of such animals.

[R., '60, § 2194; C., '73, § 1488; C., '97, § 2348; S., '13, §§ 2348, 2348-f, 2348-l; 38 G. A., ch. 249, § 1; 40 G. A., ch. 253, § 6.]

SEC. 3369-a7. False claim to bounty punished.

1 Any person who shall claim or attempt to procure any bounty
2 provided for in this chapter upon any animal killed in another state
3 or county, or upon any animal which has been domesticated, or who
4 shall attempt to obtain any bounty by presenting any false claim or
5 spurious exhibit, shall be fined not more than one hundred dollars
6 nor less than fifty dollars for each offense.

[C., '97, § 2348; S., '13, § 2348; 38 G. A., ch. 249, § 1; 40 G. A., ch. 253, § 7.]

CHAPTER 19

RELOCATION OF COUNTY SEATS

SECTION 3370. Relocation of county seat.

[Repealed by 40 G. A., ch. 254.]

SEC. 3371. Petition for—contents.

[Repealed by 40 G. A., ch. 254.]

SEC. 3372. Remonstrance.

[Repealed by 40 G. A., ch. 254.]

SEC. 3373. Notice of hearing.

[Repealed by 40 G. A., ch. 254.]

SEC. 3374. Hearing—notice of election—when established forty years.

[Repealed by 40 G. A., ch. 254.]

SEC. 3375. Mode of voting.

[Repealed by 40 G. A., ch. 254.]

SEC. 3376. Removal of records—requisite vote.

[This and the six preceding sections repealed by 40 G. A., ch. 254, and the sixteen following sections enacted in lieu thereof.]

SEC. 3376-a1. Time of application—limitation.

1 Petitions for the relocation of a county seat shall be made to
2 the board of supervisors at its regular June session and not oftener
3 than once in five years.

[R., '60, § 231; C., '73, §§ 281, 288; C., '97, § 396; 40 G. A.,
ch. 254, § 1.]

SEC. 3376-a2. Petition—requirements.

1 Said petition may be in different parts and shall be filed with
2 the county auditor at least sixty days before said June session, and
3 shall:

4 1. Designate the city or town at which the petitioners desire to
5 have the county seat relocated.

6 2. Be signed by none but legal voters of the county.

7 3. Contain the section, township, and range on which, or the
8 town, precinct, or ward if in a city, in which the petitioner resides.

9 4. Give the age and time of residence in the county of such
10 petitioner.

11 5. Be accompanied at the time of filing by affidavits of one or
12 more residents of the county, stating:

13 (a) That the signers of the petition were, at the time of sign-
14 ing, legal voters of said county.

15 (b) The number of signers to the petition at the time the affi-
davit is made.

[R., '60, §§ 232, 233; C., '73, § 282; C., '97, § 397; 40 G. A.,
ch. 254, § 2.]

SEC. 3376-a3. Time of hearing.

1 Upon the filing of the petition, the county auditor shall fix a
2 time for the hearing thereon before the board of supervisors, which
3 time shall not be less than sixty nor more than ninety days after the
4 first publication, or after the completed posting, of the notice here-
5 inafter provided for.

[40 G. A., ch. 254, § 3.]

SEC. 3376-a4. Notice.

1 The county auditor shall forthwith cause a notice of the filing of
2 such petition and of the time of hearing thereon, to be published once
3 each week for three consecutive weeks in a newspaper published in
4 the county; if there be no newspaper published in the county, the
5 auditor shall cause said notice to be posted in a public place in each
6 township in the county, and also on the door of the courthouse.

[R., '60, § 235; C., '73, § 284; C., '97, § 399; S., '13, § 399; 40
G. A., ch. 254, § 4.]

SEC. 3376-a5. Remonstrances.

1 Remonstrances against such relocation, signed by voters with
2 like qualifications, and in all respects as required of petitioners, and
3 verified in the same manner, may be filed with the auditor ten days
4 prior to the date of hearing as stated in said notice.

[R., '60, § 239; C., '73, § 283; C., '97, § 398; 40 G. A., ch.
254, § 5.]

SEC. 3376-a6. Objections—evidence.

1 Objections to the legal sufficiency of either the petition or re-
2 monstrance, or any part thereof, may be filed at any time before the
3 hearing commences. The reception of such objections during the
4 hearing shall be at the discretion of the board. The board may
5 disregard any objection which is not specific, or may require it to be
6 made specific. The board may receive evidence with reference to any
7 material fact.

[40 G. A., ch. 254, § 6.]

SEC. 3376-a7. Total rejection of petition or remonstrance.

1 A petition which fails to distinctly state the city or town at
2 which the petitioners desire to have the county seat relocated shall be
3 rejected without further investigation; likewise a petition or remon-
4 strance which is not accompanied by the required affidavits.

[40 G. A., ch. 254, § 7.]

SEC. 3376-a8. Canvass.

1 If the petition is found to be sufficient as provided in the preced-
2 ing section, the board shall proceed to canvass the same, and also the
3 remonstrance if it is found to be sufficient. In such canvass the board
4 shall proceed as follows:

5 1. It shall strike from both the petition and the remonstrance all
6 names which do not appear therein in the form required by this
7 chapter.

8 2. It shall strike from both the petition and the remonstrance
9 the names of all persons shown not to have been legal voters of the
10 county at the time of signing.

11 3. It shall also strike from the petition and remonstrance all
12 names not placed thereon within sixty days next preceding the filing
13 of the petition or remonstrance.

14 4. It shall, after the foregoing has been determined, strike from
15 the petition all names that appear on both petition and remonstrance.

[C., '73, § 285; C., '97, § 400; S., '13, § 400; 40 G. A., ch.
254, § 8.]

SEC. 3376-a9. Election called.

1 If the petition shows, after all names have been stricken as
2 hereinbefore required, that it has been signed by legal voters equal
3 to at least one-half of all legal voters of the county as shown by the
4 last state or federal census, and that such number of voters so signing
5 exceeds the number of voters who have, after all names have been
6 stricken as required, signed the remonstrance, then the board shall
7 order the proposition submitted to a vote of the people.

[R., '60, § 234; C., '73, § 285; C., '97, § 400; S., '13, § 400; 40
G. A., ch. 254, § 9.]

SEC. 3376-a10. Submission of question.

1 The proposal to relocate a county seat shall be submitted at the
2 general election held in the year in which the order is made, if there
3 be sufficient time in which to give the notice hereinafter required.
4 If there be not sufficient time, and in those cases where no general
5 election is held in the year in which the order is made, the board shall
6 submit such proposition at a special election to be called by the board.

[R., '60, § 234; C., '73, § 285; C., '97, § 400; S., '13, § 400; 37
G. A., ch. 62, § 1; 40 G. A., ch. 254, § 10.]

SEC. 3376-a11. Notice of election.

1 The county auditor shall cause notice of such election to be posted
2 in three public places in each township, at least fifty days before the
3 day of election, and shall also cause said notice to be published in
4 some newspaper published in the county and of general circulation
5 therein, if there be one published in the county, once each week for
6 four consecutive weeks, the last of which publications shall be at
7 least twenty days before said election.

[R., '60, § 234; C., '73, § 285; S., '13, § 400; 40 G. A., ch.
254, § 11.]

SEC. 3376-a12. Conduct of election—form of proposition.

1 The election shall be conducted as elections for county officers
2 are conducted. The question shall be submitted in the following
3 form: Shall the proposition to change the county
4 seat to (naming the town or city to which the
5 change is proposed) be adopted?

Yes
 No

[R., '60, §§ 236, 237; C., '73, § 286; C., '97, § 401; 40 G. A., ch.
254, § 12.]

SEC. 3376-a13. Vote necessary to remove.

1 The board shall make a record of the total vote cast for and
 2 against the proposition. If a majority of all the votes cast be in favor
 3 of the proposition, the board shall, except as declared in the next sec-
 4 tion, declare the county seat removed accordingly, and shall, as soon
 5 as practicable, proceed to remove the county records to the new
 6 location.

[R., '60, § 238; C., '73, § 287; C., '97, § 402; S., '13, § 402;
 40 G. A., ch. 254, § 13.]

SEC. 3376-a14. Removal in certain cases.

1 Where a county seat has been located continuously in one city
 2 or town for forty years or more, and the proposal is to relocate such
 3 county seat in another city or town, the corporate limits of which are
 4 more than a mile from the corporate limits of the present county seat,
 5 such proposition shall not be deemed carried, and the county records
 6 shall not be removed to the new county seat unless two-thirds of all
 7 the votes cast be in favor of such proposed removal.

[S., '13, §§ 400, 402; 37 G. A., ch. 34, §§ 1, 2; 40 G. A., ch.
 254, § 14.]

SEC. 3376-a15. Records—time of removal—place of holding court.

1 If the proposition to relocate be carried, the board of supervisors
 2 may permit the county records to remain at the old county seat, and
 3 the district court may continue to hold its sessions thereat until such
 4 time as a new courthouse is built and equipped at the new county seat.

[40 G. A., ch. 254, § 15.]

SEC. 3376-a16. Proof of service.

1 Proof of the giving of notices required by this chapter shall be
 2 made as provided in case of original notices.

[40 G. A., ch. 254, § 16.]

CHAPTER 22
JAILS**SECTION 3401. Duty as to jail and prisoners.**

[Repealed by 40 G. A., ch. 255.]

SEC. 3402. Minors separately confined.

[Repealed by 40 G. A., ch. 255.]

SEC. 3403. Females.

[Repealed by 40 G. A., ch. 255.]

SEC. 3404. Keeper's duty.

[Repealed by 40 G. A., ch. 255.]

SEC. 3405. Sheriff's duty.

[Repealed by 40 G. A., ch. 255.]

SEC. 3406. Calendar returned.

[Repealed by 40 G. A., ch. 255.]

SEC. 3407. What furnished prisoners.

[Repealed by 40 G. A., ch. 255.]

SEC. 3408. Removal in case of fire.

[This and the seven preceding sections repealed by 40 G. A., ch. 255, and the seven following sections enacted in lieu thereof.]

SEC. 3408-a1. Duty as to jail and prisoners.

1 The sheriff shall have charge and custody of the prisoners in
2 the jail or other prisons of his county, and shall receive those law-
3 fully committed, and keep them until discharged by law.

[C., '51, § 172; R., '60, § 385; C., '73, § 339; C., '97, § 501;
40 G. A., ch. 255, § 1.]

SEC. 3408-a2. Minors separately confined.

1 Any sheriff, city marshal, or chief of police, having in his care
2 or custody any prisoner under the age of eighteen years, shall keep
3 such prisoner separate and apart, and prevent communication by such
4 prisoner with prisoners above that age, while such prisoners are not
5 under the personal supervision of such officer, if suitable buildings or
6 jails are provided for that purpose, unless such prisoner is likely to or
7 does exercise an immoral influence over other minors with whom he
8 may be imprisoned. Any officer having charge of prisoners who with-
9 out just cause or excuse neglects or refuses to perform the duties
10 imposed on him by this section may be suspended or removed from
11 office therefor.

[C., '97, § 5638; 40 G. A., ch. 255, § 2.]

SEC. 3408-a3. Females.

1 All jails shall be equipped with a separate apartment for females,
2 who shall be detained only in such apartment, and males and females
3 shall not at the same time be allowed in the same apartment.

[C., '97, § 5639; 40 G. A., ch. 255, § 3.]

SEC. 3408-a4. Keeper's duty—supplies furnished—account.

1 The keeper of each jail shall:

- 2 1. See that the jail is kept in a clean and healthful condition.
- 3 2. Furnish each prisoner with necessary bedding, clothing,
4 towels, fuel, and medical aid.
- 5 3. Serve each prisoner three times each day with an ample
6 quantity of wholesome food.
- 7 4. Furnish each prisoner sufficient clean, fresh water for drink-
8 ing purposes and for personal use.
- 9 5. Keep an accurate account of the items furnished each prisoner.

[C., '51, §§ 3104, 3108; R., '60, §§ 5123, 5127; C., '73, §§
4724, 4727; C., '97, §§ 5640, 5643; 40 G. A., ch. 255, § 4.]

SEC. 3408-a5. Sheriff's duty.

1 The sheriff must keep an accurate calendar of each prisoner
 2 committed to his care, which shall contain his name, place of abode,
 3 the day and hour of commitment and discharge, the cause and term
 4 of commitment, the authority that committed him, and a description
 5 of his person, a statement of his occupation, education, and general
 6 habits. When any prisoner is discharged, such calendar must show
 7 the day and hour when and the authority by which it took place, and
 8 if a person escapes, it must state particularly the time and manner
 9 thereof.

[C., '51, § 3105; R., '60, § 5124; C., '73, § 4725; C., '97, §
 5641; 40 G. A., ch. 255, § 5.]

SEC. 3408-a6. Calendar returned.

1 At the opening of each term of the district court within his
 2 county, the sheriff must return a copy of such calendar to the judge
 3 thereof. If a sheriff neglects or refuses so to do, he shall be punished
 4 by fine not exceeding one hundred dollars.

[C., '51, § 3106; R., '60, § 5125; C., '73, § 4726; C., '97, §
 5642; 40 G. A., ch. 255, § 6.]

SEC. 3408-a7. Removal in case of fire.

1 When a jail or any building contiguous or near thereto is on fire,
 2 and there is reason to apprehend that the prisoners therein may be
 3 injured thereby, the sheriff or keeper must remove such prisoners
 4 to some safe and convenient place, and there confine them so long as
 5 it may be necessary to avoid such danger.

[C., '51, § 3109; R., '60, § 5128; C., '73, § 4728; C., '97, §
 5644; 40 G. A., ch. 255, § 7.]

SEC. 3411. Report.

1 Such report must state the number of persons confined, for what
 2 cause, the number usually confined in one room, the distinction, if
 3 any, observed in the treatment of prisoners, the evils found to exist
 4 in such prisons, and particularly whether any provision of this chapter
 5 has been violated or neglected, and in what respects.

[C., '51, § 3112; R., '60, § 5131; C., '73, § 4731; C., '97, §
 5647; 40 G. A., ch. 255, § 8.]

SEC. 3414. Refractory prisoners.

1 If any person confined in a jail is refractory or disorderly, or
 2 wilfully destroys or injures any part thereof or of its contents, the
 3 sheriff may chain or secure such person, or cause him to be kept in
 4 solitary confinement, not more than ten days for any one offense, dur-
 5 ing which time he may be fed with bread and water only, unless other
 6 food is necessary for the preservation of his health.

[C., '51, § 3115; R., '60, § 5134; C., '73, § 4734; C., '97, §
 5650; 40 G. A., ch. 255, § 9.]

SEC. 3415. Expenses of jail.

1 All charges and expenses for the safekeeping and maintenance of
 2 prisoners shall be allowed by the board of supervisors, except those

3 committed or detained by the authority of the courts of the United
4 States, in which cases the United States must pay such expenses to
5 the county.

[C., '51, § 3116; R., '60, § 5135; C., '73, § 4735; C., '97, §
5651; 40 G. A., ch. 255, § 10.]

SEC. 3418. Under whose direction.

[Repealed by 40 G. A., ch. 255, and the two following sections
enacted in lieu thereof.]

SEC. 3418-a1. Under whose direction.

1 If the sentence is for the violation of any of the statutes of the
2 state, the sheriff of the county shall superintend the performance of
3 the labor, and furnish the tools and materials, if necessary, to work
4 with, at the expense of the county in which the convict is confined,
5 and such county shall be entitled to his earnings.

[C., '51, § 3107; R., '60, § 5126; C., '73, § 4738; C., '97, § 5654;
40 G. A., ch. 255, § 11.]

SEC. 3418-a2. Rules—labor not to be leased.

1 Such labor shall be performed in accordance with such rules as
2 may be made by resolution of the board of supervisors, not inconsis-
3 ent with the provisions of this chapter, and such labor shall not be
4 leased.

[C., '97, § 5654; 40 G. A., ch. 255, § 12.]

SEC. 3420. Attempt to escape—refusal to labor—punishment.

1 The officer having charge of any prisoner may use such means
2 as are necessary to prevent his escape, and if the prisoner attempts
3 to escape or if, being convicted, he refuses to labor, the officer having
4 him in charge may, to secure his person or cause him to labor, deal
5 with him as with other disorderly or refractory prisoners. Such
6 punishment shall be inflicted within the jail or jail inclosure, and the
7 time of such solitary confinement shall not be considered as any part
8 of the time for which the prisoner is sentenced.

[C., '73, § 4740; C., '97, § 5656; 40 G. A., ch. 255, § 13.]

SEC. 3423. Protecting prisoners.

[Repealed by 40 G. A., ch. 255, and the two following sections
enacted in lieu thereof.]

SEC. 3423-a1. Protecting prisoners.

1 The officer having a prisoner in charge shall protect him from
2 insult and annoyance and communication with others while at labor,
3 and going to and returning from the same, and may use such means
4 as are necessary and proper therefor.

[C., '73, § 4743; C., '97, § 5659; 40 G. A., ch. 255, § 14.]

SEC. 3423-a2. Annoyance of prisoner punished.

1 Any person persisting in insulting or annoying or communicat-
2 ing with any prisoner, after being commanded by such officer to
3 desist, shall be punished by a fine not exceeding ten dollars, or by
4 imprisonment not exceeding three days.

[C., '73, § 4743; C., '97, § 5659; 40 G. A., ch. 255, § 15.]

CHAPTER 22-A

BENEFITED WATER DISTRICTS

SECTION 3423-a3. Establishment—limitation.

1 In all counties having a population of more than one hundred
 2 twenty-five thousand in which there is located a permanent federal
 3 or state institution within a distance of ten miles from the corporate
 4 limits of the county seat, and where upon the main traveled thor-
 5 oughfare leading from said county seat to said institution there is
 6 located a water main, the board of supervisors of such counties shall
 7 have the power to establish benefited water districts to embrace all
 8 or such portions of the territory abutting said thoroughfares and
 9 within six hundred feet on either side thereof, as in the judgment
 10 of said board will receive special benefit from water service, to change
 11 the boundaries of such districts from time to time as may become
 12 in the judgment of such board of supervisors just and equitable, and
 13 to assess so much of the cost of such water service, including hy-
 14 drants, against all lots or tracts of land contained in the benefited
 15 district as shall equal and be in proportion to the special benefits con-
 16 ferred by said service and not in excess thereof.

17 In no case shall such assessment exceed twenty-five per centum
 18 of the actual value of said lots or tracts at the time of levy thereof,
 19 except where the water service has been petitioned for, and in such
 20 case the assessment may be levied against the lots or tracts of land
 21 of the district without such twenty-five per centum limitation.

[40 G. A., ch. 112, § 1.]

SEC. 3423-a4. Petitions—notice and hearing.

1 The board of supervisors of such counties may establish bene-
 2 fited districts as provided in the preceding section on the petition
 3 of twenty-five resident property owners within the proposed benefited
 4 district, and shall establish such district upon the petition of seventy-
 5 five per cent of the resident property owners therein. Upon receipt
 6 by the board of supervisors in any such county of a petition as above
 6 provided, such board shall fix the time and place for hearing on said
 7 petition and cause ten days' notice of such hearing to be posted at
 8 three public places within the proposed benefited district. On the
 9 day fixed for such hearing the board shall, by resolution, determine
 10 the necessity for such water service, establish the boundaries of the
 11 benefited district and designate the property to be assessed therein
 12 for such water service.

[40 G. A., ch. 112, § 2.]

SEC. 3423-a5. Record required.

1 The action of the board upon the passage of such resolution of
 2 necessity shall be by yea and nay vote entered of record, which record
 3 shall also show whether such water service was upon the petition of
 4 twenty-five or seventy-five per cent of the resident property owners
 5 within the proposed benefited district.

[40 G. A., ch. 112, § 3.]

SEC. 3423-a6. Tax.

1 The board of supervisors of such counties shall have the power,
 2 after the establishment of any such benefited district and the furnish-
 3 ing to the residents thereof of water service for fire protection and
 4 other public purposes, by any person or corporation, municipal or
 5 private, to levy upon all taxable property within such benefited district
 6 an annual tax for the purpose of paying the cost of such water service
 7 as hereinafter provided.

[40 G. A., ch. 112, § 4.]

SEC. 3423-a7. Levy for water service fund.

1 Any person or corporation, municipal or private, furnishing water
 2 service for fire and other public purposes to the residents of such dis-
 3 trict, shall certify to the county auditor of such county before Sep-
 4 tember first of each year a bill for such water service, duly verified,
 5 and the board of supervisors of such county shall at its September
 6 session following levy a sufficient tax upon the property within said
 7 benefited district as will produce said sum for the ensuing year, which
 8 tax shall be collected in the same manner as other taxes are collected
 9 and paid over by the treasurer of said county to the person or cor-
 10 poration, municipal or private, furnishing the water service. Such
 11 taxes shall be known as water service fund and used only for the pur-
 12 poses authorized by this chapter, and for no other purpose whatever.

[40 G. A., ch. 112, § 5.]

CHAPTER 23
TOWNSHIPS AND TOWNSHIP OFFICERS**SECTION 3445-a1. Maintenance of cemeteries outside of township.**

1 County, city, town, or township boundary lines shall not be a bar-
 2 rier in this state in the application and use of money derived from
 3 taxation imposed by townships for the maintenance and support of
 4 cemeteries as now provided by law, providing that such cemetery is
 5 located not to exceed one mile from the corporate limits or boundary
 6 line of the township in which the tax is raised, and provided that such
 7 township utilizes such cemetery for burial purposes.

[39 G. A., ch. 89; 40 G. A., ch. 113, § 1.]

SEC. 3445-a2. Town use of township cemetery.

1 Whenever any city or town utilizes a township cemetery for
 2 burial purposes, the city or town council and the board of trustees of
 3 the township may join in the common purpose of improving, main-
 4 taining and supporting such cemetery. Whenever any such agree-
 5 ment is entered into between the township and a city or town, the
 6 township trustees and the city or town council shall constitute a joint
 7 cemetery board, but in no case shall the number of votes of the city
 8 or town council exceed that of the township trustees.

[40 G. A., ch. 113, § 2.]

CHAPTER 24

TOWNSHIP HALLS

SECTION 3460. Township hall—submission to vote.

[Repealed by 40 G. A., ch. 256.]

SEC. 3461. Tax to build.

[Repealed by 40 G. A., ch. 256.]

SEC. 3462. Township hall funds — transfer authorized — how made.

[Repealed by 40 G. A., ch. 256.]

SEC. 3463. Location.

[Repealed by 40 G. A., ch. 256.]

SEC. 3464. Trustees to build.

[Repealed by 40 G. A., ch. 256.]

SEC. 3465. Clerk to be custodian.

[Repealed by 40 G. A., ch. 256.]

SEC. 3466. Clerk to give bond.

[Repealed by 40 G. A., ch. 256.]

SEC. 3467. Tax for repairs.

[This and the seven preceding sections repealed by 40 G. A., ch. 256, and the eight following sections enacted in lieu thereof.]

SEC. 3467-a1. Township hall—submission to vote.

1 The trustees, on a petition of a majority of the resident free-
2 holders of any civil township, shall submit to the electors thereof, by
3 posting notices of such election in four conspicuous places in the town-
4 ship, thirty days before election, and the form of the proposition shall
5 be: Shall the proposition to levy a tax of.....mills on the
6 dollar for the erection of a public hall be adopted?

[C., '97, § 567; 40 G. A., ch. 256, § 1.]

SEC. 3467-a2. Tax to build hall.

1 If a majority of the votes cast are in favor of the tax, the trus-
2 tees shall certify such fact to the board of supervisors, and they shall
3 thereupon levy a tax not to exceed the rate voted and not to exceed
4 three mills on the dollar on the taxable property of the township;
5 and when such tax is collected by the treasurer, it shall be paid to the
6 township clerk; but said clerk shall not receive to exceed one per cent
7 for handling said money.

[C., '97, § 568; 40 G. A., ch. 256, § 2.]

SEC. 3467-a3. Township hall funds—transfer authorized.

1 When there are funds in the hands of any township clerk, raised
2 under the provisions of this chapter, when same is not desired for the

3 purposes for which it was raised, then said fund may be transferred
4 to the road fund of any township wherein same was raised, when a
5 petition is presented to the trustees, signed by a majority of the
6 electors of said township that voted at the last regular election prior
7 to the signing of said petition, as shown by the poll books of said
8 township, said transfer of funds to be made by the township clerk
9 upon order of the trustees after the filing of said petition with said
10 clerk.

[S., '13, § 592-b; 40 G. A., ch. 256, § 3.]

SEC. 3467-a4. Location.

1 Any public hall built under the provisions of this chapter shall
2 be located by the township trustees so as to accommodate the greatest
3 number of the resident taxpayers, and for such purpose the trustees
4 may purchase land not to exceed in value one hundred dollars.

[C., '97, § 569; 40 G. A., ch. 256, § 4.]

SEC. 3467-a5. Trustees to build.

1 The township trustees shall have charge of the building of such
2 hall, shall receive bids, and shall let the building of the same to the
3 lowest responsible bidder, and the township clerk shall pay out of the
4 funds collected, only on the order of the trustees of said township.

[C., '97, § 570; 40 G. A., ch. 256, § 5.]

SEC. 3467-a6. Clerk to be custodian—law displayed.

1 The township clerk, under the direction of the trustees, shall be
2 the custodian of the building, and the use thereof may be permitted
3 by the township trustees to citizens of the township for any lawful
4 purpose; and, for the purposes of this chapter, the township clerk is
5 hereby clothed with all the powers and duties of a constable of the
6 township, to maintain order within and about the premises, protect
7 the property, and enforce orders of the township trustees with respect
8 thereto. A copy of this section shall be at all times kept posted in a
9 conspicuous place in said hall.

[C., '97, § 571; 40 G. A., ch. 256, § 6.]

SEC. 3467-a7. Clerk to give bond.

1 When a tax is voted as provided in this chapter, the township
2 clerk shall, before drawing any of said tax from the treasury of the
3 county, execute a bond, with penalty double the amount of said tax,
4 which bond shall be approved by the board of supervisors.

[C., '97, § 572; 40 G. A., ch. 256, § 7.]

SEC. 3467-a8. Tax for repairs.

1 The trustees of any township where such building has been
2 erected are hereby authorized to certify to the board of supervisors
3 that a tax of not exceeding in any one year, one-half mill on the dol-
4 lar, of the taxable property of the township, should be levied, to be
5 used in keeping such building in repair, to furnish same with neces-
6 sary furniture, and provide for the care thereof. When such certifi-
7 cate is filed in the auditor's office, the board of supervisors shall levy
8 such tax.

[C., '97, § 573; 40 G. A., ch. 256, § 8.]

CHAPTER 24-A

TOWNSHIP LICENSES

SECTION 3467-a9. Theaters, pool and billiard rooms, bowling alleys.

1 It shall be unlawful for any person or persons to keep or operate
2 for hire any theater, including moving picture shows, pool or billiard
3 room or bowling alley outside the limits of cities and towns without
4 procuring a license therefor from the township trustees of the town-
5 ship in which the same is located. Licenses shall be issued only upon
6 resolution adopted by the board of trustees, made of record, and all
7 licenses shall be signed by the chairman of the board of trustees and
8 the township clerk. The board of trustees may, by resolution, pre-
9 scribe the terms and conditions under which any of such places may
10 be operated, which conditions shall be entered upon the license and
11 shall also be made a part of the permanent record of the proceedings
12 of the board.

[37 G. A., ch. 358, § 1; 40 G. A., ch. 98, § 1.]

SEC. 3467-a10. Violations.

1 Any person operating a theater, including a moving picture thea-
2 ter, pool or billiard room or bowling alley, without first procuring a
3 license as provided in the preceding section, or any person violating
4 any of the rules and regulations prescribed by the board of trustees
5 for the operation of such places and which is entered of record by
6 them and printed or written upon the license issued, shall be guilty
7 of a misdemeanor and upon conviction shall be fined in any sum not
8 exceeding twenty-five dollars.

[37 G. A., ch. 358, § 2; 40 G. A., ch. 98, § 3.]

TITLE XIII

CITY AND TOWN GOVERNMENT

CHAPTER 1

INCORPORATION

SECTION 3485. Taxation of lands.

1 No lands included within the limits of any city or town having a
 2 population of five thousand or less or within said extended limits
 3 which shall not have been laid off into lots of ten acres or less, or which
 4 shall not subsequently be divided into parcels of ten acres or less by
 5 the extension of streets and alleys, and which shall also in good faith
 6 be occupied and used for agricultural or horticultural purposes, shall
 7 be taxable for any city or town purpose, except that they may be sub-
 8 jected to a road tax to the same extent as though they were outside
 9 of the city or town limits, which tax shall be paid into the city or
 10 town treasury. Said lands shall not be exempt from taxation for
 11 library purposes as provided by section thirty-seven hundred fifty-
 12 eight of this supplement.

[C., '97, § 616; S., '13, § 616; 40 G. A., ch. 114.]

SEC. 3506-a1. Abandonment of charter—funds.

1 When a special charter city or town shall abandon its charter the
 2 funds which it may then have on hand shall be transferred to the
 3 appropriate funds under its new organization in such proportions as
 4 the council shall determine.

[40 G. A., ch. 142, § 1.]

CHAPTER 2

ORGANIZATION AND OFFICERS

SECTION 3511-a1. Voting outside residence precinct—when permitted.

1 Electors who are registered and otherwise qualified and who
 2 change residence from the precinct where registered to another pre-
 3 cinct within ten days preceding the election, may vote in the pre-
 4 cinct where registered except at elections when councilmen are to be
 5 elected by the voters of a ward or district.

[40 G. A., ch. 115.]

SEC. 3547. Compensation of assessors and deputies — special services.

1 Town assessors and assessors in cities of the second class, and
 2 their deputies shall receive the same compensation as township assess-
 3 ors, which shall be determined in the same manner and payable from
 4 the county treasury. In cities of the first class, including those under
 5 the commission form of government, the compensation of the assessor
 6 shall be not more than eighteen hundred dollars per annum, or not
 7 less than five dollars per day for the time actually employed, to be
 8 fixed by the board of supervisors; and that of the deputies not more
 9 than five dollars or less than three dollars and fifty cents per calendar
 10 day, Sunday excepted, for the time actually employed, to be fixed by
 11 the board of supervisors.

12 In cities under the commission form of government having a
 13 population of more than forty-five thousand, and in cities acting under
 14 special charter having a population of more than forty-five thousand,
 15 the board of supervisors shall fix the compensation of the assessor at
 16 twenty-five hundred dollars per annum, and the compensation of not
 17 more than two head deputy assessors at eighteen hundred dollars per
 18 annum.

19 In cities where extra or special services are to be performed by
 20 the assessor the board of supervisors may by special contract with the
 21 assessor determine the compensation to be paid.

[C., '97, § 674; S., '13, § 674; 38 G. A., ch. 103, § 1; 39 G. A.,
 ch. 23, § 1.]

CHAPTER 3

MUNICIPAL MANAGERS

NOTE: This chapter has been transferred from its place in the compiled code and reprinted in this supplement as chapter 39-A of title XIII. The transfer has been made in order to have all the law relative to the city manager plan of government in one place.

SECTION 3555. City manager—duties and compensation.

NOTE: This section has been transferred and reprinted as section 4271-a1 of this supplement. See note at beginning of chapter.

SEC. 3556. Appointment by council—tenure of office.

NOTE: This section has been transferred and reprinted as section 4271-a2 of this supplement. See note at beginning of chapter.

SEC. 3557. Duties which may be imposed.

NOTE: This section has been transferred and reprinted as section 4271-a3 of this supplement. See note at beginning of chapter.

SEC. 3558. Manager's duties to supersede duty of appointive officers.

NOTE: This section has been transferred and reprinted as section 4271-a4 of this supplement. See note at beginning of chapter.

CHAPTER 5

BOARD OF POLICE AND FIRE COMMISSIONERS IN CERTAIN CITIES

SECTION 3563. Board created.

1 There is hereby created and established a board of police and fire
2 commissioners in cities with a population of eight thousand or more
3 in cities having a paid fire department.

[S., '13, § 679-a; 37 G. A., ch. 195.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A., but reprinted in this supplement to correct error in printing of compiled code.

CHAPTER 6

ORDINANCES

SECTION 3580. Recording—publishing—certificate.

1 All ordinances shall, as soon as may be after their passage, be
2 recorded in a book kept for that purpose, and be authenticated by the
3 signature of the presiding officer of the council and the clerk; and all
4 ordinances of a general or permanent nature, and those imposing any
5 fine, penalty, or forfeiture shall be published in a newspaper published
6 and having a general circulation in the city or town; and it shall be
7 sufficient defense to any suit or prosecution for such fine, penalty, or
8 forfeiture to show that no such publication was made; but if no such
9 newspaper is published within the limits of the corporation, then such
10 ordinances may be published in a newspaper to be designated by the
11 council, having a general circulation in such city or town, or by post-
12 ing up copies thereof in three public places within the limits thereof,
13 two of which places shall be the postoffice and the mayor's office of
14 such city or town.

15 When the ordinance is published in a newspaper, it shall take
16 effect from and after its publication; when published by posting, it
17 shall take effect five days thereafter.

18 Immediately following the record of every ordinance, the clerk
19 shall append a certificate, stating therein the time and manner of
20 publication thereof, which certificate shall be presumptive evidence
21 of the facts therein stated.

[R., '60, § 1133; C., '73, § 492; C., '97, § 686; 39 G. A., ch. 84,
§ 1; 40 G. A., ch. 116.]

CHAPTER 7

MAYORS' AND POLICE COURTS

SECTION 3584. Police court—jurisdiction.

1 In cities of the first class wherein there is no municipal or supe-
2 rior court there shall be a police court which in all criminal actions

3 shall have the jurisdiction of a justice of the peace court and a mayor's
4 court. It shall be a court of record, and have a seal to be provided
5 by the council, with the name of the state in the center and the style
6 of the court around the margin. It shall be held in suitable rooms
7 to be provided by the city, and shall always be open for business.

[R., '60, §§ 1116, 1117, 1119; C., '73, §§ 543, 545; C., '97, §
688; 40 G. A., ch. 257, § 1.]

SEC. 3587. Jurisdiction of mayor—may transfer case on own motion—fees.

[Repealed by 40 G. A., ch. 257, and the two following sections enacted in lieu thereof.]

SEC. 3587-a1. Jurisdiction of mayor.

1 In cities having a superior, municipal, or police court, such court
2 shall have exclusive jurisdiction of all actions or prosecutions for vio-
3 lation of city ordinances. In other cities and towns, the mayor shall
4 have exclusive jurisdiction of all actions or prosecutions for violations
5 of city or town ordinances, and shall have, in criminal matters, the
6 jurisdiction of a justice of the peace, coextensive with the county, and
7 in civil cases, the jurisdiction within the city or town that a justice of
8 the peace has within the township. If the mayor or judge of the
9 superior, municipal, or police court is absent or unable to act, the
10 nearest justice of the peace shall have jurisdiction and hold court in
11 criminal cases, and receive the statutory fees, to be paid by the city
12 or county as the case may be.

[R., '60, §§ 1085, 1102, 1105; C., '73, § 506; C., '97, § 691;
S., '13, § 691; 40 G. A., ch. 257, § 2.]

SEC. 3587-a2. Transfer of case—fees.

1 When an information is filed before the mayor for the violation
2 of an ordinance of the city or town, he may, upon his own motion
3 only, at any time before trial, transfer the case for further proceed-
4 ings to any justice of the peace court within such city or town, and
5 such justice of the peace shall have jurisdiction thereof to the same
6 extent and with the same power as the mayor. The fees taxable
7 after the transfer of the case, fixed by ordinance, shall be paid by the
8 city or town to such justice.

[R., '60, § 1105; C., '73, § 544; C., '97, § 691; S., '13, § 691;
40 G. A., ch. 257, § 3.]

CHAPTER 8

GENERAL POWERS

SECTION 3593. Sanitary districts—cleaning streets—tax—bonds—limit of indebtedness.

1 The council of any incorporated city or town, including those
2 organized under the commission form of government, may, by ordi-
3 nance, provide for the establishment of sanitary districts for the col-
4 lection and disposal of garbage and other such waste material as may

5 become dangerous to the public health or detrimental to the best inter-
6 ests of the community, and for the oiling and sprinkling, flushing
7 and cleaning of streets, and may adopt such rules and regulations as
8 are necessary for the proper administration of the provisions of this
9 section.

10 It shall have authority to levy an annual tax within each district
11 not exceeding two mills on the dollar of the taxable property in said
12 district for a fund for the purpose of paying the cost and expense of
13 such collection and disposal of garbage and such other waste material
14 as may become dangerous to the public health, and for the oiling and
15 sprinkling, flushing and cleaning of streets therein.

16 It may, by vote of a majority of the voters of the cities and towns
17 included within the provisions of this section, issue bonds for the
18 purchase or erection of disposal plants. Such bonds shall be payable
19 in not exceeding twenty annual installments and bear interest at not
20 exceeding five per centum per annum, and shall be made payable at
21 such place and be of such form as the city council shall, by ordinance,
22 designate.

23 Such cities and towns may for such purpose incur an indebted-
24 ness not exceeding in the aggregate, added to all other indebtedness,
25 five per centum of the actual value of the taxable property of such city
26 or town as shown by the last preceding assessment roll.

[S. S., '15, § 696-b; 37 G. A., ch. 367, § 1; 40 G. A., ch. 108,
§ 1.]

SEC. 3595. Testing milk cows for tuberculosis—power of cities.

[Repealed by 39 G. A., ch. 169, § 1, and sections seventeen hun-
dred forty-a seven-a, thirty-five hundred ninety-five-a one, thirty-five
hundred ninety-five-a two, and thirty-five hundred ninety-five-a four
enacted in lieu thereof.]

**SEC. 3595-a1. Testing of dairy herds and milk—sanitation—
pasteurization.**

1 Cities and towns, in addition to powers already granted, shall
2 have within their corporate limits the power by ordinance:

3 1. To provide for the inspection of milk, skimmed milk, buttermilk
4 and cream, for domestic or potable use.

5 2. To establish and enforce sanitary requirements for the pro-
6 duction, handling and distribution of milk, skimmed milk, buttermilk
7 and cream for domestic or potable use.

8 3. To compel the tuberculin test by an accredited veterinarian for
9 dairy cattle supplying milk for human consumption.

10 4. To provide for the pasteurization of milk, skimmed milk and
11 cream, except that produced from a cow or herd of cows which have
12 been placed and maintained under state or federal supervision for
13 the eradication of tuberculosis, provided that, a cow or herd of cows
14 shall be considered under such supervision when there is on file in the
15 office of the secretary of agriculture an application for such super-
16 vision, and except that produced from a cow or herd of cows which
17 have been tested and found free of tuberculosis by an accredited prac-
18 ticing veterinarian.

[37 G. A., ch. 342, § 1; 39 G. A., ch. 169, § 1; 40 G. A., ch. 46,
§§ 11, 12.]

SEC. 3595-a2. Ordinance in re tuberculin test.

1 Any ordinance requiring a tuberculin test of a cow or herd of
 2 cows, whose milk is or shall be sold within the corporate limits of any
 3 city or town, as provided in the preceding section, shall further provide
 4 that if such test has not been previously made, it may be applied at
 5 any time within six months from the date of the passage of such
 6 ordinance, and the provisions thereof shall apply only after the ex-
 7 piration of said period.

[39 G. A., ch. 169, § 2.]

SEC. 3595-a3. Accredited practicing veterinarian defined.

NOTE: This section is omitted at this point and reprinted in this supplement as section 1740-a7a in order that closely related matters may appear in the same chapter.

SEC. 3595-a4. Ordinance conflicting with state law.

1 Nothing in sections thirty-five hundred ninety-five-a one and
 2 thirty-five hundred ninety-five-a two of this supplement shall be con-
 3 strued as giving to such cities and towns authority to adopt ordinances
 4 in conflict with the state law, or to abrogate the authority vested in
 5 the secretary of agriculture.

[39 G. A., ch. 169, § 4; 40 G. A., ch. 46, §§ 11, 12.]

SEC. 3596. Burial of the dead—cemeteries.

1 They shall have power to regulate the burial of the dead; to pro-
 2 vide, without the limits of the corporation, places for the interment
 3 of the dead; to cause any body interred contrary to such regulations
 4 to be taken up and buried in accordance therewith; to exercise over
 5 all cemeteries within their limits, and those without their limits estab-
 6 lished by their authority, the powers conferred upon township trustees
 7 with reference to cemeteries or they may, by ordinance, transfer
 8 such duties, and the general management of such cemeteries to a
 9 board of trustees; and to authorize the establishment of crematories
 10 for the cremation of the dead, within or without the limits of such
 11 corporation, and to regulate the same.

[R., '60, § 1060; C., '73, § 458; C., '97, § 697; 40 G. A., ch. 117.]

SEC. 3617. Restricted residence districts—petition.

NOTE: This section has been transferred to chapter 38-B, title XIII, of this supplement, and reprinted as section 4213-a23 in order that it might follow chapter 38-A, title XIII, to which it is closely related.

SEC. 3618. Ordinance, scope of.

NOTE: This section has been transferred to chapter 38-B, title XIII, of this supplement, and reprinted as section 4213-a24 in order that it might follow chapter 38-A, title XIII, to which it is closely related.

SEC. 3619. Ordinance—violations.

NOTE: This section has been transferred to chapter 38-B, title XIII, of this supplement, and reprinted as section 4213-a25 in order that it might follow chapter 38-A, title XIII, to which it is closely related.

SEC. 3619-a1. Restricted districts, building lines and fire limits.

1 Immediately after the passage by the city council of an ordinance
 2 or resolution establishing any restricted district, building lines, fire
 3 limits, the city clerk shall certify such ordinance or resolution and plat
 4 of said district to the county recorder of the county in which the city
 5 is situated.

[39 G. A., ch. 200, § 1.]

SEC. 3619-a2. Recordation.

1 Whenever such ordinance or resolution shall have been certified
 2 to the county recorder, then he shall record the same in the miscellane-
 3 ous record or other book provided for special records.

[39 G. A., ch. 200, § 2.]

SEC. 3619-a3. Index.

1 The county recorder shall index, in the appropriate records, the
 2 said ordinance or resolution and the plat filed in accordance with the
 3 provisions of the second preceding section.

[39 G. A., ch. 200, § 3.]

SEC. 3619-a4. Fees.

1 In no case shall it be the duty of the county recorder to make the
 2 records herein designated except and until the usual and customary
 3 fees for such work have been paid into his hands.

[39 G. A., ch. 200, § 4.]

SEC. 3638. Bonds.

1 Bonds issued under the provisions of this chapter shall mature
 2 in not more than twenty years, be in sums of not less than twenty
 3 nor more than one thousand dollars each, and bear interest at a rate
 4 not exceeding five per cent per annum, payable annually or semi-
 5 annually.

[C., '97, § 726; S. S., '15, § 726; 40 G. A., ch. 108, § 2.]

SEC. 3653. Compelling installation sanitary toilets.

1 Cities and towns, including cities under the commission plan, shall
 2 have the power to compel the removal, abandonment and disuse of all
 3 outside water-closets, privies and privy vaults where there is a sani-
 4 tary sewer in the street or alley or where a sanitary sewer may here-
 5 after be placed in a street or alley abutting upon property that has an
 6 outside water-closet, privy or privy vault and shall have the power
 7 to compel and cause to be installed sanitary toilet and toilet facilities
 8 to be connected with the sanitary sewer.

[38 G. A., ch. 316, § 1; 40 G. A., ch. 118.]

SEC. 3654. Order by local board of health.

1 The board of health of any city or town, whenever they deem it
 2 necessary that any outside water-closet, privy or privy vault be aban-
 3 doned and removed where there is a sanitary sewer in the street or
 4 alley or a sanitary sewer may hereafter be placed in a street or alley
 5 abutting upon property upon which an outside water-closet, privy or

6 privy vault is located, may order that said outside water-closet, privy
7 or privy vault be abandoned and removed and that a sanitary toilet
8 and toilet facilities be installed and connected with the sanitary sewer.
[38 G. A., ch. 316, § 2; 40 G. A., ch. 118.]

SEC. 3660. Annual financial report.

1 It shall be the duty of the chief accounting and warrant issuing
2 officer of each city and town, namely auditor or clerk as the case may
3 be, to prepare and to publish the annual report of the financial condi-
4 tion and transactions of the city or town now or hereafter required by
5 law, and all accounting officers of all boards or commission depart-
6 ments and offices whatsoever within the corporate area receiving or
7 disbursing public funds shall file with the auditor or clerk, within
8 thirty days from the expiration of their fiscal year, a report in writing
9 of official transactions in the form and manner required by law. In
10 case of refusal or gross neglect to comply with the law and provisions
11 herein governing the method of accounting for and reporting municipal
12 transactions herein referred to, the official so delinquent shall be
13 deemed guilty of a misdemeanor. The auditor or clerk aforesaid is
14 hereby authorized to institute legal proceedings to enforce the provi-
15 sions herein requiring report to him.

[S., '13, § 1056-a7.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A., but reprinted to correct error in printing of compiled code.

CHAPTER 9

PARK COMMISSIONERS

SECTION 3667. Tax levy.

1 The board shall, on or before the first day of August of each year,
2 determine and fix the amount or rate not exceeding two and one-half
3 mills on the dollar in all cities and towns on the taxable valuation of
4 such city or town, to be levied, collected, and appropriated for the
5 ensuing year, for general park purposes, and shall cause the same to
6 be certified to the city council, which shall levy such tax or so much
7 thereof as it may deem necessary to promote park interests, and cer-
8 tify the per cent thereof to the county auditor, with the other taxes
9 for said year.

[C., '97, §§ 852, 860; S., '13, § 850-c; 38 G. A., ch. 312, § 1;
40 G. A., ch. 258.]

NOTE: For additional and special tax levies which are temporary (and there-
fore omitted) see:

1. 36 G. A., ch. 155 (S. S., '15, § 850-p), as amended by 38 G. A., ch. 58, and 39 G. A., ch. 26; 40 G. A., ch. 121.
2. 38 G. A., ch. 312, § 1, as amended by 39 G. A., ch. 125, § 1.
3. 40 G. A., ch. 119.

SEC. 3668. Additional tax levy.

[Omitted because special and temporary. See note under section 3667.]

SEC. 3669. Additional tax levy in certain cities—election required.

1 In cities having a population of over twenty-five hundred, said
 2 board is further authorized to submit to the electors of any such city,
 3 voting at a city or special election, called for that purpose, the ques-
 4 tion of the levy of a further additional tax for park purposes, not to
 5 exceed five mills on the dollar on all taxable property of the city over
 6 any term of years not exceeding thirty, to be used for the sole and
 7 only purpose of purchasing and paying for real estate and permanently
 8 improving the same for park purposes.

[C., '97, § 852; S., '13, § 850-c; 38 G. A., ch. 312, § 1; 39 G. A.,
 ch. 162, § 1.]

SEC. 3674. Bonds a lien on real estate.

1 Bonds issued under the provisions of sections thirty-six hundred
 2 seventy and thirty-six hundred seventy-one of the compiled code, and
 3 sections thirty-six hundred sixty-seven and thirty-six hundred sixty-
 4 nine of this supplement, shall be a lien upon all of the real estate
 5 acquired by the commissioners therewith or with the proceeds thereof
 6 and such bonds or proceeds shall be used for the purchase of real
 7 estate or the permanent betterment and improvement thereof. The
 8 board shall have the power to mortgage any real estate purchased or
 9 controlled by it for park purposes to a trustee, for the purpose of
 10 securing the payment of said bonds and after the issuance, there shall
 11 be pledged for the payment of the interest thereon such amount of
 12 the annual tax levied by virtue of said sections as shall be necessary
 13 to make such payment, and the residue of said tax may be used by the
 14 board for the payment of such bonds, for the purchase of real estate
 15 or the permanent improvement of the park and pleasure grounds of
 16 the city.

[C., '97, § 855; S., '13, § 850-f; 38 G. A., ch. 312, § 2.]

NOTE: No change made by the 39th G. A. or the 40th G. A. but reprinted to eliminate the reference to section 3668, which has been omitted from this supplement because it is of a special and temporary nature. See note under section 3667 of this supplement.

SEC. 3675. Maturity of bonds—payment.

1 Such bonds to be issued by the board shall mature in not less
 2 than five nor more than thirty years from date and may be made
 3 payable in annual series; shall be in sums of not less than one hundred
 4 dollars nor more than one thousand dollars, bearing interest at a rate
 5 not exceeding five per cent per annum, payable annually or semi-
 6 annually; said board, after the issuance of any such bonds, shall annu-
 7 ally, in the year of the serial maturity of each thereof, set aside a suf-
 8 ficient sum to pay such annual serial maturity out of the tax levied
 9 by it under the provisions of sections thirty-six hundred seventy and
 10 thirty-six hundred seventy-one of the compiled code, and sections
 11 thirty-six hundred sixty-seven and thirty-six hundred sixty-nine of
 12 this supplement, which sum shall be applied in payment of the prin-
 13 cipal of said serially maturing bonds respectively and not otherwise.

[C., '97, § 854; S., '13, § 850-f; 38 G. A., ch. 312, § 2; 40 G.
 A., ch. 108, § 3; 40 G. A., ch. 120, § 1.]

NOTE: The reference to section 3668 in the above section has been eliminated. Section 3668 has been omitted from this supplement because it is of a special and temporary nature. See note under section 3667 of this supplement.

SEC. 3684. Meandered lake—tax to improve.

[Omitted because special and temporary. See note under section 3667.]

SEC. 3685. City council may appropriate—in certain towns and cities.

[Repealed by 40 G. A., ch. 258.]

SEC. 3686. How expended.

[Repealed by 40 G. A., ch. 258.]

CHAPTER 11
RIVER FRONT COMMISSION—DUTIES AND POWERS**SECTION 3707. Title to river bed—lost boundary lines.**

1 When said commissioners have been so appointed and qualified,
2 the fee simple title to the bed of the meandered stream, separating
3 the corporate limits of the city for which they are appointed, shall
4 immediately vest in the commission in trust for the public, and the
5 same while held by the commission shall be exempt from taxation;
6 but the fee title to the channel or bed of the stream to be located and
7 preserved as hereinafter provided shall remain in the state; and the
8 vested rights of riparian owners and owners of water powers, shall
9 not be injuriously affected by this chapter. Where the original
10 boundary lines separating the land under the control of said commis-
11 sion from the land of the state or of any adjoining landowner, or the
12 monuments marking the same have been lost, destroyed, or in dis-
13 pute, said commissioners may proceed to have said boundary lines
14 established as disputed corners and boundaries are established.

[S., '13, § 879-d; 40 G. A., ch. 259, § 1.]

SEC. 3708. Powers.

1 Said commission may redeem lands between the meandered lines
2 of such stream, construct, regulate, and maintain dams across such
3 streams, provide for and protect, by secure walls or banks, a channel
4 adequate to carry flood waters of a volume equal to all reasonable
5 expectations, based on past experience, and the area drained by such
6 stream, according to expert authority; beautify such walls or banks;
7 and park so much thereof as public interest may require; and where
8 circumstances permit, make any part of the area redeemed and
9 acquired suitable for sites for public buildings. The acts of said com-
10 mission so far as the same may affect city parks, theretofore under
11 the jurisdiction of the park commissioners or additions acquired
12 thereto, shall be subject to the approval of the board of park com-
13 missioners.

[S., '13, § 879-e; 38 G. A., ch. 97, § 1; 40 G. A., ch. 259, § 2.]

CHAPTER 12-A

MUNICIPAL BANDS

SECTION 3729-a1. Levy authorized.

1 Cities having a population of not over forty thousand and towns
2 may, when authorized as hereinafter provided, levy each year a tax of
3 not to exceed two mills for the purpose of providing a fund for the
4 maintenance or employment of a band for musical purposes.

[39 G. A., ch. 37, § 1.]

SEC. 3729-a2. Petition for levy.

1 Said authority shall be initiated by a petition signed by ten per
2 cent of the legal voters of the city or town, as shown by the last regular
3 municipal election. Said petition shall be filed with the council or com-
4 mission and shall request that the following question be submitted to
5 the voters, to wit: "Shall a tax of not exceeding (here insert number)
6 mills be levied each year for the purpose of furnishing a band fund?"

[39 G. A., ch. 37, § 2.]

SEC. 3729-a3. Submission of question to people.

1 When such petition is filed, the council or commission shall cause
2 said question to be submitted to the voters at the first following general
3 municipal election.

[39 G. A., ch. 37, § 3.]

SEC. 3729-a4. Duty to levy tax.

1 Said levy shall be deemed authorized if a majority of the votes
2 cast at said election be in favor of said proposition, and the council or
3 commission shall then levy a tax sufficient to support or employ such
4 band not to exceed two mills on the assessed valuation of such municipi-
5 pality.

[39 G. A., ch. 37, § 4.]

SEC. 3729-a5. Revocation of authority.

1 A like petition may at any time be presented to the council or
2 commission asking that the following proposition be submitted, to wit:
3 "Shall the power to levy a tax for the maintenance or employment of
4 a band be canceled?" Said submission shall be made at any general
5 municipal election as heretofore provided, and if a majority of the
6 votes cast be in favor of said question, no further levy for said purpose
7 shall be made.

[39 G. A., ch. 37, § 5.]

SEC. 3729-a6. Disposition of funds.

1 All funds derived from said levy shall be expended as set out in
2 section thirty-seven hundred twenty-nine-a one of this supplement by
3 the council or commission.

[39 G. A., ch. 37, § 6.]

CHAPTER 13

COMFORT STATIONS

SECTION 3730. Public comfort stations.

1 Any town of one thousand or more inhabitants and any city of
 2 less than twenty-five thousand inhabitants may establish and main-
 3 tain one public comfort station. Any city of more than twenty-five
 4 thousand inhabitants and less than fifty thousand may establish and
 5 maintain two public comfort stations, and any city of over fifty thou-
 6 sand inhabitants may establish and maintain three public comfort
 7 stations.

[37 G. A., ch. 232, § 1; 40 G. A., ch. 260.]

CHAPTER 14

JUVENILE PLAYGROUNDS

SECTION 3734. Juvenile playgrounds—election.

1 All cities shall have the power to provide one or more play-
 2 grounds, as hereinafter provided, the number and location thereof to
 3 be determined by the city council; provided, however, the electors of
 4 such city, at a general or special election called for that purpose, shall
 5 first vote in favor of the establishment of such playgrounds and the
 6 issuing of city bonds for the providing thereof, or shall vote for the
 7 equipment and maintenance of playgrounds and recreation centers on
 8 lands or in buildings already owned by such city.
 9 The city council may, on its own motion, order the question of
 10 providing such playgrounds submitted to a vote of the electors of
 11 such city at a regular election or at a special election called for that
 12 purpose; or the mayor shall submit such question to such vote on a
 13 petition of fifteen per cent of the qualified electors of such city as
 14 shown by the poll books of the last municipal election. The proposi-
 15 tion to be submitted shall be: "Shall the proposition to establish
 16 juvenile playgrounds (or playground, if only one) for children of the
 17 city of (name of city) and to authorize a city bond issue of \$.....
 18 (state the amount to be issued) as provided for in chapter fourteen
 19 of title thirteen of the code of Iowa be adopted?" Or the following
 20 question may be submitted: "Shall the city of (name of city) estab-
 21 lish playgrounds and recreation centers on lands already owned or to
 22 be leased by the city?" Said election shall be conducted, the vote
 23 canvassed and the result declared in the same manner as is by law
 24 provided for the holding of other municipal elections. If a majority
 25 of the votes cast on said proposition be in favor of the establishment
 26 of such playgrounds, then the city council shall thereupon establish
 27 the same, as hereinafter provided; if a majority of the votes cast are
 28 opposed to such proposition, said question shall not be again submitted
 29 to the voters of said city within two years thereafter but may then
 30 be again submitted as above provided.

[S. S., '15, § 879-r; 37 G. A., ch. 181, § 1; 40 G. A., ch. 122,
 §§ 1, 2.]

SEC. 3737-a1. Use of funds.

1 In all cities where under section thirty-seven hundred thirty-four
 2 of this supplement the purchase of playgrounds and the issuance of
 3 bonds therefor have been authorized by the voters at an election held
 4 as provided in said section, the city council shall have authority to
 5 levy and use the playground fund authorized by section thirty-seven
 6 hundred thirty-seven of the compiled code, in the equipment and
 7 maintenance of all playgrounds owned and operated by said city, and
 8 to cooperate with the school board or boards within said city in pro-
 9 viding for joint operation and maintenance, and for unified control of
 10 all public playgrounds maintained within said city.

[40 G. A., ch. 123.]

CHAPTER 15
CITY HALLS**SECTION 3740. City hall.**

1 Cities and towns, including cities under commission plan, shall
 2 have power to erect a city or town hall and to purchase the ground
 3 therefor. Such building may be erected and used for general com-
 4 munity and municipal purposes, including assembly hall, auditorium,
 5 public hall, armory, council chamber and offices, fire and police station,
 6 waterworks or for any one or more of such purposes, and when
 7 erected shall be under such regulations as to use and compensation for
 8 such use when used for other than municipal purposes as the council
 9 may from time to time direct.

[S. S., '15, § 741-d; 37 G. A., ch. 182, § 1; 39 G. A., ch. 21, § 1.]

CHAPTER 16
PUBLIC LIBRARIES**SECTION 3750. Library trustees.**

[Repealed by 39 G. A., ch. 265, and the seven following sections enacted in lieu thereof.]

SEC. 3750-a1. Board of library trustees.

1 In any city or town in which a free library has been established,
 2 there shall be a board of library trustees, consisting of five, seven or
 3 nine members to be appointed by the mayor, by and with the approval
 4 of the city council, which shall also establish by ordinance the number
 5 to be appointed.

[C., '97, § 728; S. S., '15, § 728; 39 G. A., ch. 265.]

SEC. 3750-a2. Term of office.

1 Of said trustees so appointed on boards to consist of nine members,
 2 three shall hold office for two years, three for four years, and three for

3 six years; on boards to consist of seven members, two shall hold office
 4 for two years, two for four years, and three for six years each; and on
 5 boards to consist of five members, one shall hold office for two years,
 6 two for four years and two for six years, from the first day of July fol-
 7 lowing their appointment in each case, and at their first meeting they
 8 shall cast lots for their respective terms, reporting the result of such
 9 lot to the council. All subsequent appointments, whatever the size of
 10 the board shall be for terms of six years each, except to fill vacancies.

[C., '97, § 728; S. S., '15, § 728; 39 G. A., ch. 265.]

SEC. 3750-a3. Qualifications of members.

1 Bona fide citizens and residents of the city or town, male or female,
 2 over the age of twenty-one years, are alone eligible to membership.

[C., '97, § 728; S. S., '15, § 728; 39 G. A., ch. 265.]

SEC. 3750-a4. Vacancies.

1 Vacancies in the board shall be filled by appointment by the mayor,
 2 by and with approval of the city council, such appointees to fill out the
 3 unexpired term for which the appointment is made.

[C., '97, § 728; S. S., '15, § 728; 39 G. A., ch. 265.]

SEC. 3750-a5. Vacancy by reason of removal or absence.

1 The removal of any trustee permanently from the city, or his
 2 absence from six consecutive regular meetings of the board, except in
 3 case of sickness or temporary absence from the city, without due ex-
 4 planation of absence shall render his office as trustee vacant.

[C., '97, § 728; S. S., '15, § 728; 39 G. A., ch. 265.]

SEC. 3750-a6. Compensation.

1 Members of said board shall receive no compensation for their
 2 services.

[C., '97, § 728; S. S., '15, § 728; 39 G. A., ch. 265.]

SEC. 3750-a7. Joint libraries—expenditure permitted.

1 In cities and incorporated towns where a college or university is
 2 located it shall be lawful for the city or town and such institution of
 3 learning to jointly establish and maintain a public library for their
 4 mutual benefit upon such terms and conditions as regards mainte-
 5 nance, control, appointment of library trustees, and other incidents of
 6 joint control as may in any lawful manner be mutually agreed upon
 7 between them; but no city or town may undertake to contribute toward
 8 the maintenance more than the amount produced by a rate of taxation
 9 therefor allowed by law, and no person shall be appointed or confirmed
 10 as library trustee other than such having the qualifications required
 11 by law.

[C., '97, § 728; S. S., '15, § 728; 39 G. A., ch. 265.]

SEC. 3752. Power to contract for use of books.

1 The board of library trustees of any free public library shall have
 2 power to contract with any school corporation, the township trustees
 3 of any civil township, the board of supervisors of the county in which

4 said library is situated, and the council of any city or town, whether
 5 such school corporation, civil township, or city or town be in the same
 6 county in which such library is situated or in an adjoining county, for
 7 the free use of said library by the residents of such school corporation,
 8 civil township, county, city or town, by one or more of the following
 9 methods in whole or in part:

10 1. By lending the books of such library to such residents on the
 11 same terms and conditions as to residents of the city or town in which
 12 said library is situated.

13 2. By the establishment of depositories of books of such library to
 14 be loaned to such residents at stated times and places.

15 3. By the transportation of books of such library by wagon or
 16 other conveyance for lending the same to such residents at stated times
 17 and places.

18 4. By the establishment of branch libraries for lending books to
 19 such residents.

20 Such contracts shall provide for the rate of tax to be levied dur-
 21 ing the period of the contract, and such contracts shall remain in force
 22 until terminated by a majority vote of the electors of such school cor-
 23 poration, civil township, county, city, or town.

[S., '13, § 729-a; 39 G. A., ch. 234.]

SEC. 3758. Library tax — additional support — transfer from building to maintenance fund.

1 The board of trustees shall, before the first day of August in each
 2 year, determine and fix the amount or rate, not exceeding five mills
 3 on the dollar in all cities and incorporated towns, of the taxable valua-
 4 tion of such city or town, to be levied, collected and appropriated for
 5 the ensuing year for the maintenance of such library; and in cities
 6 and towns also the amount or rate, not exceeding three mills on the
 7 dollar of the taxable valuation of such city, to be levied, collected and
 8 appropriated for the purchase of real estate and the erection of a
 9 building or buildings thereon for a public library, or for the payment
 10 of interest on any indebtedness incurred for that purpose, and for
 11 the creation of a sinking fund for the extinguishment of such indebt-
 12 edness; and shall cause the same to be certified to the city council,
 13 which shall levy such tax for each of said purposes so determined and
 14 fixed, and certify the per centum thereof to the county auditor, with
 15 the other taxes for said year.

16 When any public library building shall be fully completed and
 17 paid for and a balance remains in the library building fund, the library
 18 trustees are authorized to transfer such excess to the maintenance
 19 fund; provided that this shall not be construed to authorize a levy of
 20 tax for building purposes after the library has been erected with intent
 21 to take advantage of this section to increase the library income for
 22 maintenance purposes.

[C., '97, § 732; S., '13, § 732.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to correct error in printing of compiled code.

A portion of S., '13, § 732, relating to the mulct tax, is now obsolete and has been omitted.

SEC. 3760. Erection and maintenance of memorial libraries—tax.

1 Whenever any city or town has provided for the establishment
 2 of a free public library, the board of supervisors of the county in
 3 which such city or town is located may agree with the council of such
 4 city or town that such library shall be a "soldiers', sailors' and marines'
 5 memorial and public library" and the board of supervisors, for the
 6 erection and maintenance of such memorial and public library shall,
 7 annually, after entering into the agreement with the city or town
 8 council hereinbefore provided for, levy the tax authorized in section
 9 thirty-three hundred forty-two of the compiled code, which tax shall be
 10 used in the erection and maintenance of a soldiers' memorial and public
 11 library as hereinafter provided.

[38 G. A., ch. 252, § 1.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to correct error in printing of compiled code.

CHAPTER 17
SOLDIERS', SAILORS', AND MARINES' MEMORIAL BUILDINGS**SECTION 3767. May issue bonds—limitation.**

1 For the purpose of providing funds for the acquisition of neces-
 2 sary ground therefor, and purchasing, erecting, constructing or recon-
 3 structing such building, and for the necessary equipment therefor,
 4 the county, city or town may issue bonds to be known as liberty me-
 5 morial bonds, to be issued and sold as provided by law; they shall
 6 provide for portions of such bonds to become due at different, definite
 7 periods, but none in less than five nor more than fifty years from date.
 8 In issuing such bonds, such county, city or town may become indebted
 9 in an amount which, added to all other indebtedness, shall not exceed
 10 five per centum of the actual value of the taxable property in such
 11 county, city or town as determined by the last state and county tax
 12 lists, anything in section forty hundred fifty-four of the compiled code
 13 to the contrary notwithstanding. For the purpose of liquidating such
 14 bonds, together with the interest thereon, such county, cities and towns
 15 shall levy upon all the property within the limits thereof, subject to
 16 taxation for such purpose, in addition to all other taxes provided by
 17 law, a special tax not exceeding in any one year eight mills on the dollar
 18 for a period of not exceeding fifty years.

[38 G. A., ch. 170, § 3; 39 G. A., ch. 81, § 1.]

SEC. 3769. Tax levy.

1 In case a building be constructed or purchased under this chapter,
 2 the county, city or town shall thereafter provide annually a levy of
 3 not more than five mills on all the taxable property within said
 4 county, city or town, for the development, operation and maintenance
 5 of such building, in care of a city or town, and it shall seek advice
 6 and suggestions of the community civic congress.

[38 G. A., ch. 170, § 5; 39 G. A., ch. 81, § 2.]

CHAPTER 19

BRIDGES

SECTION 3796. Bonds or warrants—tolls.

1 After such taxes are voted the city may issue its bonds, warrants,
 2 or other certificates drawing such interest not exceeding five per cent
 3 per annum as the city council may determine, payable from such taxes
 4 as they are collected, and from no other source, and pledging them
 5 for their payment. Such taxes shall be used for no other purpose
 6 and such bonds, warrants, or certificates shall not be sold for less than
 7 their par or face value with accrued interest. The city council shall
 8 fix the rate of tolls or charges for passing over the bridge, and such
 9 tolls shall be large enough to pay the interest upon the bonds, war-
 10 rants, or certificates issued for its purchase together with the expense
 11 of maintaining and operating it.

[S., '13, § 766-c; 40 G. A., ch. 108, § 4.]

CHAPTER 22

STREETS AND PUBLIC GROUNDS

SECTION 3808. Establishment — improvement — assessments on abutting property — extending assessment — anticipating assessments.

1 Cities and towns shall have power to establish, lay off, open,
 2 widen, straighten, narrow, vacate, extend, improve and repair streets,
 3 highways, avenues, alleys, public grounds, wharves, landings and
 4 market places within their limits; but no street, avenue, highway, or
 5 alley which shall hereafter be dedicated to public use by the proprietor
 6 of the ground in any municipal corporation shall be deemed a public
 7 street, avenue, highway, or alley, or be under the use or control of
 8 such municipality, unless the dedication shall be accepted and con-
 9 firmed by an ordinance or resolution specially passed for such pur-
 10 pose. The expenses of such extension, repairs and improvements may
 11 be paid from the general fund, or from the highway or poll taxes of
 12 such cities or towns, or partly from each of such funds, or by assess-
 13 ing all or any portion of the cost thereof on abutting and adjacent
 14 property according to the benefits derived from such extension, re-
 15 pairs and improvements as provided in chapter twenty-three, title
 16 thirteen.

17 Provided, however, that the city council may extend the assess-
 18 ments made over a period of not to exceed twenty years payable in
 19 equal annual installments, and that such city council shall have the
 20 power to issue certificates or bonds in anticipation of such assessments
 21 and levies.

22 The district benefited and in which adjacent property is to be
 23 assessed shall be designated and determined by the council in the
 24 ordinance or resolution ordering such extension, repairs and improve-
 25 ments, provided that nothing in this section shall be construed as

26 changing the manner of assessing abutting and adjacent property
 27 for the cost of paving, guttering, curbing or macadamizing streets
 28 and alleys.

[R., '60, §§ 1064, 1097; C., '73, §§ 464, 465, 527; C., '97 §
 751; S. S., '15, § 751; 39 G. A., ch. 184, § 1.]

NOTE: See 39 G. A., ch. 184, § 1, for temporary retroactive provision.

SEC. 3814. Regulation of jitney busses.

[Repealed by 39 G. A., ch. 115, and the five following sections enacted in lieu thereof.]

SEC. 3814-a1. Jitney busses—regulation and license.

1 Cities and towns, including cities acting under the commission
 2 form of government, and cities acting under the city manager plan
 3 of government, shall have power, under the restrictions and conditions
 4 hereinafter named, to regulate and license so called jitney busses and
 5 all motor vehicles operating upon the streets and avenues of such cities
 6 and towns and engaged in carrying passengers for hire on a plan sim-
 7 ilar to that followed by street railway companies; to require such vehi-
 8 cles to be operated over reasonable routes and upon reasonable
 9 schedules; to impose penalties within the limits of section thirty-five
 10 hundred seventy-four of the compiled code, for the violation of any
 11 ordinance enacted hereunder, not inconsistent and in conflict with this
 12 and the four following sections.

[S. S., '15, § 754-a; 39 G. A., ch. 115, § 1.]

SEC. 3814-a2. Excluding jitneys from certain streets.

1 The city or town council may prohibit any such jitney bus or
 2 motor vehicle from operating on that part of any such street or avenue
 3 on which there is operated a street car line or lines when such street
 4 car line is maintained and operated under a franchise granted by any
 5 such city or town.

6 Such jitney or motor bus may cross such street or avenue at right
 7 angles with said street car line or lines, and in addition thereto, said
 8 jitney or motor busses may travel over such streets and avenues so
 9 far only as is necessary to cross bridges.

10 Said busses and vehicles may have a terminus in the business dis-
 11 trict of such city or town, and for the purpose of going to and from
 12 such terminus said busses and vehicles may travel over such portion
 13 only of said prohibited streets and alleys as is necessary to connect
 14 directly with the licensed route of said busses and vehicles over the
 15 streets and alleys on which there are no street car line or lines.

[S. S., '15, § 754-a; 39 G. A. ch. 115, § 2.]

SEC. 3814-a3. Bond—application for license.

1 No such license shall be granted by any such city or town unless
 2 and until the applicant therefor shall:

3 1. File in the office of the clerk of the district court of the county
 4 in which said city or town may be located, an indemnity bond with
 5 sureties to be approved by the clerk of said district court, which said
 6 sureties shall qualify as provided in chapter thirty-one, title thirty-
 7 one.

8 The said bond shall inure to the benefit of the estate of any pas-
 9 senger killed and to the benefit of any passenger who may suffer
 10 bodily injury or property damage by reason of negligence or miscon-
 11 duct on the part of the driver, owner or operator of any such jitney
 12 bus or motor vehicle.

13 The said bond shall be in the following penal sums to wit: If there
 14 is carried in such jitney bus or motor vehicle less than ten passengers
 15 at least five thousand dollars and if there is carried therein ten passen-
 16 gers or more at least ten thousand dollars.

17 In lieu of such bond there may be filed in such office a liability in-
 18 surance policy issued by a company authorized to do business in the
 19 state of Iowa in like amounts for a single claim as for the bonds above
 20 provided, and conditioned that the same shall inure to the benefit of any
 21 passenger upon such vehicle or vehicles in the same manner and way
 22 as the bonds above provided.

23 When said bond or policy is approved by said clerk he shall file the
 24 same in his office for the purpose herein expressed and shall receive for
 25 filing and approving the same a fee of one dollar.

26 2. After the said bond or liability insurance policy is thus ap-
 27 proved, file in the office of the clerk of such city or town an application
 28 for such license stating the type of motor car or jitney bus to be used;
 29 the horse power and the factory number thereof; the state license num-
 30 ber thereof; the seating capacity thereof according to its trade rating;
 31 the age, name and residence of the person to be in the immediate charge
 32 thereof as driver and a statement showing that such driver has at-
 33 tained the age of at least eighteen full years, and if more than one
 34 person is to be in the immediate charge of such jitney or motor bus,
 35 then there must be given the name, age and residence of each said
 36 person and a statement showing that each of said persons has attained
 37 the age of eighteen full years; the street or streets upon which it is
 38 intended to operate; the qualifications and experience of the person
 39 who is to be the driver of such jitney or motor bus, and if more than
 40 one person is to drive the same, then a statement of qualification of
 41 each such person; the name of the owner or owners of the bus or
 42 busses proposed to be operated and a statement that the said bond
 43 herein above named has been filed and approved as herein above pro-
 44 vided.

[S. S., '15, § 754-a; 39 G. A., ch. 115, § 3.]

SEC. 3814-a4. Granting or rejecting.

1 The city or town council may grant or reject the said application
 2 and if the said application is rejected other applications may be made
 3 and likewise the city or town council may grant or reject the same.

[S. S., '15, § 754-a; 39 G. A., ch. 115, § 4.]

SEC. 3814-a5. Violations—penalty.

1 It shall be unlawful for any such jitney or motor bus to thus
 2 operate upon any such streets or avenues without said license and
 3 any person, corporation or copartnership who shall operate any such
 4 jitney or motor bus without such license shall be held guilty of a mis-
 5 demeanor and punished by a fine of not less than fifty dollars, nor

6 more than three hundred dollars, or shall stand committed to the
7 county jail for a period not exceeding sixty days.

[S. S., '15, § 754-a; 39 G. A., ch. 115, § 5.]

SEC. 3817. Flagmen and gates at railroad crossings—speed of trains.

1 Cities and towns shall have power to compel railroad companies
2 to place flagmen, or to erect, construct, maintain and operate suitable
3 mechanical signal devices or gates, upon public streets at railroad
4 crossings, under such regulations as may from time to time be made
5 by the council, provided that in cases where a controversy arises
6 between the railroad company and the council as to the necessity for
7 such flagmen, signal devices or gates, the matter shall be determined
8 by the board of railroad commissioners.

9 Cities and towns, subject to the approval of the railroad commis-
10 sion, shall have power to regulate the speed of trains and locomotives
11 on railways running over the streets or through the limits of the city
12 or town.

[R., '60, § 1057; C., '73, § 456; C., '97, § 769; 39 G. A., ch.
152.]

NOTE: 39 G. A., ch. 57 is omitted from this supplement because it *amended*
section 769 of the code of 1897, which section was *wholly repealed* by 39 G. A.,
ch. 152.

CHAPTER 23

STREET IMPROVEMENTS, SEWERS, AND SPECIAL ASSESSMENTS THEREFOR

SECTION 3849. Assessing cost of improvements—repavement—disposal of waste material.

1 Cities shall have power to improve any street, highway, avenue
2 or alley by grading, parking, curbing, paving, graveling, macadamiz-
3 ing and guttering the same or any part thereof, or by constructing
4 electrical lighting fixtures along the same, and to provide for the mak-
5 ing and reconstruction of such street improvements, and to assess
6 the costs on abutting property as provided in this chapter; but the
7 construction of permanent parking, curbing, paving, graveling, macad-
8 amizing or guttering shall not be done until after the bed therefor
9 shall have been graded, so that such improvement, when fully com-
10 pleted, will bring the street, highway, avenue or alley up to the estab-
11 lished grade; provided that only so much of the cost of the removal
12 of the earth and other material as lies between the subgrade and the
13 established grade shall be assessed to abutting property. And upon
14 the repaving of streets, avenues or alleys they shall have power to use
15 the old material in whole or in part for such reconstruction and dis-
16 pose of the waste material and salvage from the old pavement under
17 such rules and regulations as the council by resolution may direct, the
18 salvage so used in reconstruction or the proceeds derived from the sale
19 of such waste material and salvage to be equitably applied upon the
20 cost of the new improvement; provided, however, no salvage may be
21 sold hereunder until the owner, or his agent, of abutting property

22 shall have been given ten days' notice in writing requiring him to
 23 elect whether he himself desires such salvage, which notice shall be
 24 personally served on the owner or his agent, or, if neither be found,
 25 by posting in a conspicuous place on the abutting property. The elec-
 26 tion, if made, shall be in writing and filed with the city clerk. Any
 27 owner electing to take his salvage shall not be entitled to a pro rata dis-
 28 tribution derived from the proceeds of sale of any salvage hereunder.

[R., '60, § 1097; C., '73, §§ 466, 527; C., '97, § 792; S., '13,
 § 792; 38 G. A., ch. 25, § 1; 39 G. A., ch. 284.]

SEC. 3878. Contractor's bond to repair.

1 Every contract for the making or reconstruction of any street or
 2 sewer improvement, except contracts for street repair and contracts
 3 for street improvement by graveling or oiling or both, shall contain
 4 a provision obligating the contractor and his bondsmen to keep such
 5 improvement in good repair for the period herein provided. In the
 6 case of a street improvement such obligation shall be for a period of
 7 not less than four years after the acceptance of the improvement by
 8 the city and in the case of a sewer improvement such obligation shall
 9 be for a period of not less than two years from such acceptance. The
 10 bond of the contractor in such cases shall be so conditioned as to con-
 11 form to the terms of the contract for the making or reconstruction
 12 of the improvement as herein specified.

[C., '97, § 814; S., '13, § 814; 38 G. A., ch. 234, § 1; 39 G. A.,
 ch. 2, § 1; 39 G. A., ch. 210, § 1; 40 G. A., ch. 124, § 1.]

SEC. 3887-a1. Notice to common carrier.

1 When any common carrier or railway, not including street rail-
 2 ways, owning any land or property affected by any proposed assess-
 3 ment for public improvement in any city, town or county, shall have
 4 filed in the office of the clerk of said city or town, or with the auditor
 5 of said county, as the case may be, wherein such improvement is pro-
 6 posed, an instrument in writing giving a complete description of such
 7 land and designating the name and postoffice address of its agent in
 8 said state upon whom service of notice may be made, the clerk of said
 9 city or town, or the county auditor of said county, shall, not less than
 10 ten days prior to the date set for the levying of assessments covering
 11 such improvement, mail a notice thereof in a registered letter ad-
 12 dressed to such person or agent so designated. Failure to give such
 13 notice shall not delay or invalidate the proceedings or assessment.

[39 G. A., ch. 196, § 1.]

SEC. 3889. Levy of assessment—installments.

1 The special assessments made in said plat and schedule, as cor-
 2 rected and approved, shall be levied at one time, by ordinance or reso-
 3 lution, against the property abutting on such street improvement or
 4 sewer, and, in case of sewers, upon adjacent property, and, when levied
 5 and certified, shall be payable at the office of the county treasurer.
 6 If the owner of any lot or parcel of land or railway or street railway,
 7 the assessment against which is embraced in any bond or certificate
 8 provided for in chapter twenty-six, title thirteen, shall, within thirty
 9 days from the date of such assessment, promise and agree in writing,
 10 indorsed on such bond or certificate, or in a separate agreement, that,

11 in consideration of having the right to pay his assessment in install-
12 ments, he will not make any objection of illegality or irregularity as
13 to the assessment or levy of such tax upon and against his property,
14 and will pay said assessment with interest thereon at such rate, not
15 exceeding six per cent per annum, as shall by ordinance or resolution
16 of the council be prescribed, such tax so levied against the lot or
17 parcel of land or railway or street railway of such owner shall be
18 payable in ten equal installments, the first of which, with interest on
19 the whole assessment from date of acceptance of the work by the city
20 council, shall mature and be payable on the date of such assessment,
21 and the others, with interest on the whole amount unpaid, annually
22 thereafter, at the same time and in the same manner as the March
23 semiannual payment of ordinary taxes; but where no such promise
24 and agreement in writing shall be made by the owner of any lot or
25 parcel of land or railway or street railway within said time, then the
26 whole of said special assessment so levied upon and against the prop-
27 erty of such owner shall mature at one time, and be due and payable,
28 with interest from the date of acceptance of the work by the city
29 council, on the date of such assessment, and shall be collected at the
30 next succeeding March semiannual payment of ordinary taxes. All
31 such taxes with interest shall become delinquent on the first day of
32 March next after their maturity, and shall bear the same interest,
33 with the same penalties, as ordinary taxes.

[C., '97, § 825; S., '13, § 825; 39 G. A., ch. 255.]

SEC. 3903. Appeal.

1 Any person affected by the levy of any special assessment pro-
2 vided for in this chapter may appeal therefrom to the district court
3 as hereinafter provided. The person appealing shall be designated
4 as plaintiff and the city or town as defendant, and a written notice
5 of appeal, directed to such defendant and served upon either the
6 mayor or clerk thereof as original notices in ordinary actions are
7 served, at any time within fifteen days from the date of such levy and
8 within the same time filing in the office of said city or town clerk a
9 bond for the payment of all costs which may be adjudged against the
10 plaintiff which bond shall be approved by either the mayor or clerk
11 thereof or by the clerk of the said district court, in a sum amounting
12 to at least five per cent of plaintiff's assessment appealed from, but in
13 no event less than two hundred fifty dollars, shall be sufficient to give
14 the district court jurisdiction of said appeal and the subject matter
15 thereof.

16 Provided that such plaintiff shall, on or before the first day of
17 the next term of said district court after said notice of appeal is
18 served, file in the office of the clerk of such district court a petition
19 stating as briefly as may be the grounds of complaint.

20 Upon such appeal, all questions touching the validity of such
21 assessments or amount thereof and not waived under the provisions
22 of this chapter shall be heard and determined. The appeal shall be
23 tried as an equitable action and the court may make such assessment
24 as should have been made or direct the making of such assessment
25 by the city or town council. The costs of the appeal shall be taxed
26 as in other actions.

[C., '97, § 839; 40 G. A., ch. 125, § 1.]

SEC. 3912. Paving or graveling highways leading into cities.

1 Cities having a population of two thousand or more, shall have
 2 power to construct paved or graveled roadways along such streets,
 3 avenues or highways within said cities as, in the judgment of the city
 4 councils thereof, constitute main traveled ways into and out of such
 5 cities, and to repair, improve and reconstruct the same, all as herein-
 6 after provided.

[S. S., '15, § 840-h; 39 G. A., ch. 138, § 1.]

SEC. 3913. Paving districts—assessments—limitation.

1 Such cities shall have power to establish districts to embrace such
 2 portions of said cities as, in the judgment of the city councils thereof,
 3 will receive special benefits from the construction, repair, improve-
 4 ment, or reconstruction of such paved or graveled roadways, to change
 5 the boundaries of same from time to time as may become in the judg-
 6 ment of such councils, just and equitable and to assess so much of the
 7 cost of such paved or graveled roadways against all lots or tracts of
 8 land contained in the district within which such improvements are
 9 made, as shall equal and be in proportion to the special benefits con-
 10 ferred by said improvements and not in excess thereof. In no case
 11 shall such assessments exceed twenty-five per centum of the actual
 12 value of said lots or tracts at the time of levy thereof.

[S. S., '15, § 840-i; 39 G. A., ch. 138, § 2.]

SEC. 3914. Resolution of necessity.

1 Whenever the council of any such city shall deem it advisable or
 2 necessary for the benefit of the city as a whole, to construct, repair,
 3 improve or reconstruct any paved or graveled roadway as authorized
 4 by sections thirty-nine hundred twelve, thirty-nine hundred thirteen,
 5 thirty-nine hundred fourteen, thirty-nine hundred fifteen, thirty-nine
 6 hundred seventeen, thirty-nine hundred eighteen, thirty-nine hundred
 7 nineteen of this supplement and thirty-nine hundred sixteen, thirty-
 8 nine hundred twenty, thirty-nine hundred twenty-one and thirty-nine
 9 hundred twenty-two of the compiled code, it shall, in a proposed reso-
 10 lution, declare such advisability or necessity, stating the streets, ave-
 11 nues or highways along which such improvement is to be made, the
 12 terminal points thereof, one or more kinds of material proposed to be
 13 used and the width of such roadway; establishing a district the lots
 14 or tracts of land embraced in which shall be assessed to pay the cost
 15 of said improvement as in this chapter provided; estimating the total
 16 cost of such improvement; and stating the proportion of such esti-
 17 mated total cost which will be assessed against each lot or tract of
 18 land in said district, which proportion shall be determined and fixed
 19 in accordance with the terms of said sections, and with the benefits,
 20 value, area, distance from said roadway and accessibility thereto.

[S. S., '15, § 840-j; 39 G. A., ch. 138, § 3.]

SEC. 3915. Plat and estimate to precede resolution of necessity.

1 Before such proposed resolution shall be introduced the city coun-
 2 cil of such city shall cause to be prepared a plat and schedule which
 3 shall show the district proposed to be established; and each and every
 4 lot and tract of land therein contained, together with the proportion

5 of the total cost which will be assessed against each said lot or tract,
6 and an estimate of the total cost of the proposed improvement, said
7 plat and schedule shall be filed in the office of the city clerk and shall
8 be referred to as being so on file in said proposed resolution.

[S. S., '15, § 840-k; 39 G. A., ch. 138, § 4.]

SEC. 3917. Objections—right to hearing—amending resolution.

1 At the time fixed in said notice for consideration of said resolu-
2 tion, any citizen of such city, or owner of any property affected there-
3 by, may appear and make written objection to the contemplated im-
4 provement, to the boundaries of the proposed district, to the proportion
5 proposed to be assessed against any lot or tract, or to the passage of
6 said resolution. At which hearing the resolution may be amended
7 and passed, or passed as proposed.

[S. S., '15, § 840-m; 39 G. A., ch. 138, § 5.]

SEC. 3918. Ordering construction.

1 Whenever the provisions of sections thirty-nine hundred fourteen,
2 thirty-nine hundred fifteen, thirty-nine hundred seventeen of this sup-
3 plement and thirty-nine hundred sixteen of the compiled code shall
4 have been complied with, such council may, by ordinance or resolution,
5 order the construction, repair improvement or reconstruction of said
6 paved or graveled roadway, upon a yea and nay vote, entered of rec-
7 ord, which record shall also show whether such roadway was peti-
8 tioned for, or made on the motion of the council.

[S. S., '15, § 840-n; 39 G. A., ch. 138, § 6.]

SEC. 3919. Levy to pay portion of costs borne by city.

1 Such city shall have power after the completion of any improve-
2 ment contemplated in sections thirty-nine hundred twelve, thirty-nine
3 hundred thirteen, thirty-nine hundred fourteen, thirty-nine hundred
4 fifteen, thirty-nine hundred seventeen, thirty-nine hundred eighteen
5 and thirty-nine hundred nineteen of this supplement, thirty-nine hun-
6 dred sixteen, thirty-nine hundred twenty, thirty-nine hundred twenty-
7 one and thirty-nine hundred twenty-two of the compiled code to levy
8 upon all taxable property excepting moneys and credits in said city
9 contained, an annual tax for the purpose of paying that portion of the
10 cost of such improvement not borne by the special assessments levied
11 against the lots and tracts of land embraced in the district established
12 therefor, but the aggregate of all such levies shall not exceed ten mills
13 for any one year, except that cities having a population of fifty thou-
14 sand or more may levy a tax not exceeding in the aggregate more
15 than fifteen mills.

[S. S., '15, § 840-o; 37 G. A., ch. 376, § 1; 39 G. A., ch. 138,
§ 7.]

SEC. 3922-a1. Payment from primary road fund.

1 If in any city, extensions of primary roads are being improved
2 or to be improved under the provisions of sections thirty-nine hundred
3 twelve, thirty-nine hundred thirteen, thirty-nine hundred fourteen,
4 thirty-nine hundred fifteen, thirty-nine hundred seventeen, thirty-nine
5 hundred eighteen and thirty-nine hundred nineteen of this supplement,

6 thirty-nine hundred sixteen, thirty-nine hundred twenty, thirty-nine
 7 hundred twenty-one and thirty-nine hundred twenty-two of the com-
 8 piled code, any or all of that portion of the improvement not specially
 9 assessable on the property within the assessment district and which
 10 would under said law have to be met by a tax on the city as a whole,
 11 may be paid from the primary road fund allotted to the county in
 12 which such city is located.

[39 G. A., ch. 230, § 1.]

SEC. 3922-a2. Application for payment from primary road fund.

1 Before proceeding with such improvement for which it is pro-
 2 posed to make part payment from the primary road fund, the city
 3 council shall by resolution make application to the board of super-
 4 visors therefor. This resolution shall specifically state:

- 5 1. The location of the improvement proposed giving the starting
 6 point and terminus thereof.
- 7 2. The approximate length thereof.
- 8 3. The width or widths of paving proposed.
- 9 4. An estimate of the cost of the proposed improvement.
- 10 5. An estimate of the amount that can be specially assessed
 11 against the property within the proposed district.
- 12 6. A statement of the amount to be borne by the city.
- 13 7. A statement of the amount proposed to be paid from the pri-
 14 mary road fund.

15 And shall be accompanied by a plat on which are indicated the
 16 road or street to be improved, the primary road connecting therewith,
 17 the location of other streets or roads in the vicinity, and the approxi-
 18 mate boundaries of the assessment district which it is proposed to
 19 establish.

[39 G. A., ch. 230, § 2; 40 G. A., ch. 127, § 1.]

SEC. 3922-a3. Approval or disapproval by supervisors—review by highway commission.

1 The board of supervisors shall examine said application and shall
 2 within thirty days after the filing thereof with the county auditor,
 3 take action thereon. The board may approve said application in whole
 4 or in part or may wholly reject the same whereupon the resolution,
 5 together with a record of the board's action thereon, shall be forwarded
 6 to the state highway commission for final review. The said com-
 7 mission shall examine said resolution and the action of the board there-
 8 on, and shall within thirty days make final determination thereof. It
 9 may approve the application in whole or in part or may wholly reject
 10 the same. If the application be approved in any part, the commis-
 11 sion shall make an appropriation in aid of said improvement from the
 12 primary road fund allotted said county.

13 The city council and the board of supervisors shall be immediate-
 14 ly notified of the action taken.

[39 G. A., ch. 230, § 3.]

SEC. 3922-a4. Approval of plans—estimates—bills—payment.

1 The plans and specifications for the improvement shall receive the
 2 approval of the state highway commission before the contract is let.
 3 The contract shall be so approved before becoming effective. When

4 the work or any substantial portion thereof is completed to the satis-
 5 faction of the state highway commission, payment of the pro rata
 6 share thereof, payable out of the primary road fund, may be made.
 7 The estimates payable from the said fund shall be prepared, approved
 8 and paid in the usual manner for primary road bills generally except
 9 that said bills shall be approved by the city council instead of the
 10 board of supervisors.

[39 G. A., ch. 230, § 4.]

SEC. 3922-a5. No election required—limitation on payment.

1 The provisions of section twenty-nine hundred fourteen of this
 2 supplement, relative to voting on the question of hard surfacing the
 3 primary roads shall not apply to improvements made hereunder. Pro-
 4 vided, that in counties which have not authorized the hard surfacing
 5 of the primary roads, and in which the said primary roads have not
 6 all been built to finished grade and drained, the state highway com-
 7 mission shall give preference to such grading and draining projects,
 8 and not to exceed twenty per cent of the annual allotment of the pri-
 9 mary road funds may be spent on projects within cities hereunder.

[39 G. A., ch. 230, § 5.]

SEC. 3926. Assessment—levy—certification of delinquent taxes.

1 At the time designated in such notice, the council shall meet, hear
 2 and consider all objections to the whole or any part of such assess-
 3 ment, and shall correct all errors or omissions therein and after such
 4 consideration, the council, by resolution, may adopt said assessment
 5 as proposed or as corrected and levy the same; and all such assess-
 6 ments or any part thereof which are not paid within thirty days after
 7 such levy shall be certified by the clerk to the county auditor as a
 8 special tax against the lot, part of lot, parcel of land, or property
 9 affected, and shall bear interest at the rate of six per cent per annum
 10 from the date the assessment is adopted until paid, and shall be col-
 11 lected by the county treasurer in the same manner as other taxes.

[37 G. A., ch. 172, § 4; 39 G. A., ch. 242.]

CHAPTER 25

PROTECTION OF CITY PROPERTY FROM FLOODS

SECTION 3944. Assessment.

1 When the work is contracted for as herein provided, the council
 2 shall assess the lands and other property included within the improve-
 3 ment district for such part of the cost of the improvement as shall be
 4 equal and in proportion to the benefit conferred by the improvement,
 5 but not in excess of twenty-five per cent of the value of said lands and
 6 other property after the improvement shall have been made.

[S., '13, § 849-e; 38 G. A., ch. 285, § 9; 40 G. A., ch. 128, § 1.]

SEC. 3949. Streets extended.

1 A street or alley intersecting the stream or old channel may be
2 projected across it so as to make a continuous street or alley, and the
3 expense of filling all such streets or alleys shall be included in and
4 paid as a part of the costs of such improvements; and there may be
5 included as a part of the improvement the work of filling the old chan-
6 nel at other places than at the intersection of the same by a street or
7 alley and, if included, the city engineer shall be required to furnish
8 plans and specifications, estimates, plats, and schedules, and the own-
9 ership and value of each lot or parcel of land in the old channel; and,
10 when the improvement is completed, the council shall assess the cost
11 of such filling against the lots and land or parts of lots or land in the
12 channel wholly or partly filled. The limitation in section thirty-eight
13 hundred fifty of the compiled code, relative to twenty-five per cent
14 of the value, shall not be applicable in the assessment of the cost of¹
15 said work of filling, provided, however, that such cost shall not exceed
16 the benefits conferred on the tract so filled.

[S., '13, § 849-f; 38 G. A., ch. 285, § 14; 40 G. A., ch. 128, § 2.]

¹"or" in the enrolled bill.

SEC. 3950. Tax levy.

1 After the contract, or contracts, for making such improvement
2 has been entered into, as herein provided, the council shall ascertain
3 the cost of the work, including the cost of property purchased, or
4 condemned and appropriated, for the purpose of carrying into effect
5 the provisions of this chapter, and the cost of filling the old channel
6 as ordered by the council, and the cost of surveys, plans and speci-
7 fications, estimates, notices, inspection, and supervision, and the pre-
8 paring of plats, and schedules of assessments, and shall thereupon, by
9 resolution, levy the whole of the said cost remaining, after deducting
10 the amount of the special assessments for benefits conferred upon
11 the lands and other property within the improvement district, at one
12 time as a special tax, which levy shall not exceed in the aggregate five
13 mills for all improvements made under this chapter in any one year,
14 upon all the taxable property of the city, including that within the
15 improvement district, excepting moneys and credits. A certificate of
16 such levies and of the special assessments for benefits conferred upon
17 lands and property within the improvement district, shall then be filed
18 by the city clerk with the auditor of the county in which the city is
19 located, and thereupon such taxes and assessments shall be placed
20 upon the tax lists. The proceeds of such taxes and assessments shall
21 be kept as a separate fund and shall be used for the purpose of paying
22 the cost of such improvement, or in paying bonds and certificates with
23 interest issued in anticipation thereof, and for no other purpose.

[S., '13, § 849-e; 38 G. A., ch. 285, § 15; 40 G. A., ch. 128, § 3.]

CHAPTER 26

STREET IMPROVEMENT AND SEWER BONDS AND CERTIFICATES

SECTION 3957. Form.

1 Street improvement and sewer bonds, respectively, issued for any
 2 one levy, shall all bear the same date and be divided into as many
 3 series as there are installment payments of said special assessments,
 4 and each series shall be as nearly equal in amount as practicable.
 5 Each series of said bonds shall mature on the first day of either April,
 6 May or June, as may be determined by the council, of the years in
 7 which the installments of said special taxes come due; shall bear the
 8 name of the street, avenue, highway, alley or district in which said
 9 street improvement or sewer is located, and shall bear interest at a rate
 10 not exceeding five per cent per annum, payable annually or semi-
 11 annually, and coupons for said interest shall be attached thereto. Said
 12 bonds and coupons shall be signed by the mayor, countersigned by the
 13 clerk, and sealed with the corporate seal, and shall be substantially in
 14 the following form, but subject to changes that will conform them to
 15 the ordinance (or resolution) of the council, to wit:

16 The city of....., in the state of Iowa, promises to pay as
 17 hereinafter stated, to the bearer hereof, on the.....day of.....,
 18 the sum of.....dollars, with interest thereon at the rate of.....
 19 per cent per annum, payable.....annually, on the presentation and
 20 surrender of the interest coupons hereto attached. Both principal and
 21 interest of this bond are payable at the.....bank in the city
 22 of....., state of..... This bond is issued by the city
 23 of.....under and by virtue of chapter twenty-six, title
 24 thirteen, of the code of Iowa, and the ordinance (or resolution) of said
 25 city, duly passed on the.....day of....., 1.....

26 This bond is one of a series of bonds of like tenor, date and
 27 amount, numbered fromto.....and issued for the purpose of
 28 defraying the cost of improving, curbing and paving a portion of
 29street (or constructing a sewer on.....street), as
 30 described in said ordinance or resolution, in said city, which cost is
 31 payable by the abutting property along said improvements, and is
 32 made by said law a lien on all said abutting or adjacent property, and
 33 payable in seven annual installments, with interest on all deferred
 34 payments at the rate of five per cent per annum, and this bond is pay-
 35 able only out of the.....fund created by the collection of said
 36 special tax, and said fund can be used for no other purpose.

37 And it is hereby certified and recited that all the acts, conditions
 38 and things required to be done, precedent to, and in the issuing of
 39 this series of bonds, have been done, happened and performed, in regu-
 40 lar and due form, as required by said law and ordinance (or resolu-
 41 tion); and for the assessment, collection and payment hereon of said
 42 special tax, the full faith and diligence of said city of.....are
 43 hereby irrevocably pledged.

44 In testimony whereof, the city of....., by its city council,
 45 has caused this bond to be signed by its mayor and countersigned by
 46 its city clerk, with the seal of said city affixed, this.....day of.....,
 47 1.....

48
 49 City Clerk.

.....
 Mayor.

50 No.....
 51 On the..... day of....., the city of....., Iowa, prom-
 52 ises to pay to bearer, as provided in said bond, the sum of.....
 53 dollars, at the..... bank, in the city of....., being.....
 54 months' interest due that day on its improvement bond No.....
 55 dated....., 1.....
 56
 57 Countersigned. _____ Mayor.
 58 _____
 59 City Clerk.
 [C., '97, § 843; 39 G. A., ch. 64, § 1; 40 G. A., ch. 108, § 5.]

CHAPTER 27

HEATING PLANTS—WATER OR GASWORKS—ELECTRIC PLANTS

SECTION 3974. Petition—management by board of trustees.

1 The council of any city or town, other than cities of the first class
 2 but including cities of the first class under the commission form of
 3 government having a population of less than fifty thousand which
 4 owns or may hereafter acquire waterworks, heating plant, gasworks,
 5 or electric light or electric power plant, may, and upon petition of ten
 6 per cent of the qualified electors of such city or town shall, at any
 7 general election, or at a special election called for that purpose, sub-
 8 mit the question as to whether the management and control of such
 9 waterworks, heating plant, gasworks, or electric light or electric
 10 power plant shall be placed in the hands of a board of trustees.

[38 G. A., ch. 85, § 1; 40 G. A., ch. 129.]

SEC. 3978. Compensation trustees in cities under commission plan.

1 In cities operating under the commission plan and having a popu-
 2 lation of less than fifty thousand the compensation of said trustees
 3 shall be not to exceed three hundred dollars per year to each member
 4 of said board.

[38 G. A., ch. 85, § 5; 40 G. A., ch. 129.]

CHAPTER 28

PURCHASE AND CONSTRUCTION OF WATERWORKS IN CITIES OF FIRST CLASS

SECTION 3981. Tax—sinking fund.

1 Cities of the first class and cities of the second class having a
 2 population of over ten thousand shall have power to levy, in addition
 3 to the regular water tax authorized by law, a tax of two mills upon the
 4 dollar upon all the property within the corporate limits of said cities,
 5 excepting lots greater than ten acres in area, used for horticultural
 6 or agricultural purposes, for the purpose of creating a sinking fund,

7 to be used as provided in this chapter for the purchase or erection of
 8 waterworks in such cities, or for the payment of any indebtedness
 9 incurred by such cities for waterworks now owned by the same. The
 10 proceeds of such two-mill levy shall be deposited in one or more sol-
 11 vent banks or trust companies of the city making such levy, at a rate
 12 of interest not less than three per cent per annum, compounded semi-
 13 annually, and payable, principal and interest, on demand, after sixty
 14 days' notice in writing. The city treasurer depositing the proceeds
 15 of such tax shall exact from the bank or trust company wherein such
 16 money is deposited a satisfactory bond, payable to the city, to be ap-
 17 proved by the treasurer and mayor of such city, and to be filed in the
 18 office of the city treasurer.

[C., '97, § 742; S., '13, § 742; 39 G. A., ch. 49, § 1.]

SEC. 3982. Use of sinking fund.

1 In all cities of the first class and cities of the second class having
 2 a population of over ten thousand, where a sinking fund has been
 3 accumulated as provided in chapter twenty-eight, title thirteen, and
 4 in which waterworks have not been purchased under said chapter, such
 5 cities are hereby authorized to use and apply such sinking fund and
 6 all accumulations thereof upon the cost of waterworks purchased or
 7 erected under the provisions of sections thirty-nine hundred sixty-six
 8 to thirty-nine hundred seventy, inclusive, of the compiled code.

[S., '13, § 742-a1; 39 G. A., ch. 49, § 2.]

**SEC. 3984. Purchase or erection—indebtedness heretofore in-
 curred.**

1 Cities of the first class and cities of the second class having a
 2 population of over ten thousand are hereby authorized to purchase or
 3 erect waterworks, under the provisions of this chapter, for the pur-
 4 pose of supplying said cities and the inhabitants thereof with water,
 5 and are authorized to continue the levy of the two-mill tax herein
 6 provided for until the purchase price, principal and interest, or the
 7 cost incurred in the erection of said works, or the indebtedness here-
 8 tofore incurred for and on account of such works, is fully paid and
 9 discharged.

[C., '97, § 744; S., '13, § 744; 39 G. A., ch. 49, § 3.]

**SEC. 3985. Contracts—bonds—cities procuring or owning water-
 works.**

1 Cities levying such sinking fund tax are hereby authorized to let
 2 a contract or contracts for the purchase or erection of waterworks, and,
 3 upon the approval and adoption of such contract or contracts as here-
 4 inafter provided, to apply such sinking fund upon the cost thereof, and
 5 cities so purchasing or constructing and those now owning such water-
 6 works are authorized to pledge the proceeds of the continuing two-
 7 mill levy provided for in this chapter, and the regular water levy, and
 8 the net revenues derived from the operation of the waterworks, and
 9 shall have the right to mortgage or bond such works, to secure the pay-
 10 ment of the purchase price or the cost of constructing such water-
 11 works, or the cost of making necessary extensions and improvements
 12 of such waterworks, and such cities shall have the right to execute ad-

13 ditional mortgage or mortgages or bonds upon such works for the pur-
 14 poses above set forth. Provided that said additional mortgage or
 15 mortgages or bonds shall bear not more than six per cent interest per
 16 annum; but no part of the general fund of such city shall be applied
 17 upon such contracts, bonds or mortgage. In the payment thereof, the
 18 city and holders of said contracts, bonds or mortgages shall be re-
 19 stricted to the proceeds of the said taxes and the net revenues of the
 20 said waterworks, as hereinbefore provided; and such contract, con-
 21 tracts or bonds shall not bear a higher rate of interest than five per
 22 cent per annum, payable semiannually. Cities of the first class and
 23 cities of the second class having a population of over ten thousand
 24 which have adopted or may adopt an ordinance availing themselves
 25 of the privileges conferred herein, shall in addition thereto have and
 26 possess the following powers:

27 1. In addition to mortgage on the water plant to secure the bonds
 28 hereinbefore authorized, the said city may, in addition to the security
 29 of said mortgage and as a part thereof, grant a franchise to maintain
 30 and operate said plant on foreclosure sale under said mortgage, said
 31 franchise to become effective only on the passing of title under the
 32 said foreclosure sale and to continue for a period of not exceeding
 33 twenty-five years thereafter; providing that the granting of such fran-
 34 chise shall be approved by a majority of the electors of said city, vot-
 35 ing at an election thereon, which election shall be held as provided in
 36 section thirty-nine hundred eighty-six of the compiled code.

37 2. They shall have power to issue the general bonds of the city
 38 creating an indebtedness of said city to an amount which, with its
 39 other existing indebtedness, shall not exceed five per cent of the actual
 40 value of the taxable property of said city, as shown by the last pre-
 41 ceding assessment, the said bonds or proceeds of sale thereof to be
 42 used in the purchase or construction of a water plant, as herein pro-
 43 vided; provided, however, that such bonds can be issued by order of
 44 the city council of said city only after a contract for the purchase or
 45 construction of a water plant and providing for the issuance of such
 46 bonds has been approved by the majority of the electors of said city
 47 voting at an election thereon to be held in accordance with the provi-
 48 sions of section thirty-nine hundred eighty-six of the compiled code.
 49 Neither the said bonds nor the proceeds thereof shall be diverted to
 50 another purpose than as herein provided. Said cities may purchase
 51 or contract a water plant and pay for the same partly out of the water
 52 bonds and partly out of the general bonds herein provided, or wholly
 53 out of either class of bonds or proceeds thereof, as such city may
 54 determine. The general bonds of the city herein provided shall bear
 55 interest at not exceeding five per cent per annum, payable semiannual-
 56 ly, and shall be payable not more than twenty years after date and in
 57 the general form of bonds provided by section thirty-two hundred
 58 sixty-one of this supplement, with such changes as may be necessary
 59 to conform the same to this statute and the ordinances or contract of
 60 the city under which they are issued.

[C., '97, § 745; S., '13, § 745; 39 G. A., ch. 49, § 4.]

SEC. 3988. Applicable to first-class cities.

1 All the provisions of section thirty-nine hundred eighty-seven of
 2 the compiled code shall be held and construed as applying to cities

3 of the first class, and cities of the second class having a population
4 of over ten thousand.

[S., '13, § 747-b; 39 G. A., ch. 49, § 5.]

CHAPTER 29

PURCHASE OF WATERWORKS BY CITIES OF ONE HUNDRED THOUSAND OR OVER

SECTION 3997. Anticipation of tax—trust.

1 Any such city desiring to own, construct, erect, acquire, purchase,
2 establish and maintain such waterworks may issue bonds in anticipa-
3 tion of the special tax authorized in section thirty-nine hundred ninety-
4 six of the compiled code. Such bonds shall be known as public service
5 bonds, and said bonds and interest thereon shall be secured by said
6 assessment and levy and (unless otherwise paid out of the surplus
7 income derived from the operation of the waterworks) shall be pay-
8 able only out of the proceeds thereof pledged to the payment of the
9 same, and shall be issued and sold in accordance with the provisions
10 of chapter thirty-four, title thirteen, except as herein otherwise pro-
11 vided. In issuing such bonds, the city council may cause portions of
12 the same to become due at different definite periods, but none of such
13 bonds so issued shall be payable more than fifty years from their date.
14 It shall be the duty of the city treasurer to collect and receive said tax
15 and to hold the same separate and apart in trust for the payment of
16 said bonds and interest, and to apply the proceeds of said tax pledged
17 for that purpose to the payment of said bonds and interest. Said
18 bonds shall be issued in sums of not less than one hundred dollars nor
19 more than one thousand dollars, each running not more than fifty
20 years, and bearing interest not exceeding five per cent per annum,
21 payable semiannually.

[38 G. A., ch. 288, § 4; 39 G. A., ch. 82, § 1; 40 G. A., ch. 108,
§ 6.]

SEC. 4002. Power and duties of trustees.

1 The board of waterworks trustees shall have supervision over
2 and be responsible for all details of administration and operation of
3 said waterworks, the board to determine all questions of engineering,
4 mechanical, and operating details, extensions of mains, except as other-
5 wise specifically provided, and other improvements and betterments
6 of said waterworks, and report to the council at such stated periods
7 as the council may determine, all information necessary for its guid-
8 ance in the issuance of bonds and the performance of such other duties
9 as may be required of it under this chapter as amended, it being the
10 intent and purpose of this section to give such board of waterworks
11 trustees complete management and control of said waterworks,
12 together with all land and property now or heretofore held and used
13 in connection therewith, with the right to make all necessary con-
14 tracts pertaining to the operation, maintenance, extensions, and
15 improvements of the same, as well as the right to sue and be sued.

[38 G. A., ch. 288, § 9; 40 G. A., ch. 130, § 1.]

SEC. 4003. Rules—records—accounts—financial statement.

1 The board shall immediately after its organization make and pre-
 2 scribe all the necessary rules for the government of the waterworks,
 3 and prescribe the form of records and the kind of accounts to be made
 4 and kept in the operation of such waterworks. It shall institute and
 5 require the keeping of a uniform and perfected system of accounts
 6 and requisitions showing the purchase, storing and use of materials
 7 for operation, construction and other purposes. Said accounts shall
 8 be kept distinct and separate from other city accounts, and in such
 9 manner as to show the true and complete financial results of the operation
 10 of said waterworks. The board shall at least once a year cause
 11 to be prepared and printed for public distribution a full and complete
 12 financial report. The account of such waterworks shall be examined
 13 at least once a year by an expert accountant selected by the city council.

[38 G. A., ch. 288, § 10; 39 G. A., ch. 82, § 3.]

SEC. 4004. Rates.

1 The board of waterworks trustees, in all such cities owning and
 2 operating a waterworks under this chapter, shall determine the rates
 3 to be charged for water.

4 In fixing the rate to be paid by the city for water for public uses
 5 the board shall take into consideration the quantity used and fix the
 6 rate accordingly, but in no event shall such rate exceed an annual
 7 rental or rate of three hundred fifty dollars for each mile of main pipe
 8 laid and in operation, including hydrant connections, and not includ-
 9 ing more than one line of pipe on the same street, and not including
 10 any pipe less than six inches in diameter laid since August seven-
 11 teenth, eighteen hundred ninety-six.

12 Rates to private consumers and to the city shall be so fixed as
 13 to produce an amount which with other revenues collectible shall be
 14 sufficient to cover:

15 1. Interest on the entire outstanding indebtedness of said water-
 16 works including that portion that is a general obligation against the
 17 city.

18 2. The cost of all operating expenses including insurance against
 19 legal liability and payment of judgment resulting from such liability.

20 3. A sufficient sum by way of a depreciation fund to cover such
 21 repairs and replacement as may properly be charged against such
 22 fund.

23 4. A sufficient annual provision for a sinking fund to fully pay at
 24 maturity all bonds and certificates which by their terms are payable
 25 out of the special tax provided for in this chapter, or out of the earn-
 26 ings of the property purchased under the powers herein granted.

27 5. A surplus in addition to the requirements set out in the last
 28 four preceding paragraphs to be used as a working capital of not to
 29 exceed one hundred twenty-five thousand dollars, provided, however,
 30 that the board may absorb all surplus in excess of fifty thousand dol-
 31 lars by reducing water rates to consumers and must so absorb all such
 32 surplus in excess of one hundred twenty-five thousand dollars.

33 If necessary to procure funds, the city is hereby authorized to
 34 levy a sufficient tax as provided in paragraph five of section forty
 35 hundred thirty-eight of this supplement and the acts amendatory
 36 thereto to provide funds to pay for the water used by such city for
 37 public uses.

38 The sums payable by the city for water furnished as herein pro-
 39 vided shall hereafter be paid by the city in May of each year for the
 40 last six months of the preceding year, and in November of each year
 41 for the first six months of that current year.

[38 G. A., ch. 288, § 11; 40 G. A., ch. 130, § 2.]

SEC. 4005. Mortgage—restriction—rate of interest.

1 In addition to all the powers hereinbefore granted such cities
 2 shall have the right to mortgage or bond such waterworks and pledge
 3 the net revenues thereof to secure the payment of the purchase price,
 4 and the extension and improvement thereof, but no part of the general
 5 fund of such cities shall be applied upon such contracts, bonds or mort-
 6 gages. In the payment of the securities authorized to be issued by
 7 this section the city and holders thereof, shall be restricted to the
 8 property mortgaged and the net revenues thereof, and such contract
 9 or bonds and all other bonds or certificates issued under this chapter
 10 shall not bear a higher rate of interest than five per cent per annum
 11 payable semiannually.

[38 G. A., ch. 288, § 12; 39 G. A., ch. 82, § 2; 40 G. A., ch.
 108, § 7.]

**SEC. 4006. Free water service or discriminatory rates—punish-
 ment.**

1 It shall be unlawful for the board or any person or corporation to
 2 give or receive free water service, or to give or receive water service
 3 at a more favorable rate than that accorded to the general public ex-
 4 cept as herein provided. Any person or persons violating, either
 5 directly or indirectly, the provisions of this section shall upon convic-
 6 tion be punished by a fine of not less than three hundred dollars or
 7 sixty days in jail for each and every offense.

[38 G. A., ch. 288, § 13; 40 G. A., ch. 130, § 3.]

SEC. 4007. Extension of mains—guarantees by property owners.

1 The board of waterworks trustees shall establish such rules
 2 regarding the extension of mains as in its belief will inure to the great-
 3 est benefit of the city, and shall avoid granting special favors in the
 4 extension of mains by requiring property owners when necessary to
 5 make certain guarantees or to pay certain sums to cover the cost of
 6 unprofitable extensions.

7 It shall be the duty of the city council, immediately after the
 8 passage of any ordinance or resolution, ordering any street improve-
 9 ment or sewer upon any street or streets, in which a water main
 10 should be laid or extended prior to such improvement as indicated
 11 by a majority vote of the council, to give notice in writing to the
 12 board of waterworks trustees of such action, and to forward to said
 13 board a copy of such resolution or ordinance ordering the said
 14 improvement.

15 On receipt of said notice, the board shall proceed without unnec-
 16 essary delay to cause mains to be laid or extended in those streets
 17 affected by the resolution or ordinance.

18 The power to lease the waterworks or any part thereof shall be
 19 exercised by the city council only upon approval of the board of
 20 waterworks trustees.

[38 G. A., ch. 288, § 14; 40 G. A., ch. 130, § 4.]

CHAPTER 32

TAXATION

SECTION 4035. Labor on highways.

[Repealed by 39 G. A., ch. 191.]

SEC. 4036. Enforcement of road tax.

[This and the last preceding section repealed by 39 G. A., ch. 191, and sections 4036-a1 to 4036-a3, inclusive, enacted in lieu thereof.]

SEC. 4036-a1. Road poll tax—power to exact.

1 Any city or town shall have the power to provide that all able-
2 bodied male residents of the corporation, including the male officers
3 and employees of any state institution situated within such city or
4 town, but not including any committed inmate of such institution,
5 between the ages of twenty-one and forty-five shall, between the first
6 day of February and the first day of October of each year, and within
7 fifteen days after receipt of the demand for payment by the clerk,
8 pay in money to the street commissioner or city or town clerk a sum
9 to be fixed by the city or town council on or before February first of
10 each year, not exceeding five dollars.

[C., '73, § 487; C., '97, § 891; S., '13, § 891; 39 G. A., ch. 191;
40 G. A., ch. 131; 40 G. A., ch. 246, § 7.]

NOTE: Section 4036-a1 was repealed by 40 G. A., ch. 246, and a substitute enacted. Said section was also amended by 40 G. A., ch. 131. Said amendment is here applied to the substitute enacted by 40 G. A., ch. 246.

SEC. 4036-a2. Collection by clerk—affidavit of exemption.

1 It shall be the duty of the said clerk to make demand upon said
2 resident for the payment of said poll tax, and said demand shall be
3 made by serving a personal notice or by sending notice through the
4 mails. Any person claiming to be exempt under the provisions of the
5 preceding section shall furnish the mayor or other proper officer with
6 an affidavit showing the extent and nature of the disabilities entitling
7 him to such exemption, and if said affidavit is approved by the city
8 or town council then said affiant will be relieved from payment of said
9 tax.

[C., '73, § 487; C., '97, § 891; S., '13, § 891; 39 G. A., ch. 191;
40 G. A., ch. 131.]

SEC. 4036-a3. Action to recover—exemptions—expenditure—certification of unpaid tax.

1 In case of failure to pay said sum of money as provided in the
2 preceding section said corporation may recover same, and penalty of
3 not more than two dollars, by action brought in the name of such city
4 or town in any court having jurisdiction over the subject matter of
5 the action.

6 No property or wages belonging to said person shall be exempt
7 to the defendant on an execution issued upon said judgment.

8 The tax and money so collected shall be expended upon the streets,
9 avenues, highways, alleys, or public grounds of said corporation.

10 All of said tax remaining unpaid on the fifteenth day of November
11 in each year shall be certified to the county auditor at any time before

12 the following first day of December and shall be entered by him upon
13 the tax list of said county and treated and collected as ordinary county
14 taxes, and shall be a lien upon all the real property of the delinquent.

[C., '73, § 487; C., '97, § 892; S., '13, § 892; 39 G. A., ch. 191;
40 G. A., ch. 131.]

SEC. 4038. Other taxes.

1 Any city shall have power to levy annually the following special
2 taxes.

3 1. *Grading fund.* A tax not exceeding, in any one year, three
4 mills on the dollar, for a grading fund, to be used for the purpose of
5 opening, widening, extending and grading any street, highway, ave-
6 nue, alley, public ground or market place.

7 2. *Improvement fund.* A tax not exceeding, in any one year, five
8 mills on the dollar, for a city improvement fund, to be used for the
9 purpose of paying the cost of the making, reconstruction or repair of
10 any street improvements at the intersections of streets, highways, ave-
11 nues or alleys, and at spaces opposite streets, highways, avenues and
12 alleys intersecting but not crossing, and at spaces opposite property
13 owned by the city or the United States, and for the purpose of paying
14 the purchase price and subsequent taxes assessed against property
15 purchased by the city at tax sale.

16 3. *Sewer fund.* A tax not exceeding, in any one year, five mills
17 on the dollar on the assessed valuation of all property therein, for a
18 city sewer fund, when the entire city comprises one sewer district, to
19 be used to pay the cost of the making, reconstruction or repair of any
20 sewer at the intersection of streets, highways, avenues, alleys, and at
21 spaces opposite streets, highways, avenues and alleys intersecting but
22 not crossing, and at spaces opposite property owned by the city or the
23 United States, and to pay the whole or any part of the cost of the
24 making, reconstruction or repair of any sewer within the limits of
25 said city, and for the maintenance and operation of any sewage dis-
26 posal plant included in said sewer district; when a city has been
27 divided into sewer districts, a tax not exceeding five mills on the dol-
28 lar on the assessed valuation of all property in the sewer district, for
29 a district sewer fund, to be used to pay, in whole or in part, the cost
30 of the making, reconstruction or repair of any sewer located and laid
31 in that particular district and for the maintenance and operation of
32 any sewage disposal plant included in said sewer districts.

33 This paragraph shall also apply to cities under commission form
34 of government.

35 4. *Library tax.* In cities and towns which have established, or
36 may hereafter establish, a free public library when the trustees of
37 such library have made the certificate provided for in section thirty-
38 seven hundred fifty-eight of this supplement, a tax in the amount so
39 certified, but not exceeding in any one year five mills on the dollar in
40 all cities and incorporated towns to be used for the maintenance of
41 such library; and in such cities and towns an additional tax not ex-
42 ceeding in any one year three mills on the dollar, for the purchase of
43 real estate and the erection of a building or buildings thereon for a
44 public library, or for the payment of interest on any indebtedness in-
45 curred for that purpose, and for the creation of a sinking fund for
46 the extinguishment of such indebtedness.

47 5. *Waterworks tax.* A tax not exceeding, in any one year, five
48 mills on the dollar, which, with the water rates or rents authorized,
49 shall be sufficient to pay the expenses of running, operating and re-
50 pairing waterworks owned and operated by any city or town, and the
51 interest on any bonds issued to pay all or any part of the cost of con-
52 struction, renewal, repair or extension of such works; but such tax
53 shall not be levied upon property which lies wholly without the limits
54 of the benefit and protection of such works, which limits shall be fixed
55 by the council each year before making the levy.

56 6. *Tax for gasworks or electric plant.* A tax not exceeding, in
57 any one year, five mills on the dollar, which, with the rates or rentals
58 authorized, shall be sufficient to pay the expenses of running, operat-
59 ing and repairing gasworks and electric light or power plants owned
60 by any city or town, and the interest on any bonds issued to pay all or
61 any part of the cost of the construction of such works or plants; but
62 such tax shall not be levied upon property which lies wholly without
63 the limits of the benefit of the same, which limits shall be fixed by the
64 council each year before making the levy.

65 7. *Water tax.* A tax not exceeding, in any one year, five mills on
66 the dollar, for the purpose of paying the amount due or to become due
67 to any individual or company operating waterworks for water sup-
68 plied under any contract, the levy to be limited to the property as in
69 subdivision five hereof; and if in cities of the first class the maximum
70 tax is insufficient to pay such amount under contracts now in force,
71 the deficiency shall be paid out of the general fund.

72 8. *Tax for gas or electric light or power.* A tax not exceeding,
73 in any one year, five mills on the dollar, for the purpose of paying the
74 amount due or to become due to any municipality, individual or com-
75 pany, operating gasworks or electric light or power plants for all gas,
76 electric light or power supplied under any contract and the expense
77 of the gas light, electric light or power inspection department of the
78 city, including the salaries of inspectors therein, the levy to be limited
79 to the property as in subdivision six hereof; providing that in cities of
80 five thousand or less and towns, there may be in any one year a tax
81 not exceeding seven mills on the dollar.

82 9. *Bond fund tax.* A tax for the purpose of creating a bond fund
83 sufficient to pay the interest to accrue before the next annual levy on
84 funding or refunding bonds outstanding, and such proportion of the
85 principal that at the end of five years the sum raised shall equal at
86 least twenty per cent of the amount of the bonds issued; at the end
87 of ten years at least forty per cent of said amount; at the end of fif-
88 teen years at least sixty-five per cent of said amount; and at or before
89 the date of the maturity of said bonds a sum equal to the whole
90 amount of the unpaid principal and interest, which tax shall be used
91 to pay such principal and interest, and for no other purpose.

92 10. *Tax for water or gas works or electric plant bonds.* A tax as
93 authorized in the preceding subdivision, to be levied in the propor-
94 tions therein set forth, and to be used exclusively in payment of the
95 principal of bonds issued for the construction of water and gas works
96 and electric light and power plants, which tax shall not be levied upon
97 property lying wholly without the limits of the benefit of such works
98 or plants, which limits shall be fixed by the council each year before
99 making the levy.

100 11. *Cemetery tax.* A tax, not exceeding one mill on the dollar
 101 of the assessed valuation of the property within the corporate limits,
 102 for the care, preservation and adornment of any cemetery owned or
 103 controlled by the city, or any private or incorporated cemetery asso-
 104 ciation utilized by the citizens of said city or town; and the said tax
 105 may be so expended for the support and maintenance of any such
 106 cemetery after the same has been abandoned and is no longer used
 107 for the purpose of interring the dead.

108 County, city, town, or township boundary lines shall not be a
 109 barrier in this state in the application and use of money derived
 110 from taxation imposed by cities or towns for the maintenance and
 111 support of cemeteries as now provided by law, providing, however,
 112 that such cemetery is located not to exceed one mile from the corpor-
 113 ate limits or boundary line of the city or town in which the tax is
 114 raised, and provided further, that such city or town utilizes such
 115 cemetery for burial purposes.

See § 3445-a2 of this supplement.

116 12. *Subdivisions one, five, six, seven, eight, nine, ten, eleven and*
 117 *fifteen extended to incorporated towns, and proceedings legalized.*
 118 The provisions of subdivisions one, five, six, seven, eight, nine, ten,
 119 eleven and fifteen of this section are extended to incorporated towns,
 120 and all proceedings of incorporated towns had under the assumption
 121 that the said provisions were applicable to said incorporated towns
 122 are hereby legalized and confirmed, and said proceedings shall be in
 123 law held to be valid to the same extent as if the said subdivisions of
 124 this section included incorporated towns by the specific terms thereof.
 125 The tax authorized by paragraph eleven hereof may as to towns ex-
 126 ceed one-half of one mill, but shall in no case exceed three mills on
 127 the dollar.

128 13. *Transfer of funds—conditions.* Cities and towns having a
 129 population of eight thousand eight hundred or less may make either
 130 temporary or permanent transfers from one fund to another by reso-
 131 lution concurred in by unanimous vote of the council; provided that
 132 the funds herein referred to shall be those provided for in subdivi-
 133 sions one, two, three, five, six, seven, and eight of this section; and
 134 provided said transfer and resolution are approved by the judge of
 135 the district court of the county in which the city or town is situated,
 136 after a hearing had on a day to be by him fixed for the hearing of the
 137 same, after the publication in one or more newspapers published in
 138 said city or town or circulating therein five days or more prior to
 139 such hearing, which notice shall be addressed generally to the tax
 140 payers of said city or town and shall recite the substance of the
 141 proposed transfer, the amount thereof and the time when objections
 142 to such transfer will be heard. Proof of publication shall be made
 143 as in case of original notices and the order of said judge shall be
 144 indorsed on the original resolution and entered of record in the
 145 minute book as a part of said resolution. Provided that in no case
 146 shall such transfer of funds be made where, as a result of such trans-
 147 fer, there would be a greater sum credited to any one fund than
 148 would be placed in such fund by the levy of the maximum number of
 149 mills, as provided for by statute.

150 Whenever there shall be in the treasury of any city or town any
 151 money in any judgment fund which was levied by the said city or

152 town or any other authority under and by virtue of any order, judg-
 153 ment or decree of court, which fund remains after the judgment for
 154 which said fund was levied has been fully paid and any bonds issued
 155 thereagainst have been fully paid, it shall be lawful for the city or
 156 town council by a majority vote thereof to transfer the balance in
 157 said fund remaining after the payment of said judgment or bonds
 158 to the general fund of the city or town.

159 14. *Sewer bond tax.* A tax as authorized in subdivision nine
 160 of this section to be levied in the proportions therein set forth and
 161 to be used exclusively in the payment of the principal of bonds and
 162 interest thereon issued for the construction of sewers, which tax
 163 shall not be levied on property lying wholly without the limits of the
 164 benefits of such sewers, which limits shall be fixed by the council
 165 each year before making the levy.

166 15. *Drainage tax.* A tax in such sum or amount as may be
 167 necessary to pay any special assessment, with interest, or any install-
 168 ment of any special assessment, with interest, levied against any
 169 street, alley, highway, public way or park of any incorporated town
 170 or city, levied under the provisions of section forty-eight hundred
 171 eighty-six of this supplement.

[C., '73, § 475; C., '97, § 894; S. S., '15, § 894; 37 G. A., ch.
 45, § 1; 37 G. A., ch. 126, § 1; 37 G. A., ch. 375, § 1; 38
 G. A., ch. 394, § 1; 39 G. A., ch. 89; 39 G. A., ch. 96;
 39 G. A., ch. 111, § 1; 39 G. A., ch. 137, §§ 1, 2; 39 G. A.,
 ch. 179, § 1; 40 G. A., ch. 113, § 1.]

SEC. 4049. Warrants—how drawn.

1 The auditor, clerk, or other officer of cities and towns whose duty
 2 it is to draw the warrants thereof, shall not draw any such warrant
 3 except upon the vote of the council. Warrants issued by any city or
 4 town shall not be received by the county treasurer in payment of the
 5 city or town taxes.

[C., '97, § 900; 37 G. A., ch. 196, § 1; 39 G. A., ch. 3.]

SEC. 4051. Assessments and taxes certified—collection.

1 All assessments and taxes of every kind and nature levied by the
 2 council, except as otherwise provided by law, shall be certified by the
 3 clerk on or before the first Monday in September, to the county audi-
 4 tor, and by him placed upon the tax list for the current year, and the
 5 county treasurer shall collect all assessments and taxes so levied in
 6 the same manner as other taxes, and when delinquent they shall draw
 7 the same interest and penalties. Sales for such assessments and taxes
 8 when delinquent shall be made at the same time and in the same man-
 9 ner as such sales are made for other taxes, and should there be other
 10 delinquent taxes or assessments due from the same person, and col-
 11 lectible by the county treasurer, the sale shall be for all such delin-
 12 quent assessments and taxes, and all the provisions of law relating to
 13 the sale of property for delinquent taxes shall be applicable as far as
 14 may be to such sales. Before the third Monday of each month, the
 15 county treasurer shall give written notice to the mayor of each mu-
 16 nicipality in the county of the amount collected for each fund up to the
 17 first day of that month, including the amounts collected to pay bonds
 18 issued to pay the cost of public improvements for which special assess-

19 ments have been levied and certified, and the mayor of each municipi-
 20 pality shall draw an order therefor in favor of the city treasurer,
 21 countersigned by the clerk or auditor of the municipality, upon the
 22 county treasurer who shall pay such taxes to the treasurers of the
 23 several municipalities only on such order.

[R., '60, §§ 1123, 1126; C., '73, §§ 495, 498; C., '97, § 902;
 S., '13, § 902; 39 G. A., ch. 18.]

CHAPTER 33

INDEBTEDNESS LIMITED

SECTION 4059. How construed.

1 Nothing in this chapter contained shall be construed to repeal
 2 chapter twenty-eight, title ten or as being applicable to bonds issued
 3 under section thirty-nine hundred eighty-five of this supplement.

[S., '13, § 1306-f.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to correct error in printing of compiled code.

CHAPTER 34

BONDS

SECTION 4061. Form.

1 Such bond shall be issued in sums of not less than one hundred
 2 nor more than one thousand dollars each, running not more than
 3 twenty years, bearing interest not exceeding five per cent per annum,
 4 payable annually or semiannually, and shall be substantially in the
 5 following form, but subject to changes that will conform them to the
 6 ordinance (or resolution) of the council, to wit:

7 The city (or town) of.....in the state of Iowa, for
 8 value received promises to pay to bearer.....dollars, lawful
 9 money of the United States of America, on....., with
 10 interest on said sum from the date hereof until paid at the rate of
 11per cent per annum, payable.....annually on the first
 12 day of.....and.....in each year, on presentation and
 13 surrender of the interest coupons hereto attached; both principal and
 14 interest payable at.....

15 This bond is issued by the city (or town) of.....,
 16 pursuant to the provisions of section....., chapter.....,
 17 title....., of the code of Iowa, and in conformity to an ordi-
 18 nance (or resolution) of the council of said city (or town) duly passed.
 19 And it is hereby certified and recited that all acts, conditions and
 20 things required by the laws and constitution of the state of Iowa to
 21 be done precedent to and in the issue of this bond have been properly
 22 done, happened and been performed in regular and due form as re-
 23 quired by law, and that the total indebtedness of said city, including

24 this bond, does not exceed the constitutional or statutory limitations.
 25 In testimony whereof said city (or town) by its council has caused
 26 this bond to be signed by its mayor and attested by its auditor (or
 27 clerk), with the seal of said city attached, this.....day of
 28

29
 30 Mayor of the city (or town) of.....

31 ATTEST:

32
 33 Clerk of the city (or town) of.....

34 (Form of Coupon.)

35 The treasurer of the city (or town) of....., Iowa,
 36 will pay to bearer.....dollars, on....., at.....,
 37 for.....annual interest on its.....bond, dated,.....
 38 No.....

39
 40 Mayor of the city (or town) of.....

41 ATTEST:

42
 43 Clerk of the city (or town) of.....

[C., '97, § 906; 40 G. A., ch. 108, § 8.]

SEC. 4065-a1. Sale of bonds by popular subscription.

1 Cities and towns, including cities under the commission form of
 2 government and under the city manager plan of government, may sell
 3 such bonds as they are by law authorized to issue, to the citizens of
 4 such municipality by popular subscription. The officers of such cities
 5 or towns who are charged with the duty of selling such bonds may
 6 publish notice of such sale for such length of time and in such manner
 7 as they may deem best to effect the purpose of this section and may
 8 receive bids from the citizens of such municipality, or others, for the
 9 entire amount of such issue, or any part thereof, excepting that bonds
 10 may not be issued in smaller denominations than one hundred dollars
 11 and such officers may award bonds to any one or more of such bidders
 12 in accordance with what, in the judgment of such officers, is for the
 13 best interest of the municipality; provided that in no case shall such
 14 bonds be sold for less than their par value and accrued interest.

[39 G. A., ch. 43.]

CHAPTER 35

PLATS

SECTION 4080. Platting for assessment and taxation.

1 Whenever a congressional subdivision of land of one hundred
 2 sixty acres or less, or any lot or subdivision, is owned by two or more
 3 persons in severalty, and the description of one or more of the different
 4 parts or parcels thereof cannot, in the judgment of the county auditor,
 5 be made sufficiently certain and accurate for the purposes of assess-
 6 ment and taxation without noting the metes and bounds of the same,

7 he shall cause to be made and recorded in his office and the office of
 8 the county recorder a plat of such tract or lot with its several sub-
 9 divisions, including and replatting in such plat such other plats or parts
 10 thereof included within the same lot or congressional subdivision of
 11 land as may seem to him to be required in accordance with the pro-
 12 visions of this chapter, proceeding as directed in section forty hun-
 13 dred seventy-nine of the compiled code, and all of its provisions shall
 14 govern.

15 The owners of said land shall have the same right of appeal to
 16 the board of supervisors as is provided in section forty hundred
 17 eighty-one of the compiled code in the case of warranty deeds, and
 18 under the same conditions as to notice and hearing, provided, however,
 19 that parties aggrieved shall have sixty days within which to appeal.

[C., '73, § 569; C., '97, § 923; S., '13, § 923; 39 G. A., ch. 13,
 § 1.]

CHAPTER 36

PENSIONS FOR DISABLED AND RETIRED FIREMEN

SECTION 4089. Firemen's pension fund—levy of tax for.

[Repealed by 40 G. A., ch. 261.]

SEC. 4090. Board of trustees—to serve without compensation.

[Repealed by 40 G. A., ch. 261.]

SEC. 4091. Investment of surplus.

[Repealed by 40 G. A., ch. 261.]

**SEC. 4092. Gifts, devises or bequests—membership fees—assess-
 ments.**

[Repealed by 40 G. A., ch. 261.]

**SEC. 4093. Who entitled to pensions—conditions of retirement—
 amount paid—disability—exemption.**

[Repealed by 40 G. A., ch. 261.]

SEC. 4094. Reexamination of retired members.

[Repealed by 40 G. A., ch. 261.]

SEC. 4095. Provisions subject to alteration.

[Repealed by 40 G. A., ch. 261.]

SEC. 4096. Moneys drawn—how paid—report.

[This and the seven preceding sections of the compiled code and of the 1921 supplement to said code, repealed by 40 G. A., ch. 261, and substitute embraced in chapter 37-A, title XIII, of this supplement.]

CHAPTER 37

PENSIONS FOR DISABLED AND RETIRED POLICEMEN

SECTION 4097. Policemen's pension fund—levy of tax for.

[Repealed by 40 G. A., ch. 261.]

SEC. 4098. Board of trustees—to serve without compensation.

[Repealed by 40 G. A., ch. 261.]

SEC. 4099. Investment of surplus.

[Repealed by 40 G. A., ch. 261.]

SEC. 4100. Gifts, devises or bequests—membership fee—assessments.

[Repealed by 40 G. A., ch. 261.]

SEC. 4101. Who entitled to pensions—conditions of retirement—amount paid—disability—exemption.

[Repealed by 40 G. A., ch. 261.]

SEC. 4102. Reexamination of retired members.

[Repealed by 40 G. A., ch. 261.]

SEC. 4103. Provisions subject to alteration.

[Repealed by 40 G. A., ch. 261.]

SEC. 4104. Members of police department acting as marshal.

[Repealed by 40 G. A., ch. 261.]

SEC. 4105. Moneys drawn—how paid—report.

[This and the eight preceding sections of the compiled code and of the 1921 supplement to said code, repealed by 40 G. A., ch. 261, and substitute embraced in chapter 37-A, title XIII, of this supplement.]

CHAPTER 37-A

DISABLED AND RETIRED FIREMEN AND POLICEMEN

SECTION 4105-a1. Policemen's and firemen's pension funds.

1 Any city or town having an organized fire department may,
 2 and all cities having an organized police department or a paid fire
 3 department shall, levy annually a tax not to exceed one-half mill
 4 for each such department, for the purpose of creating firemen's and
 5 policemen's pension funds; cities operating under city manager and
 6 having a population exceeding thirty-five thousand, may levy an
 7 additional tax not to exceed one mill for each such department for
 8 such purpose. All moneys derived from each tax so levied, and all
 9 moneys received as membership fees and dues, and all moneys re-

10 ceived from grants, donations, and devises for the benefit of each
 11 fund shall constitute separate funds, to be known and designated
 12 as a policemen's pension fund and a firemen's pension fund.

[S., '13, §§ 932-a, 932-j; 40 G. A., ch. 261, § 1.]

SEC. 4105-a2. Boards of trustees—officers.

1 The chief officer of each department, with the city treasurer
 2 and the city solicitor or attorney of such cities or towns, shall be ex
 3 officio members of and shall constitute separate boards of trustees
 4 for the management of each fund. The chief officer of the depart-
 5 ment shall be president and the city treasurer treasurer of such
 6 boards, and the faithful performance of the duties of the treasurer
 7 shall be secured by his official bond as city treasurer. Such trustees
 8 shall not receive any compensation for their services as members
 9 of said boards.

[S., '13, §§ 932-a, 932-b, 932-j, 932-k; 40 G. A., ch. 261, § 2.]

SEC. 4105-a3. Investment of surplus.

1 The boards shall have power to invest any surplus left in such
 2 funds, respectively, at the end of the fiscal year, but no part of the
 3 funds realized from any tax levy shall be used for any purpose other
 4 than the payment of pensions. Investments shall be limited to
 5 interest-bearing bonds of the United States, of the state of Iowa, of
 6 any county, township, or municipal corporation of the state of Iowa.
 7 All such securities shall be deposited with the treasurer of the boards
 8 of trustees for safe-keeping.

[S., '13, § 932-l; S. S., '15, § 932-c; 40 G. A., ch. 261, § 3.]

SEC. 4105-a4. Gifts, devises or bequests.

1 Each board may take by gift, grant, devise, or bequest, any
 2 money or property, real or personal, or other thing of value for the
 3 benefit of said funds. All rewards in moneys, fees, gifts, or emolu-
 4 ments of every kind or nature that may be paid or given to any
 5 police or fire department or to any member thereof, except when
 6 allowed to be retained or given to endow a medal or other per-
 7 manent or competitive reward on account of extraordinary services
 8 rendered by said departments or any member thereof, and all fines
 9 and penalties imposed upon members, shall be paid into the said
 10 pension fund and become a part thereof.

[S., '13, §§ 932-d, 932-m; 40 G. A., ch. 261, § 4.]

SEC. 4105-a5. Membership fee—assessments.

1 Every member of said departments shall be required to pay to the
 2 treasurer of said funds a membership fee to be fixed by the board
 3 of trustees, not exceeding five dollars, and shall also be assessed and
 4 required to pay annually an amount equal to one per cent per annum
 5 upon the amount of the annual salary paid to him, which assessment
 6 shall be deducted and retained in equal semi-annual installments out
 7 of such salary.

[S., '13, §§ 932-d, 932-m; 40 G. A., ch. 261, § 5.]

SEC. 4105-a6. Who entitled to pension—conditions of retirement.

1 Any member of said departments who shall have served twenty-
 2 two years or more in such department, and shall have reached the
 3 age of fifty years; or who shall while a member of such department
 4 become mentally or physically permanently disabled from discharging
 5 his duties, shall be entitled to be retired, and upon retirement shall
 6 be paid out of the pension fund of such department a monthly pension
 7 equal to one-half the amount of salary received by him monthly at
 8 the date he actually retires from said department. If any member
 9 shall have served twenty-two years in said department, but shall
 10 not have reached the age of fifty years, he shall be entitled to retire-
 11 ment, but no pension shall be paid while he lives until he reaches the
 12 age of fifty years.

[S., '13, §§ 932-e, 932-n; 37 G. A., ch. 23, § 1; 38 G. A., ch. 19, § 1; 38 G. A., ch. 45, § 1; 39 G. A., ch. 30, § 1; 39 G. A., ch. 31, § 1; 40 G. A., ch. 261, § 6.]

SEC. 4105-a7. Disability—how contracted.

1 No member who has not served five years or more in said depart-
 2 ment shall be entitled to be retired and paid a pension under the
 3 provisions of this chapter, unless such disability was contracted
 4 while engaged in the performance of his duties, or by reason of fol-
 5 lowing such occupation. The question of disability shall be deter-
 6 mined by the trustees upon the advice of a physician appointed by
 7 the board of trustees for that purpose. After any member shall
 8 become entitled to be retired, such right shall not be lost or forfeited
 9 by discharge or for any other reason except conviction for felony.

[S., '13, §§ 932-e, 932-n; 37 G. A., ch. 23, § 1; 40 G. A., ch. 261, § 7.]

SEC. 4105-a8. Retired members may be assigned for light duty.

1 The chief of the police department, and the chief of the fire
 2 department of such city, may assign any member of such depart-
 3 ments, respectively, retired or drawing pensions under the pro-
 4 visions of this chapter, to the performance of light duties in such
 5 department.

[S., '13, §§ 932-e, 932-n; 37 G. A., ch. 23, § 1; 40 G. A., ch. 261, § 8.]

SEC. 4105-a9. Pensions—widow—children—dependents.

1 Upon the death of any acting or retired member of such depart-
 2 ments, leaving a widow or minor children, or dependent father or
 3 mother surviving him, there shall be paid out of said fund as follows:
 4 1. To the surviving widow, so long as she remains unmarried and
 5 of good moral character, thirty dollars per month.
 6 2. If there be no surviving widow, or upon the death or remar-
 7 riage of such widow, then to his dependent father and mother, if both
 8 survive, or to either dependent parent, if one survives, thirty dollars
 9 per month.
 10 3. To the guardian of each surviving child under sixteen years
 11 of age, eight dollars per month.
 12 The aggregate of all such payments shall not exceed one-half

13 of the amount of the salary of such member at the time of his death
14 or retirement.

[S., '13, §§ 932-e, 932-n; 37 G. A., ch. 23, § 1; 38 G. A., ch. 19, § 1; 38 G. A., ch. 45, § 1; 39 G. A., ch. 30, § 1; 39 G. A., ch. 31, § 1; 40 G. A., ch. 261, § 9.]

SEC. 4105-a10. Exemption.

1 All pensions paid under the provisions of this chapter shall be
2 exempt from liability for debts of the person to or on account of whom
3 the same is paid, and shall not be subject to seizure upon execution
4 or other process.

[S., '13, §§ 932-e, 932-n; 37 G. A., ch. 23, § 1; 40 G. A., ch. 261, § 10.]

SEC. 4105-a11. Applicable to volunteer or call firemen.

1 The provisions of this chapter shall apply to volunteer or call
2 members of a paid fire department, but the amount of pension to be
3 paid to such members shall be determined by the board of trustees.

[S., '13, § 932-e; 40 G. A., ch. 261, § 11.]

SEC. 4105-a12. Reexamination of retired members.

1 The board of trustees of each department shall have power, at
2 any time, to cause any member of such department retired by reason
3 of physical or mental disability to be brought before it and again
4 examined by competent physicians for the purpose of discovering
5 whether such disability yet continues and whether such retired mem-
6 ber should be continued on the pension roll, and shall have power to
7 examine witnesses for the same purpose. Such member shall be
8 entitled to reasonable notice that such examination will be made, and
9 to be present at the time of the taking of any testimony, shall have
10 the right to examine the witnesses brought before the board and to
11 introduce evidence in his own behalf. All witnesses shall be examined
12 under oath, which may be administered by any member of such board.

[S., '13, §§ 932-g, 932-p; 40 G. A., ch. 261, § 12.]

SEC. 4105-a13. Decision of board.

1 The decision of such board upon such matters shall be final and
2 conclusive, in the absence of fraud, and no appeal shall be allowed
3 therefrom. Such disabled member shall remain upon the pension
4 roll unless and until reinstated in such department by reason of
5 such examination.

[S., '13, §§ 932-g, 932-p; 40 G. A., ch. 261, § 13.]

SEC. 4105-a14. Provisions subject to alteration.

1 The provisions of this chapter shall be, at all times, subject to
2 alteration or change, and all persons claiming benefits under the pro-
3 visions of this chapter shall be entitled to receive only such benefits
4 as provided by law at the time such benefits shall accrue.

[S., '13, §§ 932-h, 932-q; 40 G. A., ch. 261, § 14.]

SEC. 4105-a15. Moneys drawn—how paid—report.

1 All pensions paid and all moneys drawn from the pension fund
2 under the provisions of this chapter shall be upon warrants signed

3 by the appropriate board of trustees, which warrants shall designate
 4 the name of the person and the purpose for which payment is made.
 5 The treasurer shall prepare annually, immediately after the first day
 6 of January, and file with the city clerk a report for each fund of the
 7 receipts and expenditures for the year ending December thirty-first
 8 of the previous year, showing the money on hand, how invested, all
 9 moneys received and paid out.

[S., '13, §§ 932-i, 932-r; 40 G. A., ch. 261, § 15.]

SEC. 4105-a16. City marshal.

1 Service by any member of the police department as city marshal
 2 shall not deprive him of any rights under this chapter. In any matter
 3 in which said city marshal shall be individually interested and which
 4 requires the action of the board of trustees of the policemen's pension
 5 fund, he shall not act as a member of said board, but the mayor of
 6 the city shall act with the other two trustees of the board with respect
 7 thereto. Upon the termination of his term as city marshal, he shall
 8 regain the rank he held in the police department at the time of his
 9 appointment as city marshal.

[38 G. A., ch. 344, § 1; 40 G. A., ch. 261, § 16.]

SEC. 4105-a17. Hospital expense.

1 Cities and towns are hereby authorized and empowered to pro-
 2 vide hospital, nursing and medical attention for the members of the
 3 police and fire departments of such cities, when injured while in the
 4 performance of their duties as members of such department, and
 5 the cost of such hospital, nursing, and medical attention shall be paid
 6 out of the appropriation for the department to which such injured
 7 person belongs, provided that any amounts received by such injured
 8 person under the workmen's compensation law of the state of Iowa,
 9 or from any other source for such specific purposes, shall be deducted
 10 from the amount paid by such city or town under the provisions of
 11 this section.

[40 G. A., ch. 133.]

CHAPTER 38

HOUSING LAW

SECTION 4197-a1. Enforcement by division of building inspection.

1 In cities of more than one hundred thousand population, as shown
 2 by the last state or federal census, having a department or division of
 3 building inspection in charge of a person devoting his entire time to
 4 the supervision of building construction and to the enforcement of
 5 laws and ordinances relating to building construction, repair, altera-
 6 tion, removal and to related matters, the city council may by ordinance
 7 provide that said person shall be charged with the powers and duties
 8 charged in section forty-one hundred ninety-seven of the compiled
 9 code to the board of health and to the health officer, and that all plans,
 10 specifications, affidavits, forms and statements, in said section pre-

11 scribed to be filed with the health officer shall be filed with such per-
 12 son; and that said person may issue valid permits, certificates and
 13 orders providing, without the certificate of the health officer herein-
 14 before provided to be filed in the office of the department of buildings.

[39 G. A., ch. 160, § 1.]

SEC. 4206. Enforcement provisions of this chapter.

1 The provisions of this chapter shall be enforced in each city by
 2 the health officer, except that the department of buildings, where such
 3 department exists in a city, shall enforce the provisions contained in
 4 sections forty-one hundred forty to forty-one hundred fifty-one, in-
 5 clusive, and forty-one hundred ninety-four to forty-one hundred
 6 ninety-six, inclusive, of the compiled code.

[38 G. A., ch. 123, § 101.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G.
 A. but reprinted to correct error in printing of compiled code.

CHAPTER 38-A

MUNICIPAL ZONING

SECTION 4213-a1. Building restrictions—powers granted.

1 For the purpose of promoting the health, safety, morals, or the
 2 general welfare of the community, any city or town, including cities
 3 acting under the commission plan of government, is hereby em-
 4 powered to regulate and restrict the height, number of stories, and
 5 size of buildings and other structures, the percentage of lot that may
 6 be occupied, the size of yards, courts and other open spaces, the den-
 7 sity of population, and the location and use of buildings, structures,
 8 and land for trade, industry, residence, or other purposes.

[40 G. A., ch. 134, § 1.]

SEC. 4213-a2. Districts—regulations.

1 For any or all of said purposes the local legislative body, herein-
 2 after referred to as the council, may divide the city or town into
 3 districts of such number, shape, and area as may be deemed best.
 4 suited to carry out the purposes of this chapter; and within such dis-
 5 tricts it may regulate and restrict the erection, construction, recon-
 6 struction, alteration, repair, or use of buildings, structures, or land.
 7 All such regulations and restrictions shall be uniform for each class
 8 or kind of buildings throughout each district, but the regulations in
 9 one district may differ from those in other districts.

[40 G. A., ch. 134, § 2.]

SEC. 4213-a3. Basis of regulations.

1 Such regulations shall be made in accordance with a comprehen-
 2 sive plan and designed to lessen congestion in the streets; to secure
 3 safety from fire, panic, and other dangers; to promote health and the
 4 general welfare; to provide adequate light and air, to prevent the
 5 overcrowding of land; to avoid undue concentration of population;

6 to facilitate the adequate provision of transportation, water, sewer-
7 age, schools, parks, and other public requirements.
8 Such regulations shall be made with reasonable consideration,
9 among other things, as to the character of the area of the district
10 and the peculiar suitability of such area for particular uses, and with
11 a view to conserving the value of buildings and encouraging the most
12 appropriate use of land throughout such city or town.

[40 G. A., ch. 134, § 3.]

SEC. 4213-a4. Determination of regulations and boundaries.

1 The council of such city or town shall provide for the manner
2 in which such regulations and restrictions and the boundaries of such
3 districts shall be determined, established, and enforced, and from time
4 to time amended, supplemented, or changed. However, no such regu-
5 lation, restriction, or boundary shall become effective until after
6 a public hearing in relation thereto, at which parties in interest and
7 citizens shall have an opportunity to be heard. At least fifteen days'
8 notice of the time and place of such hearing shall be published in
9 a paper of general circulation in such city or town.

[40 G. A., ch. 134, § 4.]

SEC. 4213-a5. Changes—hearing—notice.

1 Such regulations, restrictions, and boundaries may, from time
2 to time, be amended, supplemented, changed, modified, or repealed.
3 In case, however, of a protest against such change signed by the
4 owners of twenty per cent or more either of the area of the lots in-
5 cluded in such proposed change, or of those immediately adjacent in
6 the rear thereof extending the depth of one lot or not to exceed
7 two hundred feet therefrom, or of those directly opposite thereto,
8 extending the depth of one lot or not to exceed two hundred feet
9 from the street frontage of such opposite lots, such amendment shall
10 not become effective except by the favorable vote of at least three-
11 fourths of all the members of the council. The provisions of the pre-
12 vious section relative to public hearings and official notice shall apply
13 equally to all changes or amendments.

[40 G. A., ch. 134, § 5.]

SEC. 4213-a6. Zoning commission—duties.

1 In order to avail itself of the powers conferred by this chapter,
2 the council shall appoint a commission, to be known as the zoning
3 commission, to recommend the boundaries of the various original
4 districts, and appropriate regulations and restrictions to be enforced
5 therein. Where a city plan commission already exists, it may be
6 appointed as the zoning commission. Such commission shall, with
7 due diligence, prepare a preliminary report and hold public hearings
8 thereon before submitting its final report; and such council shall not
9 hold its public hearings or take action until it has received the final
10 report of such commission. After the adoption of such regulations,
11 restrictions, and boundaries of districts, the zoning commission may,
12 from time to time, recommend to the council amendments, supple-
13 ments, changes, or modifications.

[40 G. A., ch. 134, § 6.]

SEC. 4213-a7. Board of adjustment—powers.

1 The council shall provide for the appointment of a board of ad-
 2 justment and in the regulations and restrictions adopted pursuant to
 3 the authority of this chapter shall provide that the said board of ad-
 4 justment may in appropriate cases and subject to appropriate condi-
 5 tions and safeguards make special exceptions to the terms of the ordi-
 6 nances in harmony with its general purpose and intent and in accord-
 7 ance with general or specific rules therein contained and provide that
 8 any property owner aggrieved by the action of the council in the adop-
 9 tion of such regulations and restrictions may petition the said board of
 10 adjustment direct to modify regulations and restrictions as applied
 11 to such property owners.

[40 G. A., ch. 134, § 7.]

SEC. 4213-a8. Membership.

1 The board of adjustment shall consist of five members each to be
 2 appointed for a term of five years, excepting that when the board
 3 shall first be created one member shall be appointed for a term of five
 4 years, one for a term of four years, one for a term of three years,
 5 one for a term of two years, and one for a term of one year. Members
 6 shall be removable for cause by the appointing authority upon written
 7 charges and after public hearing. Vacancies shall be filled for the
 8 unexpired term of any member whose term becomes vacant.

[40 G. A., ch. 134, § 7.]

SEC. 4213-a9. Rules—meetings—general procedure.

1 The board shall adopt rules in accordance with the provisions of
 2 any ordinance adopted pursuant to this chapter. Meetings of the
 3 board shall be held at the call of the chairman and at such other
 4 times as the board may determine. Such chairman, or in his absence,
 5 the acting chairman, may administer oaths and compel the attend-
 6 ance of witnesses. All meetings of the board shall be open to the
 7 public. The board shall keep minutes of its proceedings, showing the
 8 vote of each member upon each question, or if absent or failing to
 9 vote, indicating such fact, and shall keep records of its examinations
 10 and other official actions, all of which shall be immediately filed in
 11 the office of the board and shall be a public record.

[40 G. A., ch. 134, § 7.]

SEC. 4213-a10. Appeals.

1 Appeals to the board of adjustment may be taken by any
 2 person aggrieved or by any officer, department, board, or bureau of
 3 the municipality affected by any decision of the administrative officer.
 5 Such appeal shall be taken within a reasonable time as provided by the
 6 rules of the board by filing with the officer from whom the appeal
 7 is taken and with the board of adjustment a notice of appeal specify-
 8 ing the grounds thereof. The officer from whom the appeal is taken
 9 shall forthwith transmit to the board all the papers constituting the
 10 record upon which the action appealed from was taken.

[40 G. A., ch. 134, § 7.]

SEC. 4213-a11. Effect of appeal.

1 An appeal stays all proceedings in furtherance of the action
 2 appealed from, unless the officer from whom the appeal is taken cer-
 3 tifies to the board of adjustment after the notice of appeal shall have
 4 been filed with him that by reason of facts stated in the certificate
 5 a stay would in his opinion cause imminent peril to life or property.
 6 In such case proceedings shall not be stayed otherwise than by a
 7 restraining order which may be granted by the board of adjustment
 8 or by a court of record on application on notice to the officer from
 9 whom the appeal is taken and on due cause shown.

[40 G. A., ch. 134, § 7.]

SEC. 4213-a12. Powers.

1 The board of adjustment shall have the following powers:
 2 1. To hear and decide appeals where it is alleged there is error
 3 in any order, requirement, decision or determination made by an
 4 administrative official in the enforcement of this chapter or of any
 5 ordinance adopted pursuant thereto.
 6 2. To hear and decide special exceptions to the terms of the ordi-
 7 nance upon which such board is required to pass under such ordi-
 8 nance.
 9 3. To authorize upon appeal in specific cases such variance from
 10 the terms of the ordinance as will not be contrary to the public
 11 interest, where owing to special conditions a literal enforcement¹ of
 12 the provisions of the ordinance will result in unnecessary hardship,
 13 and so that the spirit of the ordinance shall be observed and substan-
 14 tial justice done.

[40 G. A., ch. 134, § 7.]

¹"enforcement" in enrolled bill.

SEC. 4213-a13. Decision on appeal.

1 In exercising the above mentioned powers such board may, in con-
 2 formity with the provisions of this chapter, reverse or affirm, wholly
 3 or partly, or may modify the order, requirement, decision, or determi-
 4 nation appealed from and may make such order, requirement, de-
 5 cision, or determination as ought to be made, and to that end shall
 6 have all the powers of the officer from whom the appeal is taken.

[40 G. A., ch. 134, § 7.]

SEC. 4213-a14. Vote required.

1 The concurring vote of three members of the board shall be
 2 necessary to reverse any order, requirement, decision, or determina-
 3 tion of any such administrative official, or to decide in favor of the
 4 applicant on any matter upon which it is required to pass under any
 5 such ordinance or to effect any variation in such ordinance.

[40 G. A., ch. 134, § 7.]

SEC. 4213-a15. Petition for certiorari.

1 Any person or persons, jointly or severally, aggrieved by any
 2 decision of the board of adjustment under the provisions of this
 3 chapter, or any taxpayer, or any officer, department, board, or bureau
 4 of the municipality, may present to a court of record a petition, duly

5 verified, setting forth that such decision is illegal, in whole or in
6 part, specifying the grounds of the illegality. Such petition shall be
7 presented to the court within thirty days after the filing of the de-
8 cision in the office of the board.

[40 G. A., ch. 134, § 7.]

SEC. 4213-a16. Writ—restraining order.

1 Upon the presentation of such petition, the court may allow a
2 writ of certiorari directed to the board of adjustment to review
3 such decision of the board of adjustment and shall prescribe therein
4 the time within which a return thereto must be made and served upon
5 the relator's attorney, which shall not be less than ten days and may
6 be extended by the court. The allowance of the writ shall not stay
7 proceedings upon the decision appealed from, but the court may, on
8 application, on notice to the board and on due cause shown, grant a
9 restraining order.

[40 G. A., ch. 134, § 7.]

SEC. 4213-a17. Return.

1 The board of adjustment shall not be required to return the
2 original papers acted upon by it, but it shall be sufficient to return
3 certified or sworn copies thereof or of such portions thereof as may
4 be called for by such writ. The return shall concisely set forth such
5 other facts as may be pertinent and material to show the grounds
6 of the decision appealed from and shall be verified.

[40 G. A., ch. 134, § 7.]

SEC. 4213-a18. Trial—judgment—costs.

1 If upon the hearing which shall be tried de novo it shall appear
2 to the court that testimony is necessary for the proper disposition
3 of the matter, it may take evidence or appoint a referee to take such
4 evidence as it may direct and report the same to the court with his
5 findings of fact and conclusions of law, which shall constitute a part
6 of the proceedings upon which the determination of the court shall
7 be made. The court may reverse or affirm, wholly or partly, or may
8 modify the decision brought up for review.

9 Costs shall not be allowed against the board, unless it shall appear
10 to the court that it acted with gross negligence or in bad faith or with
11 malice in making the decision appealed from.

[40 G. A., ch. 134, § 7.]

SEC. 4213-a19. Preference.

1 All issues in any proceedings under the foregoing sections shall
2 have preference over all other civil actions and proceedings.

[40 G. A., ch. 134, § 7.]

SEC. 4213-a20. Actions to correct violations.

1 In case any building or structure is erected, constructed, recon-
2 structed, altered, repaired, converted, or maintained; or any building,
3 structure, or land is used in violation of this chapter or of any or-
4 dinance or other regulation made under authority conferred thereby,
5 the council, in addition to other remedies, may institute any appro-

6 piate action or proceedings to prevent such unlawful erection, con-
 7 struction, reconstruction, alteration, repair, conversion, maintenance,
 8 or use, to restrain, correct, or abate such violation, to prevent the
 9 occupancy of said building, structure, or land, or to prevent any illegal
 10 act, conduct, business, or use in or about such premises.

[40 G. A., ch. 134, § 8.]

SEC. 4213-a21. Conflicting rules, ordinances, and statutes.

1 Wherever the regulations made under authority of this chapter
 2 require a greater width or size of yards, courts or other open spaces,
 3 or require a lower height of building or less number of stories, or
 4 require a greater percentage of lot to be left unoccupied, or impose
 5 other higher standards than are required in any other statute or
 6 local ordinance or regulation, the provisions of the regulations made
 7 under authority of this chapter shall govern. Wherever the pro-
 8 visions of any other statute or local ordinance or regulation require
 9 a greater width or size of yards, courts or other open spaces, or re-
 10 quire a lower height of building or a less number of stories, or re-
 11 quire a greater percentage of lot to be left unoccupied, or impose
 12 other higher standards than are required by the regulations made
 13 under authority of this chapter, the provisions of such statute or local
 14 ordinance or regulation shall govern.

[40 G. A. ch. 134, § 9.]

SEC. 4213-a22. Restricted residence districts.

1 When any city or town shall have taken advantage of and pro-
 2 ceeded under the provisions of this chapter, then chapter thirty-
 3 eight-B of title thirteen of this supplement, and acts amendatory
 4 of said chapter thirty-eight-B, shall be no longer operative as to
 5 such city or town.

[40 G. A., ch. 134, § 10.]

CHAPTER 38-B

RESTRICTED RESIDENCE DISTRICTS

NOTE: The three sections of this chapter appear in the compiled code as sections 3617, 3618 and 3619. They have been dropped from said code, and have been reproduced in this supplement at this point and in a separate chapter in order that they may follow chapter 38-A to which they are closely related.

SECTION 4213-a23. Restricted residence districts—petition.

1 Cities of the first class, including cities under commission form
 2 of government, may, and upon petition of sixty per cent of the owners
 3 of the real estate in the district sought to be affected residing in such
 4 city shall, designate and establish, by appropriate proceedings,
 5 restricted residence districts within its limits.

[37 G. A., ch. 138, § 1.]

SEC. 4213-a24. Ordinance—scope.

1 In the ordinance designating and establishing such restricted resi-
 2 dence district, every such city is hereby empowered to provide and

3 establish reasonable rules and regulations for the erection, reconstruc-
 4 tion, altering, and repairing of buildings of all kinds, within said dis-
 5 trict, as well as the use and occupancy of such buildings; and to
 6 provide that no building or other structure, except residences, school-
 7 houses, churches, and other similar structures shall thereafter be
 8 erected, altered, or repaired, or occupied without first securing from
 9 the city council of such city a permit therefor, such permit to be issued
 10 under such reasonable rules and regulations as may in said ordinance
 11 be provided.

[37 G. A., ch. 138, § 2.]

SEC. 4213-a25. Ordinance—violations.

1 Any building or structure erected, altered, repaired, or used in
 2 violation of any ordinance passed under the authority of the two pre-
 3 ceding sections, shall be deemed a nuisance, and every such city is
 4 hereby empowered to provide by ordinance for the abatement of such
 5 nuisance, either by fine or imprisonment, or by action in the district
 6 or municipal court of the county in which such city is located, or by
 7 both; such action to be prosecuted in the name of the city.

[37 G. A., ch. 138, § 3.]

CHAPTER 39

GOVERNMENT OF CERTAIN CITIES BY COMMISSION

**SECTION 4219. Candidates—how nominated—primary election—
 ballot—canvass of vote—result published—municipal election.**

1 Candidates to be voted for at all general municipal elections at
 2 which a mayor and councilmen are to be elected under the provisions
 3 of this chapter shall be nominated by a primary election, and no other
 4 names shall be placed upon the general ballot except those selected in
 5 the manner hereinafter prescribed.

6 The primary election for such nomination shall be held on the
 7 second Monday preceding the general municipal election.

8 The judges of election appointed for the general municipal elec-
 9 tion shall be the judges of the primary election, and it shall be held at
 10 the same place, so far as possible, and the polls shall be opened and
 11 closed at the same hours, with the same clerks as are required for said
 12 general municipal election.

13 Any person desiring to become a candidate for mayor or council-
 14 man shall, at least ten days prior to said primary election, file with
 15 the said clerk a statement of such candidacy, in substantially the fol-
 16 lowing form:

17 State of Iowa,

18 }
 19County. } ss.

20 I,, being first duly sworn, say that I reside at
 21 street, city of, county of,
 22 state of Iowa; that I am a qualified voter therein; that I am a candi-
 23 date for nomination to the office of (here designate office to which
 24 you aspire) to be voted upon at the primary election to be held on

25 Monday of 19..... and I hereby re-
26 quest that my name be printed upon the official primary ballot for
27 nomination by such primary election for such office.

28 (Signed)

29 Subscribed and sworn to (or affirmed) before me by
30 on this day of 19.....

31 (Signed)

32 and shall, at the same time, file therewith a petition of at least one
33 hundred qualified voters requesting such candidacy. Each petition
34 shall be verified by one or more persons as to the qualification and
35 residence, with street number of each of the persons so signing the
36 said petition, and the said petition shall be in substantially the fol-
37 lowing form:

38 PETITION ACCOMPANYING NOMINATING STATEMENT.

39 The undersigned, duly qualified electors, of the city of
40 and residing at the places set opposite our respective names hereto, do
41 hereby request that the name of (name of candidate) be placed on
42 the ballot as a candidate for nomination for (here designate the office
43 to which he aspires) at the primary election to be held in such city
44 on the Monday of 19.....

45 We further state that we know him to be a qualified elector of
46 said city and a man of good moral character and qualified in our judg-
47 ment for the duties of such office.

48	Name of Qualified Electors.	Number.	Street.
49	.....	.....	.....

50 Immediately upon the expiration of the time of filing the state-
51 ments and petitions for candidacies, the said city clerk shall cause to
52 be published for three successive days in all the daily newspapers pub-
53 lished in the city, in proper form, the names of the persons as they are
54 to appear upon the primary ballot, and if there be no daily newspaper,
55 then in two issues of any other newspapers that may be published in
56 said city; and the said clerk shall thereupon cause the primary ballots
57 to be printed, authenticated with a facsimile of his signature. Upon
58 the said ballot the names of the candidates for mayor, as is provided
59 in the following section, shall first be placed, with a square at the left
60 of each name, and immediately below the words, "vote for one".

61 Following these names, likewise as is provided in the following
62 section, shall appear the names of all the candidates, for the office of
63 superintendent of "accounts and finances", or superintendent of
64 "accounts, finances and public safety" as the case may be, with a
65 square to the left of each name and immediately below the words,
66 "vote for one".

67 Following these names likewise as is provided in the following sec-
68 tion, shall appear the names of all candidates for the office of "superin-
69 tendent of public safety", or "superintendent of parks, public prop-
70 erty, streets and improvements" as the case may be, with a square to
71 the left of each name and immediately below the words, "vote for one".

72 Following these names likewise as is provided in the following
73 section, shall appear the names of all the candidates for the office of
74 "superintendent of streets and public improvements" with a square
75 to the left of each name and immediately below the words, "vote for
76 one".

77 Following these names, likewise as is provided in the following
78 section, shall appear the names of all the candidates for the office of
79 "superintendent of parks and public property" with a square to the
80 left of each name and immediately below the words, "vote for one".

81 In cities having a population of two thousand and not over
82 twenty-five thousand the departments of "accounts and finances"
83 and "public safety" shall be presided over by one and the same per-
84 son; and the departments of "parks and public property" and "streets
85 and public improvements" shall be presided over by one and the
86 same person. The ballots shall be printed upon plain, substantial
87 white paper, and shall be headed:

88 CANDIDATES FOR NOMINATION FOR MAYOR AND COUNCIL-
89 MEN OF (Here Name of City) AT THE PRIMARY ELECTION

90 But shall have no party designation or mark whatever, except
91 that of the office or particular department to which the candidate
92 aspires as shown by his statement filed with the city clerk and by the
93 petition of electors filed also with the city clerk.

94 The ballots in all cities having a population of twenty-five thou-
95 sand or over shall be in substantially the following form: (place a
96 cross in the square preceding the name of the person you favor for
97 each respective position).

98 OFFICIAL PRIMARY BALLOT
99 CANDIDATES FOR NOMINATION FOR MAYOR AND COUN-
100 CILMEN OF (Name of City) AT THE PRIMARY ELECTION
101 FOR MAYOR

- 102 (Vote for one)
103 Name of candidate
104 Name of candidate

105 FOR SUPERINTENDENT OF ACCOUNTS AND FINANCES

- 106 (Vote for one)
107 Name of candidate
108 Name of candidate

109 FOR SUPERINTENDENT OF PUBLIC SAFETY

- 110 (Vote for one)
111 Name of candidate
112 Name of candidate

113 FOR SUPERINTENDENT OF STREETS AND PUBLIC IM-
114 PROVEMENTS

- 115 (Vote for one)
116 Name of candidate
117 Name of candidate

118 FOR SUPERINTENDENT OF PARKS AND PUBLIC PROPERTY

- 119 (Vote for one)
120 Name of candidate
121 Name of candidate

122 OFFICIAL BALLOT ATTEST
123 (Signature)

124 -----
125 City Clerk

126 The ballot in all cities having a population of two thousand and
127 less than twenty-five thousand shall be in substantially the following
128 form:

129 OFFICIAL PRIMARY BALLOT
 130 CANDIDATES FOR NOMINATION FOR MAYOR AND COUNCIL-
 131 MEN OF (Name of City) AT THE PRIMARY ELECTION
 132 FOR MAYOR

133 (Vote for one)

134 Name of candidate

135 Name of candidate

136 FOR SUPERINTENDENT OF ACCOUNTS, FINANCES AND PUB-
 137 LIC SAFETY

138 (Vote for one)

139 Name of candidate

140 Name of candidate

141 FOR SUPERINTENDENT OF PARKS, PUBLIC PROPERTY,
 142 STREETS AND IMPROVEMENTS

143 (Vote for one)

144 Name of candidate

145 Name of candidate

146 OFFICIAL BALLOT ATTEST

147 (Signature)

148

149

 City Clerk

150 Having caused the said ballots to be printed, the said city clerk
 151 shall cause to be delivered at each polling place a number of said
 152 ballots equal to twice the number of votes cast in such polling precinct
 153 at the last general municipal election for mayor.

154 The persons who are qualified to vote at the general municipal
 155 election shall be qualified to vote at such primary election. Challenges
 156 can be made by not more than two persons, to be appointed at the
 157 time of opening the polls by the judges of election; and the law
 158 applicable to challenges at a general municipal election shall be ap-
 159 plicable to challenges made at such primary election.

160 Judges of election shall, immediately upon the closing of the polls,
 161 count the ballots and ascertain the number of votes cast in such pre-
 162 cinct for each of the candidates, and make return thereof to the city
 163 clerk, upon proper blanks to be furnished by the said city clerk,
 164 within six hours of the closing of the polls.

165 On the day following the said primary election, the said city
 166 clerk shall publicly canvass said returns so received from the polling
 167 precincts, and shall make and publish in all the newspapers of said
 168 city, at least once, the result thereof. The two candidates receiving
 169 the highest number of votes for mayor shall be the candidates, and
 170 the only candidates, whose names shall be placed upon the ballot
 171 for mayor at the next succeeding general municipal election.

172 The two candidates receiving the highest number of votes for
 173 the office of superintendent of "accounts and finances" or "superin-
 174 tendent of accounts, finances and public safety" as the case may be,
 175 shall be the candidates, and the only candidates, whose names shall
 176 be placed upon the ballot for superintendent of "accounts and
 177 finances" or "superintendent of accounts, finances and public safety"
 178 as the case may be, at the next succeeding general municipal
 179 election.

180 The two candidates receiving the highest number of votes for
 181 the office of "superintendent of public safety" or "superintendent of

182 parks, public property, streets and improvements" as the case may
 183 be, shall be the candidates, and the only candidates, whose names
 184 shall be placed upon the ballot for superintendent of "public safety"
 185 or "superintendent of parks, public property, streets and improve-
 186 ments" as the case may be, at the next succeeding general municipal
 187 election.

188 The two candidates receiving the highest number of votes for
 189 the office of "superintendent of streets and public improvements" shall
 190 be the candidates, and the only candidates, whose names shall be
 191 placed upon the ballot for "superintendent of streets and public im-
 192 provements" at the next succeeding general municipal election.

193 The two candidates receiving the highest number of votes for
 194 the office of "superintendent of parks and public property" shall be
 195 the candidates, and the only candidates, whose names shall be placed
 196 upon the ballot for "superintendent of parks and public property" at
 197 the next succeeding general municipal election.

198 All electors of cities under this chapter, who by the laws govern-
 199 ing cities of the first and second class would be entitled to vote for the
 200 election of officers at any general municipal election in such cities,
 201 shall be qualified to vote at all elections under this chapter. The
 202 ballot at such general municipal election shall be in the same general
 203 form as for such primary election, so far as applicable; and in all
 204 elections in such city, the election precinct, voting places, method of
 205 conducting election, canvassing the vote and announcing the results
 206 shall be the same as by law provided for election of officers in such
 207 cities, so far as the same are applicable and not inconsistent with the
 208 provisions of this chapter.

[S., '13, § 1056-a21; 39 G. A., ch. 109, § 1; 40 G. A., ch. 135,
 § 2.]

SEC. 4219-a1. Arrangement of names on ballot.

1 The names of the candidates for offices to be filled under the pre-
 2 ceding section shall be arranged and printed upon the primary election
 3 ballots and upon the general municipal election ballots in the following
 4 manner, to wit: The city clerk shall prepare a list of the election pre-
 5 cincts of his city, by arranging the various wards or precincts of such
 6 city in numerical order. He shall then arrange the surnames of all
 7 candidates for such offices alphabetically for the respective offices for
 8 the first precinct in the list; thereafter, for each succeeding precinct,
 9 the name or names appearing first for the respective offices in the last
 10 precinct should be placed last, so that the names that were second be-
 11 fore the change be first after the change.

[S., '13, § 1056-a21; 39 G. A., ch. 109, § 2.]

SEC. 4219-a2. Act declared optional—submission to electors.

[Repealed by 40 G. A., ch. 135, § 1.]

SEC. 4224. Department superintendents—officers and assistants.

1 The mayor shall be superintendent of the department of public
 2 affairs and each councilman shall be superintendent of the particular
 3 department to which he was elected.

4 The council shall, at the first regular meeting after election, or
 5 as soon as practicable thereafter, elect by majority vote the following

6 officers: city clerk, solicitor, assessor, treasurer, auditor, civil engi-
 7 neer, city physician, marshal, market master, street commissioner,
 8 and such other officers and assistants as shall be provided for by ordi-
 9 nance and necessary to the proper and efficient conduct of the affairs
 10 of the city; provided, however, that in cities having a population of
 11 less than twenty-five thousand such only of the above named officers
 12 shall be appointed as may, in the judgment of the mayor and council-
 13 men, be necessary for the proper and efficient transaction of the affairs
 14 of the city.

15 In those cities of the first class not having a superior court, the
 16 council shall appoint a police judge or in any city of the second class
 17 under the commission form of government, wherein the census enu-
 18 merators have completed taking the census, reported the same to the
 19 county auditor, and the county auditor has made a return of the same
 20 to the executive council, such return showing such city to have a
 21 population of fifteen thousand or more, the city council of such city
 22 may immediately appoint a police judge the same as though the
 23 executive council had completed the canvass of the census and certified
 24 the same as official.

25 All cities of the second class appointing police judges as herein
 26 provided shall within two years after the official census returns are
 27 published abolish such police court, unless such city completes all
 28 necessary steps to become a city of the first class as provided by law.
 29 In cities of the second class not having a superior court the mayor
 30 shall hold police court, as now provided by law.

31 Any officer or assistant elected or appointed by the council may
 32 be removed from office at any time by vote of a majority of the mem-
 33 bers of the council, except as otherwise provided for in this chapter.

[S. S., '15, § 1056-a26; 39 G. A., ch. 109, § 3.]

SEC. 4241. Street improvements and sewers in certain cities.

1 Cities under the commission plan having a population of more
 2 than twenty thousand, and in which is situated no city cemetery, but
 3 contain within their confines a cemetery established for more than
 4 twenty years, and is conducted by a cemetery association or corpora-
 5 tion operated not for pecuniary profit, and which cemetery contains
 6 more than forty acres and is so situated as to for a distance of more
 7 than fifteen hundred feet bar access to the city, which cemetery has
 8 a frontage of more than fifteen hundred feet upon one of the main
 9 traveled streets or highways leading into said city, and upon which
 10 street or highway a street car track is laid, and which street or high-
 11 way is so situated as to make it impracticable to levy special assess-
 12 ments against a large portion of the abutting property so situated,
 13 are hereby authorized to avail themselves of the provisions of sections
 14 thirty-nine hundred twelve, thirty-nine hundred thirteen, thirty-nine
 15 hundred fourteen, thirty-nine hundred fifteen, thirty-nine hundred
 16 seventeen, thirty-nine hundred eighteen, thirty-nine hundred nineteen
 17 of this supplement and thirty-nine hundred sixteen, thirty-nine hun-
 18 dred twenty, thirty-nine hundred twenty-one and thirty-nine hundred
 19 twenty-two of the compiled code, for the purpose of building, repairing
 20 and paying for sewer under and curbing and paving along and upon
 21 said street or highway in front of such cemetery; and for the propor-
 22 tion of the cost thereof not properly assessable against such street car
 23 line and not justly assessable against abutting property other than

24 that owned by the cemetery association, in addition to all other levies
 25 now authorized by law, may, in lieu of the provisions of section thirty-
 26 nine hundred nineteen of this supplement, levy an annual tax not ex-
 27 ceeding one mill upon all taxable property excepting moneys and cred-
 28 its contained in said city, or any principal division or district thereof
 29 as may be determined or established by the city council. The tax
 30 herein provided for may be accumulated from year to year until such
 31 special fund is sufficient for the purposes herein authorized. And such
 32 city may anticipate the collection of such tax under the provisions of
 33 section thirty-nine hundred twenty of the compiled code.

[38 G. A., ch. 101, § 1.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to correct error in printing of compiled code.

SEC. 4264. To what cities applicable.

1 Sections forty-two hundred sixty to forty-two hundred sixty-
 2 three, inclusive, of the compiled code, shall apply only to cities having
 3 a population of seventy thousand or more as shown by either the last
 4 United States or state census.

[S., '13, § 1056-a59; 40 G. A., ch. 136, § 1.]

SEC. 4265. Tax for garbage disposal plant.

1 The council of any city having a population of seventy thousand
 2 or more, organized under this chapter, shall have the power to levy a
 3 tax upon all taxable property in said city not to exceed one mill on the
 4 dollar each year for the purpose of acquiring a location for and equip-
 5 ment, maintenance and construction of a garbage disposal plant or
 6 system, but nothing in this section or sections forty-two hundred
 7 sixty-six, forty-two hundred sixty-seven and forty-two hundred sixty-
 8 eight of the compiled code shall be held to extend the powers of such
 9 cities to make annual levies for general and special taxes in excess of
 10 forty-eight mills on the dollar of the taxable value of the property
 11 therein.

[S., '13, § 1056-a61; 39 G. A., ch. 54.]

SEC. 4269-a1. Meandered streams—improvement.

1 All cities which have heretofore, or shall hereafter adopt the
 2 plan of government provided in chapter thirty-nine of title thirteen
 3 and amendments thereto, and which have their corporate limits
 4 divided by a meandered stream, and which have a population of
 5 thirty-five thousand or more according to the last preceding state or
 6 federal census, shall have power to acquire land along or adjacent
 7 to such stream as may be deemed desirable by the council of any such
 8 city for park purposes, or as sites for public buildings, or shall, by
 9 such council, be deemed necessary for the widening, straightening, and
 10 improving of the channel of such stream and the improvement of the
 11 banks thereof, by purchase, or by condemnation in the manner pro-
 12 vided by law for the taking of private property for public use, and
 13 shall have power to improve said land for public purposes.

[40 G. A., ch. 137, § 1.]

SEC. 4269-a2. Leases.

1 Such cities may temporarily lease any property so acquired when,
2 in the judgment of the city council, public interests or welfare will
3 thereby be subserved.

[40 G. A., ch. 137, § 2.]

SEC. 4269-a3. Election—bonds—tax.

1 The city councils of any such cities may submit to the electors
2 thereof at a regular city election or at a special election called by the
3 city council for that purpose, the question of the issuance of bonds
4 to provide for the payment of land to be acquired under the provisions
5 of the second¹ preceding section, and for permanently improving the
6 same for public purposes, and if a majority of the electors voting at
7 any such election shall vote in favor thereof the city council may issue
8 bonds maturing not more than fifty years from date of issuance, or
9 serially within such period, payable at such place and of such form
10 as the city council may by ordinance designate, and in an amount not
11 in excess of that authorized by said electors.

12 In issuing such bonds, such cities may become indebted in an
13 amount which, added to all other indebtedness, shall not exceed five
14 per centum of the actual value of the taxable property in such city
15 as shown by the last preceding assessment roll.

16 For the purpose of providing for the payment of said bonds and
17 the interest thereon, such cities shall have the power to levy upon all
18 the taxable property within the limits thereof, an annual tax of not
19 exceeding five mills on the dollar until such bonds and the interest
20 thereon have been fully paid or provided for, not exceeding fifty
21 years.

[40 G. A., ch. 137, § 3.]

¹The word "second" does not appear in the enrolled bill.

SEC. 4269-a4. Notice—ballot.

1 Notice of such election shall be given in two newspapers pub-
2 lished in said city, if there be two, but if not, then in one, once each
3 week for at least four consecutive weeks. The election shall be held
4 not less than five nor more than twenty days after the last publication
5 of such notice. The question to be submitted shall be in the follow-
6 ing form:

7 Shall the city issue bonds in the amount of
8 \$.....for the purpose of acquiring land Yes
9 along and adjacent to the..... No
(Name of stream)
10 within the city limits and permanently improve
11 the same for public purposes?

[40 G. A., ch. 137, § 4.]

SEC. 4269-a5. Interpretative clause.

1 The four preceding sections shall be construed as granting addi-
2 tional power without limiting the power already granted to cities
3 designated in section forty-two hundred sixty-nine-a one of this sup-
4 plement.

[40 G. A., ch. 137, § 5.]

CHAPTER 39-A

CITY MANAGER PLAN BY ORDINANCE

NOTE: This chapter appeared in the compiled code as chapter 3 of this title. It is reprinted in this supplement as chapter 39-A of title XIII so that it will precede the chapter on "City Manager Plan by Popular Election" in the permanent code. The change in the heading of the chapter from "Municipal Managers" to the above has been made in order to coordinate it with the new chapter heading adopted for the following chapter.

SECTION 4271-a1. City manager—duties and compensation.

1 All cities and towns, except cities under the commission form of
2 government and cities having a population of more than twenty-five
3 thousand as shown by the last preceding census, are hereby authorized
4 to provide by ordinance for the creation of the office of city manager
5 and to fix likewise the duties and powers and compensation of such
6 officer.

[S. S., '15, § 679-1a.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to change location.

SEC. 4271-a2. Appointment by council—tenure of office.

1 The city manager shall be appointed by a majority vote of the
2 city or town council at a regular meeting of such body, and such mana-
3 ger shall hold office during the pleasure of the said body, and shall be
4 subject to removal by a majority vote thereof.

[S. S., '15, § 679-2a.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to change location.

SEC. 4271-a3. Duties which may be imposed.

1 Said city and town after having selected or appointed such city
2 manager may by ordinance provide that the city manager shall per-
3 form any or all of the duties incumbent upon the street commissioner,
4 or manager of public utilities, cemetery sexton, city clerk and super-
5 intendent of markets, and that he shall superintend and inspect all
6 improvements and work upon the streets, alleys, sewers, and public
7 grounds of the city or town, and to perform such other and further
8 duties as may be imposed upon him, and to possess such other and
9 further power as may, from time to time, be by ordinance conferred
10 upon him.

[S. S., '15, § 679-3a.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to change location.

SEC. 4271-a4. Manager's duties to supersede duty of appointive officers.

1 Whenever by ordinance or resolution of the council the powers and
2 duties heretofore vested in any other appointive municipal officer are
3 to be wholly performed by the said city manager, then no appointment
4 of such said appointive officer shall be made, and any appointment of

5 such officer, made prior to the adoption of such ordinance or resolution
6 shall be hereby canceled.

[S. S., '15, § 679-4a.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to change location.

CHAPTER 40

CITY MANAGER PLAN BY POPULAR ELECTION

NOTE: The heading of this chapter has been changed from "Government of Cities and Incorporated Towns by a Council and Manager" to the above to coordinate it with the new chapter heading adopted for the preceding chapter.

SECTION 4281-a1. Limit of indebtedness.

1 In any city adopting the form of government provided for in this
2 chapter, whose indebtedness prior to the time the change in govern-
3 ment was made was limited to five per centum of the actual value of
4 the taxable property therein, and whose actual indebtedness, at the
5 date of such change, exceeds one and one-quarter per centum of the
6 actual value of the taxable property of said city, the limit of indebted-
7 ness of such city shall be determined by adding to the indebtedness
8 limit, under the general laws for cities, the actual value, as determined
9 by the city council, of municipally owned and operated utilities, and
10 it shall be limited to such an amount; provided, however, that the
11 amount thus arrived at shall in no event exceed five per centum of the
12 actual value of the taxable property in said city, as shown by the state
13 and county tax list.

[39 G. A., ch. 41.]

SEC. 4283-a1. Pensions for policemen and firemen—laws applicable.

1 The law as it appears in chapter thirty-seven-A of this title shall
2 be applicable to and effective in cities which adopt the city manager
3 plan of government under the provisions of this chapter.

[39 G. A., ch. 103.]

SEC. 4297-a1. Civil service commission—laws applicable.

1 The law as it appears in section forty-two hundred thirty-two
2 of the compiled code shall be applicable to and effective in any city
3 which may hereafter adopt the city manager plan of government under
4 the provisions of this chapter, provided that all powers and duties
5 devolving upon the mayor and superintendent of public safety shall
6 devolve upon the city manager.

[39 G. A., ch. 102.]

SEC. 4297-a2. Civil service commission—term of office.

1 In cities organized under the provisions of this chapter and hav-
2 ing a population of fifteen thousand and over, the council shall, and
3 in such cities having a population of two thousand and less than fifteen

4 thousand, the council may, by ordinance appoint three civil service
5 commissioners, who shall hold office, one until the first Monday in
6 April of the second year after his appointment, one until the first
7 Monday in April of the fourth year after his appointment, and one
8 until the first Monday in April of the sixth year after his appointment,
9 and thereafter as a term expires an appointment shall be made for a
10 period of six years.

[39 G. A., ch. 216, § 1.]

SEC. 4297-a3. Qualifications—disqualification—compensation.

1 The commissioners must be citizens of Iowa, and residents of the
2 state for more than three years next preceding their appointment.
3 No person while on the said commission shall hold or be a candidate
4 for any office of public trust. Said commissioners shall receive no
5 compensation.

[39 G. A., ch. 216, § 1.]

SEC. 4297-a4. Oath of office.

1 Before entering upon the duties of their office, each commissioner
2 shall take and subscribe an oath which shall be filed and kept in the
3 office of the city clerk, to support the constitution of the United States
4 and the state of Iowa, and to obey the laws, and aim to fill and main-
5 tain honest and efficient departments, free from partisan distinction
6 or control and to perform the duties of his office to the best of his
7 ability.

[39 G. A., ch. 216, § 2.]

SEC. 4297-a5. Organization of commission—record—quorum.

1 The chairman of this commission for each biennial period shall
2 be the member whose term first expires. They shall have a clerk,
3 who shall keep a record of all its proceedings. Two of said members
4 shall constitute a quorum to transact business.

[39 G. A., ch. 216, § 1.]

SEC. 4297-a6. Quarters—supplies.

1 The city council shall provide suitable rooms in which the said
2 civil service commission may hold its meetings, and the city shall sup-
3 ply said commission with all necessary equipment to properly attend
4 to such business.

[39 G. A., ch. 216, § 1.]

SEC. 4297-a7. Removal of commissioners.

1 The council may, by a majority vote remove any of said commis-
2 sioners during their term of office for cause, and shall fill any vacancy
3 that may occur in said commission for the unexpired term.

[39 G. A., ch. 216, § 1.]

SEC. 4297-a8. Power of council in case of no commission.

1 In all cases in which no civil service commissioners are appointed
2 by the council, the council shall have the same powers and exercise
3 and perform all the duties devolving upon such commissioners, as
4 provided for in the eleven following sections.

[39 G. A., ch. 216, § 1.]

SEC. 4297-a9. Examinations—nature—time.

1 Such commission shall hold examinations for the purpose of de-
2 termining the qualifications of applicants for positions in the fire and
3 police departments and such other departments as the city council
4 may, from time to time, by ordinance or resolution designate, which
5 examinations shall be held once a year and oftener if the same becomes
6 necessary and they shall be practical in their character and relate to
7 such matters as will fairly test the fitness of the person examined to
8 discharge the duties of the position to which he seeks to be appointed.

[39 G. A., ch. 216, § 3.]

SEC. 4297-a10. List of eligibles—ratings.

1 Such commission shall, as soon as possible after the examinations
2 are held, prepare a list of eligibles for each department, which lists
3 shall show the ratings of each person as determined from the exam-
4 ination and those persons having the highest rating shall appear first
5 upon said lists. Such lists of eligibles shall be preserved by the clerk
6 of the commission. New lists shall be prepared each year and ap-
7 pointments made therefrom, except that the appointing officer may
8 make appointments from names appearing upon previous lists if he
9 desires to do so.

[39 G. A., ch. 216, § 3.]

SEC. 4297-a11. Appointments to office.

1 All vacancies occurring in positions under civil service shall be
2 filled from the eligible lists thus prepared. When a vacancy occurs
3 the city manager shall notify the clerk of the commission thereof.
4 Whereupon said clerk shall certify to said manager the names of three
5 persons whose rating appear the highest upon the eligible list, from
6 which list the manager shall fill the vacancy.

[39 G. A., ch. 216, § 3.]

SEC. 4297-a12. Dropping names from eligibility list—temporary appointments.

1 No name shall be certified more than three times, and if the name
2 of a person is certified three times and he is not appointed, such name
3 shall be dropped from the eligible list. If the eligible list in any de-
4 partment shall be reduced to less than three, then the manager may
5 temporarily fill a vacancy until the next examination of the commis-
6 sion, but such temporary appointment shall cease and new appoint-
7 ment made when the new eligible list is prepared.

[39 G. A., ch. 216, § 3.]

SEC. 4297-a13. Special qualifications.

1 No person shall be employed in any capacity in the fire or police
2 department, or any other department which is governed by civil serv-
3 ice, unless he is a citizen of the United States, can read and write the
4 English language, and in every other respect proves a fit and proper
5 person for the position.

[39 G. A., ch. 216, § 5.]

SEC. 4297-a14. Chief of police and of fire department.

1 The manager shall appoint the chief of police and chief of the
 2 fire department and, as far as possible these appointments shall be
 3 made from residents of said city, but the tenure of any person holding
 4 such position at this time shall not be affected by sections forty-two
 5 hundred ninety-seven-a two to forty-two hundred ninety-seven-a nine-
 6 teen, inclusive, of this supplement; provided, however, that such officer
 7 may be removed for cause in accordance with the provisions of sec-
 8 tions forty-two hundred ninety-seven-a sixteen to forty-two hundred
 9 ninety-seven-a nineteen, inclusive, of this supplement.

[39 G. A., ch. 216, § 5.]

SEC. 4297-a15. Political contributions—penalty.

1 No member of the fire or police department or any other munic-
 2 ipal department in such city shall directly or indirectly contribute any
 3 money or anything of value to any candidate for nomination or elec-
 4 tion to any office or to any campaign or political committee. Any
 5 person violating any of the provisions of this section shall be deemed
 6 guilty of a misdemeanor and upon conviction shall pay a fine of not
 7 less than twenty-five dollars, nor more than one hundred dollars, or
 8 be imprisoned in the county jail not to exceed thirty days.

[39 G. A., ch. 216, § 6.]

SEC. 4297-a16. Removal of appointees—suspension—charges.

1 All persons subject to civil service, shall be subject to removal
 2 from office or employment by the city manager for misconduct or
 3 failure to properly perform their duties under such rules and regula-
 4 tions as may be applied to each department. The chief of police, the
 5 chief of the fire department, or any person in charge of a municipal
 6 department, may peremptorily suspend or discharge any subordinate
 7 under his control for neglect of duties, disobedience of orders or mis-
 8 conduct, but it shall be his duty, within twenty-four hours thereafter,
 9 to report such suspension or discharge, with the reasons therefor in
 10 writing to the city manager, who shall thereupon investigate the truth
 11 of said charges.

[39 G. A., ch. 216, § 4.]

SEC. 4297-a17. Notice—hearing.

1 Before taking final action upon any charges filed with him, the
 2 city manager shall notify, in writing, the person charged of the nature
 3 of such charges and give him five days within which to rebut or dis-
 4 prove the same and such person shall be afforded all reasonable oppor-
 5 tunity to present his evidence to the manager before final action is
 6 taken. The manager shall have authority to summon witnesses by
 7 subpoena and direct the production of books and papers and have full
 8 control of the proceedings.

[39 G. A., ch. 216, § 4.]

SEC. 4297-a18. Report of findings—disposition of case.

1 After the charges have been fully investigated, as herein provided,
 2 the manager shall prepare a written report of his decision, which re-
 3 port shall contain a summary of the evidence and his conclusions there-

4 from. If the charges are sustained the manager shall either suspend,
5 discharge, reduce in rank or impose such punishment as he may deem
6 necessary or advisable. If said charges are not sustained said party
7 shall be reinstated.

[39 G. A., ch. 216, § 4.]

SEC. 4297-a19. Appeal to commission—decision final.

1 The accused party shall have the right to petition the civil service
2 commission in writing for a rehearing, if he is dissatisfied with the
3 decision of the manager, which petition must be filed with the com-
4 mission and the manager notified within five days from the time of the
5 manager's decision is rendered. If no rehearing is granted the de-
6 cision of the manager shall be final and no appeal shall be taken there-
7 from. If a rehearing shall be granted by the commission, the same
8 procedure shall be gone over before it, as was gone over before the
9 manager and such decision shall be rendered by it as it thinks proper
10 without reference to the previous decision made by the manager, and
11 its decision shall be final and no appeal shall lie therefrom. In case
12 such hearing shall be granted by the commission it shall then become
13 the duty of the manager to carry out and enforce its decision.

[39 G. A., ch. 216, § 4.]

SEC. 4298-a1. Notice to person liable over.

1 Section forty-four hundred seventy-eight of the compiled code
2 is hereby made applicable to cities and towns organized under this
3 chapter.

[40 G. A., ch. 143.]

CHAPTER 41

CITIES UNDER SPECIAL CHARTERS

SECTION 4305-a1. Street as extension of secondary road.

1 Section twenty-nine hundred sixty-one-a one of this supplement
2 is applicable to cities acting under special charters.

[40 G. A., ch. 90.]

SEC. 4307. Board of police and fire commissioners.

1 Chapter five of this title is applicable to cities acting under spe-
2 cial charters, which, according to any state or national census hereto-
3 fore or hereafter taken, are shown to have a population of more than
4 twenty thousand.

[S., '13, § 679-a.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A., but reprinted in this supplement to correct error in printing of compiled code.

SEC. 4323. General powers.

1 Sections thirty-five hundred ninety-one, thirty-five hundred
2 ninety-seven, thirty-five hundred ninety-eight, thirty-five hundred
3 ninety-nine, thirty-six hundred two, thirty-six hundred five, thirty-six

4 hundred six, thirty-six hundred seven, thirty-six hundred nine, thirty-
 5 six hundred ten, thirty-six hundred eleven, thirty-six hundred twelve,
 6 thirty-six hundred thirteen, thirty-six hundred twenty, thirty-six
 7 hundred twenty-three, thirty-six hundred twenty-four, thirty-six hun-
 8 dred twenty-five, thirty-six hundred twenty-seven, thirty-six hundred
 9 twenty-eight, thirty-six hundred thirty-five and thirty-six hundred
 10 thirty-six of the compiled code and section thirty-five hundred ninety-
 11 six of this supplement are applicable to cities acting under special
 12 charters.

[C., '97, § 952; S., '13, § 952.]

NOTE: The above section has been reprinted in this supplement in order to eliminate certain sections made applicable to special charter cities by other sections of this chapter. The duplication in the compiled code section was unnecessary. 39 G. A., ch. 169, repealed § 3595 of the compiled code, which has been eliminated from this section, and enacted a substitute therefor.

SEC. 4326-a1. Municipal bands.

1 Chapter twelve-A of this title is applicable to cities acting under
 2 special charter which have a population of not over forty thousand.
 [39 G. A., ch. 37, § 1.]

SEC. 4328. City halls.

1 Sections thirty-seven hundred forty-one to thirty-seven hundred
 2 forty-four, inclusive, of the compiled code, and section thirty-seven
 3 hundred forty of this supplement, are applicable to cities acting under
 4 special charters.

[S. S., '15, § 741-d; 37 G. A., ch. 182, § 1; 38 G. A., ch. 247,
 § 1.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted in this supplement to correct omission in historical references and to change cross reference.

SEC. 4329. Public libraries.

1 Sections thirty-seven hundred forty-nine, thirty-seven hundred
 2 fifty-one, thirty-seven hundred fifty-three, thirty-seven hundred fifty-
 3 four, thirty-seven hundred fifty-five, thirty-seven hundred fifty-six,
 4 thirty-seven hundred fifty-seven, thirty-seven hundred fifty-nine of the
 5 compiled code, and thirty-seven hundred fifty-a one to thirty-seven
 6 hundred fifty-a seven, inclusive, thirty-seven hundred fifty-two and
 7 thirty-seven hundred fifty-eight of this supplement are applicable to
 8 cities acting under special charters.

[C., '97, § 952; S., '13, §§ 727-a, 729-d, 732-a, 952; 39 G. A.,
 ch. 265.]

SEC. 4335-a1. Management of plants.

1 The heating plants, gasworks or electric light or electric power
 2 plants authorized to be purchased or erected by cities acting under
 3 special charters having a population of less than thirty-five thousand
 4 shall be acquired, erected, managed, and operated by a board of trus-
 5 tees, which shall be composed of three resident electors, appointed
 6 for the term of six years by the mayor of said city.

7 After the authorization of the purchase or erection of such works
 8 or plant by the electors of such city, in the manner provided by law,

9 the mayor thereof shall thereafter appoint such board of trustees,
10 the first appointees thereof to hold office for the following designated
11 terms, namely: one for two years, one for four years, and one for six
12 years. All vacancies occurring on said board, occasioned by expira-
13 tion of terms, by death, resignation, or removal, shall be filled by
14 appointment by the mayor of such city.

15 The compensation of said trustees shall be not more than three
16 hundred dollars per annum to each member of said board. Each of
17 said trustees shall execute and furnish to the city an official bond in
18 the sum of ten thousand dollars to be approved by the mayor and filed
19 with the city clerk.

20 Such trustees may be removed from office for proper cause under
21 the provisions of chapter twenty-one of title four.

[40 G. A., ch. 138, § 1.]

SEC. 4335-a2. Power of trustees.

1 The said board of trustees shall have power to contract for the
2 purchase or erection and construction of any such works or plant, and
3 like powers and authority to manage and control the same as are
4 conferred upon waterworks trustees appointed as provided in section
5 thirty-nine hundred eighty-seven of the compiled code.

[40 G. A., ch. 138, § 2.]

SEC. 4347. Testing milk cows for tuberculosis—power of cities.

1 Sections thirty-five hundred ninety-five-a one, thirty-five hun-
2 dred ninety-five-a two, and thirty-five hundred ninety-five-a four of
3 this supplement are applicable to cities acting under special charters.

[37 G. A., ch. 342, § 1; 39 G. A., ch. 169, § 1.]

SEC. 4351. Restricted residence districts.

1 Sections forty-two hundred thirteen-a twenty-three to forty-two
2 hundred thirteen-a twenty-five, inclusive, of this supplement, are ap-
3 plicable to cities acting under special charters.

[37 G. A., ch. 138, § 1.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted in this supplement to change cross reference.

SEC. 4351-a1. General building restrictions.

1 Chapter thirty-eight-A of this title is applicable to cities acting
2 under special charters.

[40 G. A., ch. 134, § 1.]

SEC. 4356. Community civic congress.

1 Section thirty-six hundred forty of the compiled code is applicable
2 to cities acting under special charters.

[S. S., '15, § 741-d; 37 G. A., ch. 182, § 4.]

NOTE: No change made in the above section by the 39th or the 40th G. A. but reprinted in this supplement to correct omission in historical references.

SEC. 4358. Other general powers—streets and public grounds.

1 Sections thirty-six hundred forty-two, thirty-six hundred forty-
 2 three, thirty-six hundred forty-five, thirty-six hundred fifty-six,
 3 thirty-eight hundred nine, thirty-eight hundred ten, thirty-eight hun-
 4 dred thirteen, thirty-eight hundred fifteen, thirty-eight hundred six-
 5 teen, thirty-eight hundred eighteen to thirty-eight hundred twenty-
 6 three, inclusive, thirty-eight hundred twenty-six to thirty-eight hun-
 7 dred thirty-five, inclusive, of the compiled code and thirty-eight hun-
 8 dred eight and thirty-eight hundred seventeen of this supplement are
 9 applicable to cities acting under special charters. Wherever the
 10 words "boards of supervisors", "county auditor or recorder of deeds",
 11 and "county treasurer" are used in any section made applicable by
 12 this chapter to cities acting under special charters, the words "city
 13 council", "city clerk" or "city recorder", and "city collector or treas-
 14 urer", shall be respectively substituted.

[C., '97, § 958; S., '13, § 958.]

NOTE: The above section is reprinted in this supplement in order to elim-
 inate a section made applicable to special charter cities by another section of this
 chapter. The duplication in the compiled code section was unnecessary. 39 G.
 A., ch. 115, repealed the eliminated section and enacted a substitute therefor.

SEC. 4378. Regulation of jitney busses.

1 Section thirty-eight hundred fourteen-a one to thirty-eight hun-
 2 dred fourteen-a five, inclusive, of this supplement are applicable to
 3 cities acting under special charters.

[S. S., '15, § 754-a; 39 G. A., ch. 115, §§ 1-5.]

SEC. 4378-a1. Motor vehicle carriers.

1 Section thirty hundred eighty-one-a eight of this supplement is
 2 applicable to cities acting under special charters.

[40 G. A., ch. 97, § 8.]

SEC. 4385. Road districts—cost at intersections.

1 The council may divide the city into road districts, or may make
 2 each ward a separate road district, or make the entire city into a gen-
 3 eral district for the purpose of cleaning, sprinkling, and repairing the
 4 streets, or for any of said purposes, and provide for the manner of
 5 doing the same, and for the payment of the cost thereof out of the
 6 district road fund, and shall determine the amount necessary for such
 7 purposes in each district, and make appropriations therefor at the
 8 time and in the manner in this chapter provided for making appro-
 9 priations for other purposes; but the cost of making, reconstructing,
 10 and repairing streets at the intersection of streets, and one-half of
 11 the space opposite streets intersecting and not crossing, and opposite
 12 city property in any district, shall be paid from the city improvement
 13 fund.

[C., '97, § 970; 40 G. A., ch. 140.]

SEC. 4394-a1. Payments from primary road fund.

1 Section thirty-nine hundred twenty-two-a one of this supplement
 2 is applicable to cities acting under special charters.

[40 G. A., ch. 126, § 1.]

SEC. 4403. Street improvement or sewer bonds or certificates.

1 For the purpose of providing for the payment of the assessed
 2 cost of any street improvement or sewer which has been, or is to be,
 3 assessed upon the property abutting thereon or adjacent thereto,
 4 including railways or street railways liable for the payment thereof,
 5 the council is authorized from time to time, as the work progresses
 6 or is completed, to make requisition on the mayor for the issuance of
 7 bonds or certificates, as herein provided, in such denominations as
 8 shall be deemed best, in anticipation of the deferred payment of the
 9 taxes, levied or to be levied for such improvement. It shall be the
 10 duty of the mayor to make and execute bonds or certificates accord-
 11 ingly, to an amount not exceeding the cost and expense of such
 12 improvement to be actually assessed on the property liable for the
 13 payment of the same. The bonds shall bear the name of the street,
 14 place, or district improved, or in which any sewer is constructed, which
 15 street or place shall be particularly described in the resolution author-
 16 izing such issue, and such bonds shall be signed by the mayor, counter-
 17 signed by the clerk or recorder, and sealed with the corporation seal,
 18 and shall bear the same date and be payable at the time fixed in said
 19 resolution, and be redeemable at any time at the option of the city, and
 20 shall bear interest at a rate not exceeding five per cent per annum,
 21 payable semi-annually. The bonds shall be substantially in the fol-
 22 lowing form:

23 The city of....., in the state of Iowa, promises to pay,
 24 as hereinafter stated, to the bearer hereof, on theday of.....,
 25 or at any time before that date, the sum of.....dollars, with
 26 interest thereon at the rate of.....per cent per annum, payable on the
 27 presentation and surrender of the interest coupons hereto attached.
 28 Both principal and interest of this bond are payable at the.....
 29 bank in the city of....., state of..... This bond is
 30 issued by the city of.....pursuant to and by virtue of the laws
 31 of the state of Iowa, and the ordinance of said city passed in accord-
 32 ance therewith, and in accordance with a resolution of the council of
 33 said city, duly passed on the.....day of....., A. D. This
 34 bond is one of a series of bonds of like tenor, date and amount, num-
 35 bered from.....to....., and issued for the purpose of defraying
 36 the cost of improving, curbing and paving a portion of.....
 37 street or streets in said city (or constructing a sewer on.....
 38 street) as described in said resolution, which cost is assessable to and
 39 levied on the property along said improvements, and is made by said
 40 law a lien on all abutting or adjacent property, and payable in annual
 41 installments, with interest on all deferred payments at the rate of five
 42 per cent per annum, and this bond is payable only out of the money
 43 derived from the collection of said special tax, and said money can be
 44 used for no other purpose. And it is hereby certified and recited that
 45 all the acts, conditions and things required to be done, precedent to
 46 and in the issuing of this series of bonds, have been done, happened
 47 and performed, in regular and due form, as required by said law and
 48 ordinance; and for the assessment, collection and payment hereon of
 49 said special tax, the full faith and diligence of said city of.....
 50 are hereby irrevocably pledged.

51 In testimony whereof, the city of....., by its city council,
 52 has caused this bond to be signed by its mayor and countersigned by

53 its city clerk, with the seal of said city affixed, this.....day of.....
54 A. D.

55
56 Mayor.
57 City Clerk.

58 COUPON.

59 No..... \$.....
60 On the.....day of.....the city of....., Iowa,
61 promises to pay to bearer, as provided in said bond, the sum of
62dollars, at the.....bank in the city of.....,
63 being.....months' interest due that day on its improvement bond
64 No....., dated....., A. D.

65
66 Mayor.

67 Countersigned.....

68 City Clerk.

69 It shall be the duty of the city, its council and officers, to comply
70 with the requirements of this chapter in the issuance of said bonds or
71 certificates, and to assess and levy upon the property liable therefor
72 the cost and expenses of such improvement or improvements, and to
73 collect the same, and to apply the proceeds to the redemption of such
74 bonds and certificates, and to no other purpose; and they shall be
75 payable only out of the fund derived from such assessment. The city
76 shall not be obliged to appropriate money from any other fund to the
77 payment of such bonds or certificates or any part of the same.

[C., '97, § 987; 40 G. A., ch. 108, § 9.]

SEC. 4408-a1. Sale of bonds.

1 Section six hundred eighty-three-a three-a of this supplement is
2 applicable to cities acting under special charters.

[40 G. A., ch. 14.]

SEC. 4409. Applicable to park board in special charter cities.

1 Sections thirty-six hundred sixty-six, thirty-six hundred seventy
2 to thirty-six hundred seventy-three, inclusive, thirty-six hundred
3 seventy-six to thirty-six hundred eighty-three, inclusive, of the com-
4 piled code, and thirty-six hundred sixty-seven, thirty-six hundred
5 sixty-nine, thirty-six hundred seventy-four and thirty-six hundred
6 seventy-five, of this supplement, are applicable to cities acting under
7 special charters.

[S., '13, § 991-a.]

NOTE: No change made by the 39th G. A. or the 40th G. A. but reprinted to eliminate the reference to section 3668, which has been omitted from this supplement because it is of a special and temporary nature. See note under section 3667 of this supplement.

SEC. 4421. Taxes—levy of.

1 The council shall levy a tax for the year then ensuing for the pur-
2 pose of defraying its general or incidental expenses, which shall not
3 exceed ten mills on the dollar of the assessed valuation of all taxable
4 property in the city, but the aggregate of such levy, together with all
5 levies for special purposes as hereinafter authorized, shall not exceed
6 in any city in any one year, twenty-six mills, excluding city and dis-

7 trict sewer tax, road district tax, and any tax levied to pay the prin-
 8 cipal or interest on any bonds issued by such city, or tax levied to pay
 9 judgments, or taxes authorized for library, park, or bridge purposes.
 [C., '97, § 1003; S., '13, § 1003; 40 G. A., ch. 141.]

SEC. 4422. Other provisions as to levying taxes.

1 Sections forty hundred thirty-two to forty hundred thirty-four,
 2 inclusive, and forty hundred thirty-seven of the compiled code, and
 3 forty hundred thirty-six-a one, forty hundred thirty-six-a two, forty
 4 hundred thirty-six-a three, forty-five hundred ninety-nine, and forty-
 5 six hundred two of this supplement are made applicable to cities under
 6 special charters, except that the words "city treasurer" or "collector"
 7 and "city" shall be substituted for "county auditor" or "county" wher-
 8 ever the same appear in said sections.

[C., '97, § 1004; S., '13, § 1004; 39 G. A., ch. 191.]

SEC. 4423. Special taxes.

1 They shall have power to levy annually the following taxes for
 2 special purposes:

3 1. *Grading fund.* A tax not exceeding three mills on the dollar
 4 for a grading fund, to be used for the purpose of opening, widening,
 5 extending or grading any street, public ground or market place.

6 2. *Improvement fund.* A tax not exceeding three mills on the
 7 dollar for the city improvement fund, to be used for the purpose of
 8 paying the cost of the making, reconstruction and repair of any street
 9 improvement at the intersection of streets, and spaces opposite streets
 10 intersecting but not crossing, and the spaces opposite property owned
 11 by the city or state.

12 3. *Sewer fund.* A tax not exceeding five mills on the dollar on
 13 the assessed valuation of all property therein, for the city sewer fund,
 14 to be used to pay the cost of making, reconstructing or repairing any
 15 sewer at the intersection of streets, and all spaces opposite streets
 16 intersecting but not crossing, and at spaces opposite property owned
 17 by the city or state, or to pay the whole or any part of the cost of
 18 making, reconstructing or repairing any sewer within the limits of
 19 such city, and for the maintenance and operation of any sewage dis-
 20 posal plant included in said sewer district. When the city has been
 21 divided into sewer districts, a tax not exceeding five mills on the tax-
 22 able real property in the sewer district, for the district sewer fund,
 23 to be used to pay, in whole or in part, the cost of the making, recon-
 24 struction or repair of any sewer located or laid in that particular
 25 district, and for the maintenance and operation of any sewage dis-
 26 posal plant included in said sewer districts; provided that, on petition
 27 of the owners of two-thirds in value of all the taxable real estate
 28 within such sewer district for the construction of a sewer in such
 29 district, then the maximum percentage of taxes that can be levied in
 30 any one year shall not be limited to five mills, but shall be such per-
 31 centage of the valuation of such property as will produce at least one-
 32 tenth of the whole cost of such sewer assessable upon the real property
 33 in such district.

34 4. *Fire fund.* A tax not exceeding five mills on the dollar for
 35 the purpose of creating a city fire fund, to be used for paying the ex-
 36 penses of organizing, keeping and maintaining a fire department, in-

37 cluding the expenses of constructing, purchasing, leasing and main-
 38 taining the proper and necessary buildings, grounds and apparatus
 39 therefor; provided that where a paid fire department is maintained,
 40 all money derived from the sale of any buildings, grounds or apparatus
 41 of such fire department which was originally paid for out of the fire
 42 fund, shall belong to said fire fund.

43 5. *Road fund.* When any city is divided into road districts, a
 44 tax not exceeding two mills on the dollar on all taxable property in
 45 such road district, to be known as the district road fund, and to be
 46 used only to pay the cost of cleaning, sprinkling and repairing the
 47 streets and public places in such district.

48 6. *Library tax.* In cities which have established, or may estab-
 49 lish, a free public library, a tax as provided in section thirty-seven
 50 hundred fifty-eight of this supplement.

51 7. *Tax for water and gas works and electric plants.* A tax not
 52 exceeding five mills on the dollar, which, with the rates, rents or reve-
 53 nues derived therefrom, shall be sufficient to pay the expenses of run-
 54 ning, operating and repairing, water and gas works, electric light and
 55 power plants, owned and operated by such city, and the interest on or
 56 principal of any bonds issued to pay the cost of the construction of
 57 such works; but such taxes shall not be levied upon the property which
 58 lies wholly without the limits of the benefits or protection of such
 59 works or plants, which limit shall be fixed by the council each year
 60 before making the levy.

61 8. *Tax for water, gas and electric light or power.* A tax, not
 62 exceeding five mills on the dollar for the purpose of paying the amount
 63 due, or to become due, to any individual or company operating water
 64 or gas works or electric light power plants, for water, light, gas or
 65 power supplied to the city, the levy to be limited to the property bene-
 66 fited thereby.

67 9. *Bond fund.* A tax for the purpose of creating a bond fund
 68 sufficient to pay the interest, to accrue before the next annual levy,
 69 on funding or refunding bonds outstanding, and to pay the principal
 70 of such funding or refunding bonds. In case of such bonds, the levy
 71 shall be so made that, dividing the principal into as many parts as the
 72 bonds have years to run, not less than one such part shall be levied
 73 each year, and shall be made so that the fund derived therefrom shall
 74 be available and sufficient to pay the bonds at their maturity.

75 10. *Water and gas or electric light and power bonds.* A tax to
 76 be used exclusively in payment of the principal and interest of bonds
 77 issued for the construction of water and gas works, electric light and
 78 power plants, and which shall be levied in the manner provided in
 79 the preceding subdivision.

80 11. *Park tax.* A tax not exceeding two mills on the dollar, as
 81 authorized by the vote of the electors, to purchase, improve and main-
 82 tain public parks in such city.

83 12. *Special bridge tax.* A special tax to aid in the construction
 84 of bridges, when such tax has been voted by the electors of the city
 85 under the provisions of section thirty-seven hundred eighty-seven of
 86 the compiled code.

87 13. *Drainage tax.* A tax in such sum or amount as may be neces-
 88 sary to pay any special assessment, with interest, or any installment
 89 of any special assessment, with interest, levied against any street,

90 alley, highway, public way or park of any city acting under a special
91 charter, levied under the provisions of section forty-eight hundred
92 eighty-six of this supplement.

[C., '73, §§ 461, 475; C., '97, § 1005; S., '13, § 1005; 38 G. A.,
ch. 394, § 1; 39 G. A., ch. 11, § 1; 39 G. A., ch. 137, § 1.]

SEC. 4427-a1. Indebtedness limited.

1 Section forty hundred fifty-four of the compiled code, as
2 amended, is applicable to cities acting under special charters when
3 such cities have a population of less than two thousand.

[40 G. A., ch. 132, § 1.]

SEC. 4439. Questioning deed—refund.

1 Sections forty-six hundred thirty-three, forty-six hundred sixty-
2 six, forty-six hundred seventy-two, forty-six hundred eighty-three,
3 forty-six hundred ninety-eight, forty-six hundred ninety-nine and
4 forty-seven hundred of the compiled code and section forty-six hun-
5 dred fifty-three of this supplement, are hereby made applicable to
6 cities acting under special charters except that, where the word
7 "treasurer" is used, there shall be used the words "city collector or
8 treasurer or deputy treasurer or deputy or officer authorized to collect
9 city taxes". And where the word "auditor" is used, there shall be
10 substituted the words, "city clerk or recorder".

[C., '97, § 1020; S., '13, § 1020.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A., but reprinted to meet the objections of legislative checking committee.

SEC. 4440-a1. Sale of bonds by popular subscription.

1 Section forty hundred sixty-five-a one of this supplement is ap-
2 plicable to cities acting under special charters.

[39 G. A., ch. 43.]

SEC. 4467. Pensions for disabled and retired firemen.

NOTE: Omitted at this point and provisions contained therein embraced in section 4468 of this supplement.

SEC. 4468. Pensions for disabled or retired firemen and policemen.

1 Sections forty-one hundred five-a one to forty-one hundred five-a
2 sixteen, inclusive, of this supplement are applicable to cities acting
3 under special charters.

[S., '13, §§ 932-a, 932-j; 40 G. A., ch. 261.]

SEC. 4468-a1. Hospital expense for firemen and policemen.

1 Section forty-one hundred five-a seventeen of this supplement is
2 applicable to cities acting under special charters.

[40 G. A., ch. 133.]

SEC. 4469. Housing law.

1 Chapter thirty-eight of this title is applicable to cities acting
2 under special charters which, by the last state or federal census, had a
3 population of fifteen thousand or more, and to every such city as its
4 population shall reach fifteen thousand thereafter by any state or fed-

5 eral census; provided, however, that in all other such cities having a
6 population of less than fifteen thousand, the council may adopt ordi-
7 nances for the regulation and control of any or all matters covered
8 by the provisions of said chapter, in so far as same may be reasonably
9 applicable, and fix penalties for the violation thereof; and fix rules
10 and regulations not inconsistent with those provided in said chapter
11 for the enforcement of said ordinances.

[38 G. A., ch. 123, § 1.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A., but reprinted to correct error in printing of compiled code.

SEC. 4469-a1. Construction or alteration of dwellings.

1 Section forty-one hundred ninety-seven-a one of this supplement
2 is applicable to special charter cities of more than fifty thousand popu-
3 lation, as shown by the last state or federal census, having a depart-
4 ment or division of building inspection in charge of a person devoting
5 his entire time to the supervision of building construction and to the
6 enforcement of laws and ordinances relating to building construction,
7 repair, alteration, removal and to related matters.

[39 G. A., ch. 160, § 1.]

SEC. 4469-a2. Freight and passenger elevators.

1 Section ten hundred sixty-seven-a five of this supplement is
2 applicable to cities acting under special charters.

[40 G. A., ch. 18, § 5.]

TITLE XIV

TAXATION

CHAPTER 1

PROPERTY EXEMPT AND TAXABLE

SECTION 4482. Exemptions.

1 The following classes of property are not to be taxed:

2 1. The property of the United States and this state, including
3 university, agricultural college and school lands; the property of a
4 county, township, city, town or school district or militia company,
5 when devoted entirely to public use and not held for pecuniary profit;
6 municipal, school, and drainage bonds or certificates hereafter issued
7 by any municipality, school district, drainage district or county within
8 the state of Iowa; public grounds, including all places for the burial
9 of the dead, crematoriums, the land on which they are built and appur-
10 tenant thereto not exceeding one acre, so long as no dividends or profits
11 are derived therefrom; fire engines and all implements for extinguish-
12 ing fires, with the grounds used exclusively for their buildings and
13 meetings of the fire companies; no deduction from the assessment of
14 the stock of any bank or trust company shall be permitted because
15 of such bank or trust company holding such bonds and certificates as
16 may be exempted above.

17 2. All grounds and buildings used for public libraries, including
18 libraries owned and kept up by private individuals, associations or
19 corporations for public use and not for private profit, for cemetery
20 associations and societies, and for literary, scientific, charitable, be-
21 nevolent, agricultural and religious institutions, and societies devoted
22 solely to the appropriate objects of these institutions, not exceeding
23 one hundred sixty acres in extent, and not leased or otherwise used
24 with a view to pecuniary profit, but all deeds or leases by which such
25 property is held shall be filed for record before the property above
26 described shall be omitted from the assessment; the books, papers and
27 apparatus belonging to the above institutions, used solely for the pur-
28 poses above contemplated, and the like property of students in any
29 such institution used for their education; moneys and credits belong-
30 ing exclusively to such institutions, and devoted solely to sustaining
31 them, but not exceeding in amount or income the amount prescribed
32 by their charters or articles of incorporation; real estate to the extent
33 of not to exceed one hundred sixty acres in any civil township, owned
34 by any educational institution of this state as a part of its endowment
35 fund.

36 The buildings, grounds, furniture and household equipment of
37 homes owned and operated by organizations of soldiers, sailors or
38 marines of any of the wars of the United States, when used for a

39 home for disabled soldiers, sailors or marines and not operated for
40 pecuniary profit.

41 3. The farm produce of the person assessed, harvested by or for
42 him, and all wool shorn from his sheep, within one year previous
43 to the listing; all poultry, ten stands of bees, all swine and sheep under
44 six months of age; and all other domestic animals under one year of
45 age not hereinbefore exempt; obligations for rent not yet due, in the
46 hands of the original payees, private libraries, professional libraries
47 to the actual value of three hundred dollars; family pictures; house-
48 hold furniture to the actual value of three hundred dollars and kitchen
49 furniture; beds and bedding requisite for each family; all wearing
50 apparel in actual use; and all food provided for the family; but the
51 exemptions allowed in this subdivision shall not be held to apply to
52 hotels and boarding houses except so far as said exempted classes of
53 property shall be for the actual use of the family managing the same.

54 4. Whenever a person by reason of age or infirmity, is unable to
55 contribute to the public revenue, such person may file a petition, duly
56 sworn to, with the board of supervisors, stating such fact and giving a
57 statement of property, real and personal, owned or possessed by such
58 applicant and such other information as the board may require. The
59 board of supervisors may thereupon order the county treasurer to sus-
60 pend the collection of the taxes assessed against such petitioner, his
61 polls or estate, or both, for the current year, or such board may cancel
62 and remit said taxes, provided, however, that such petition shall first
63 have been approved by the council of the city or town in which the
64 property of the petitioner is located, or by the township trustees of the
65 township in which said property is located.

66 In the event that the petitioner shall sell any real estate upon
67 which the tax has been suspended in the manner provided herein, or
68 by reason of death shall leave the real estate to heirs, the taxes with-
69 out any accrued penalty, that have thus been suspended shall all be-
70 come due and payable, with six per cent interest per annum, from the
71 date of such suspension.

72 The board of supervisors may, if in their judgment it is for the
73 interests of the public and the petitioner, cancel and remit the taxes
74 assessed against the petitioner, his polls or estate or both even though
75 said taxes have previously been suspended as in this paragraph pro-
76 vided.

77 5. The farming utensils of any person who makes his livelihood
78 by farming, the team, wagon and harness of the teamster or drayman
79 who makes his living by their use in hauling for others, and the tools
80 of any mechanic, not in any case to exceed three hundred dollars in
81 actual value.

82 6. Government lands entered and located, or lands purchased
83 from this state, for the year in which the entry, location or purchase
84 is made.

85 7. The property, not to exceed three thousand dollars in actual
86 value and poll tax of any honorably discharged union soldier, sailor, or
87 marine of the Mexican war or the war of the rebellion.

88 The property, not to exceed eighteen hundred dollars in actual
89 value and poll tax of any honorably discharged soldier, sailor or ma-
90 rine of the war with Spain, Chinese relief, or the Philippine insur-
91 rection.

92 The property, not to exceed five hundred dollars in actual value
93 of any honorably discharged soldier, sailor, marine or nurse of the
94 war with Germany.

95 The property, to the same extent, of the wife of any such sol-
96 dier, sailor, or marine, where they are living together, and he has
97 not otherwise received the benefits above provided.

98 The property, to the same extent, of the widow remaining un-
99 married and of the minor child or children of any such deceased
100 soldier, sailor or marine.

101 All persons named in this subsection shall receive a reduction
102 equal to their exemption, to be made from the homestead, if any;
103 otherwise from other property owned by said persons. Such exemp-
104 tion shall only extend to the period during which such persons re-
105 main the owner of such property.

106 The beneficiary of exemption allowed by this subsection shall
107 file with the assessor a statement in writing that he is the owner
108 of the property on which the exemption is claimed.

109 If no such statement is filed, no exemption shall be allowed by
110 the assessor, but may be allowed by the board of supervisors if such
111 statement is filed before September first of the year for which the
112 same is claimed.

113 It shall be the duty of every assessor annually to make out a list
114 of such soldiers, sailors, marines, nurses, widows and husbands, and
115 to return such list to the county auditor upon forms to be furnished
116 by such auditor for that purpose; but the failure on the part of any
117 assessor so to do shall not affect the validity of any exemption.

118 8. The accumulations and funds held or possessed by fraternal
119 beneficiary associations for the purposes of paying the benefits con-
120 templated by section fifty-five hundred fifty-two of the compiled code,
121 or for the payment of the expenses of such association.

[C., '51, § 455; R., '60, § 711; C., '73, § 797; C., '97, § 1304;
S. S., '15, § 1304; 37 G. A., ch. 191, § 1; 38 G. A., chs. 115,
214, 257, 377; 39 G. A., ch. 15; 39 G. A., ch. 144, §§
2-6; 39 G. A., ch. 281, §§ 1, 2; 40 G. A., chs. 144, 145.]

CHAPTER 2

LISTING IN GENERAL

SECTION 4493. Personal property—real estate—buildings.

1 Property shall be taxed each year, and personal property shall be
2 listed and assessed each year in the name of the owner thereof on the
3 first day of January.

4 Real estate shall be listed and valued in each odd-numbered
5 year, and in each year in which real estate is not regularly assessed
6 the assessor shall list and assess any real property not included in
7 the previous assessment, and also any buildings erected since the
8 previous assessment, with a minute of the tract or lot of land whereon
9 the same are situated, and the auditor shall thereupon enter the
10 taxable value of such buildings on the tax list as a part of the real
11 estate to be taxed; but if such buildings are erected by another than
12 the owner of the real estate, they shall be listed and assessed to the

13 owner as personal property, but buildings and fixtures erected on
 14 real estate held under a lease of longer than three years' duration
 15 shall be assessed as real estate.

[C., '51, §§ 460, 465; R., '60, §§ 719, 720; C., '73, § 812; C.,
 '97, § 1350; 40 G. A., ch. 146, § 1.]

SEC. 4496. Who deemed owners—commission merchants.

1 Commission merchants, and all persons, other than warehouse-
 2 men as defined in section sixty-one hundred seventy-nine of the com-
 3 piled code, trading and dealing on commission, and assignees author-
 4 ized to sell, and persons having in their possession property belonging
 5 to another subject to taxation in the assessment district where said
 6 property is found, when the owner of the goods does not reside in the
 7 county, are, for the purpose of taxation, to be deemed the owners of
 8 the property in their possession.

[C., '51, § 459; R., '60, § 715; C., '73, § 804; C., '97, § 1314;
 40 G. A., ch. 147, § 1.]

SEC. 4499. Merchants.

1 Any person, firm or corporation owning, or having in his posses-
 2 sion, or under his control within the state, with authority to sell the
 3 same, any personal property purchased with a view of its being sold,
 4 or which has been consigned to him from any place out of this state
 5 to be sold within the same, or to be delivered or shipped by him within
 6 or without this state, shall be held to be a merchant for the purposes
 7 of this title, except warehousemen as defined in section sixty-one hun-
 8 dred seventy-nine of the compiled code.

9 In assessing such stocks of merchandise, the assessor shall re-
 10 quire the production of the last inventory taken, and in the assess-
 11 ment roll shall state the date thereof, and if in the judgment of the
 12 assessor such is not correct, or if such time has elapsed since the
 13 inventory was taken that it shall have ceased to be reliable as to the
 14 value thereof, he shall appraise the same by personal examination.

15 The assessment shall be made at the average value of the stock
 16 during the year next preceding the time of assessment, and, if the
 17 merchant has not been engaged in business so long, then the average
 18 value during such time as he shall have been so engaged, and, if
 19 commencing, then the value at the time for assessment, and the pro-
 20 visions of this section shall apply and constitute the method of tax-
 21 ation of a corporation whose business or principal business is of a
 22 like character, and shall be in lieu of any tax on the corporate shares.

[C., '51, § 468; R., '60, § 723; C., '73, § 815; C., '97, § 1318;
 40 G. A., ch. 147, § 2.]

SEC. 4499-a1. Duty of warehouseman.

1 Every warehouseman as specified in the preceding section shall
 2 file with the assessor of the township or municipality wherein his
 3 warehouse is situated a written statement showing all property in
 4 his possession belonging to another, subject to taxation, and the
 5 name and address of the person, firm, corporation, or estate to which
 6 it belongs; and in the event said warehouseman fails to furnish such
 7 statement to said assessor upon request, then all property in the
 8 possession of the warehouseman belonging to another, subject to

9 taxation, shall be deemed to be owned by the warehouseman for the
10 purposes of taxation, and he shall be liable for taxes thereon.

[40 G. A., ch. 147, § 3.]

SEC. 4500. Manufacturers.

1 Any person, firm or corporation who purchases, receives or holds
2 personal property of any description for the purpose of adding to the
3 value thereof by any process of manufacturing, packing of meats, re-
4 fining, purifying, or by the combination of different materials, with a
5 view to making gain or profit by so doing, and selling the same, shall
6 be held a manufacturer for the purposes of this title, and he shall list
7 for taxation such property in his hands; but the average value thereof
8 to be ascertained as in section forty-four hundred ninety-nine of this
9 supplement, whether manufactured or unmanufactured, shall be esti-
10 mated upon those materials only which enter into its combination or
11 manufacture. Machinery used in manufacturing establishments shall,
12 for the purpose of taxation, be regarded as real estate. Corporations
13 organized under the laws of this state for pecuniary profit, and
14 engaged in manufacturing as defined by this section, and which have
15 their capital represented by shares of stock, shall, through their prin-
16 cipal accounting officers, list their real estate, personal property and
17 moneys and credits in the same manner as is required of individuals.
18 The owners of capital stock of manufacturing companies, as herein
19 provided for, having listed their property as above directed, shall be
20 exempt from assessment and taxation on such shares of capital stock.

[C., '51, § 469; R., '60, § 724; C., '73, § 816; C., '97, § 1319.]

NOTE: No change made in the above section by the 39th G. A. or the 40th
G. A. but reprinted to change cross reference.

**SEC. 4501. Water and gas works—electric plants—street rail-
ways.**

1 The lands, buildings, machinery and mains belonging to individ-
2 uals or corporations operating waterworks or gasworks; the lands,
3 buildings, machinery, tracks, poles and wires belonging to individuals
4 or corporations furnishing electric light or power; the lands, build-
5 ings, machinery, poles, wires, overhead construction, tracks, cables,
6 conduits and fixtures belonging to individuals or corporations operat-
7 ing railways by cable or electricity, or operating elevated street rail-
8 ways; and the lands, buildings, tracks and fixtures of street railways
9 operated by animal power, shall be listed and assessed in the assess-
10 ment district where the same are situated. But where any such prop-
11 erty except the capital stock is situated partly within and partly with-
12 out the limits of a city or town, such portions of the said plant shall
13 be assessed separately, and the portion within the said city or town
14 shall be assessed as above provided, and the portion without the said
15 city or town shall be assessed in the district or districts in which it is
16 located. All the personal property of such individuals and corpora-
17 tions used or purchased by them for the purposes of such gas or water-
18 works, electric light plants, electric or cable railways, elevated street
19 railways or street railways operated by animal power, including the
20 rolling stock of such railways and street railways, and the animals
21 belonging to such street railways operated by animal power, shall be
22 listed and assessed in the assessment district where usually housed or
23 kept. The actual value of the capital stock over and above that of the

24 above listed property shall be listed and assessed as prescribed in sec-
25 tion forty-five hundred thirteen of the compiled code.

[C., '97, § 1343.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to correct error in printing of compiled code.

CHAPTER 5

CORPORATION STOCK

SECTION 4514. Valuation of corporation stock.

1 If the assessor is not satisfied with the appraisement and valua-
2 tion furnished as provided in section forty-five hundred thirteen of the
3 compiled code, he may make a valuation of the shares of stock based
4 upon the facts contained in the statements above required, or upon any
5 information within his possession, or that shall come to him, and shall,
6 in either case, assess to the owners the stock at the valuation made by
7 him. If the officers of any corporation refuse or neglect to make the
8 statement required, the assessor shall make a valuation of the capital
9 stock of the defaulting corporation from the best information obtain-
10 able. In deducting, under the provisions of this title, the value of real
11 estate from the actual value of the properties, shares or capital stock
12 of any person, firm, association or corporation, the actual value at
13 which said real estate is valued by the assessor or other taxing officer
14 or body where the same is assessed shall be the value thereof.

[C., '97, § 1324.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to correct error in printing of compiled code.

CHAPTER 6

INSURANCE COMPANIES

SECTION 4518. Domestic companies.

1 The shares of stock of every insurance corporation or association
2 having capital stock, organized under the laws of this state, shall be
3 assessed for taxation in the manner provided for the assessment of
4 the shares of corporate stock in sections forty-five hundred thirteen,
5 forty-five hundred fifteen, and forty-five hundred nineteen to forty-
6 five hundred twenty-two, inclusive, of the compiled code, and section
7 forty-five hundred fourteen of this supplement, and said shares of
8 stock shall not be otherwise assessed. In addition to the statement
9 required in section forty-five hundred thirteen of the compiled code,
10 the corporation shall furnish to the assessor a copy of its annual
11 report made to the auditor of state.

[S., '13, § 1333-a.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to change form of cross reference.

CHAPTER 13

THE LOCAL ASSESSOR

SECTION 4589. Meeting of assessors.

1 The county auditor of each county shall, before the third day of
 2 January annually, issue a call to all the assessors of his county to
 3 meet at his office, or some other place at the county seat, within ten
 4 days for consultation, and to receive from such auditor such informa-
 5 tion as shall tend to the proper discharge by them of their official
 6 duties. It shall be the duty of each of such assessors to attend such
 7 meeting, and they shall be allowed pay of one day for such attendance,
 8 and mileage at ten cents per mile one way.

[C., '97, § 1359; 39 G. A., ch. 121.]

SEC. 4590. Assessment rolls and books.

1 The auditor shall procure and furnish to each assessor a supply
 2 of blank assessment rolls, on which to enter, separately, the names of
 3 all persons, partnerships, corporations or associations assessed, which
 4 rolls shall be made in duplicate, except that the oath form in the orig-
 5 inal may be omitted and the following inserted in lieu thereof: "If
 6 you are not satisfied that the foregoing assessment is correct, you
 7 can appear before the board of review, which meets at.....
 8 on the first Monday of April next. Dated.....day of.....
 9 19..... Assessor". In assessment districts
 10 where the board of review meets at any other time than the date fixed
 11 herein, the assessor shall change the date to correspond with the date
 12 upon which the board meets. Said duplicate shall be signed by the
 13 assessor, detached from the original, and delivered to the person
 14 assessed. He shall also furnish to each assessor a supply of blanks in
 15 this chapter described as "Assessment Roll, Form No. 2", which shall
 16 be in duplicate, and subject to the same conditions as the roll above pro-
 17 vided for. The auditor shall also furnish to the assessor two assess-
 18 ment books, each page of which shall be headed "Assessor's book for
 19township,county, Iowa, independent
 20 district of.....", and shall contain columns ruled and
 21 headed for the information required by this chapter, which rolls and
 22 books shall be substantially in the following form:

ASSESSOR'S BOOK.

..... Township, County, Iowa.
 Independent District of

Owner's name.		
Under 45.		Polls.
Over 45.		
Number of road district.		
Name or number of school district.		
Part of section or name of town.		
Section or lot.		
Township or block.		
Range.		
Number of acres improved.		
Number of acres unimproved.		
Acres.	Total No. of acres taxable.	
100.		
Value of new buildings.		
Actual value per acre.	Lands.	
Actual value.		
Actual value.	Lots.	
Total actual value of real estate.		
For Roads.	Exemption.	
For Homesteads.		
Net actual value of lands and lots.		
Total taxable value of real estate.		
Number.	Colts 1 year old.	
Actual value.		
Number.	Colts 2 years old.	
Actual value.		
Number.	Horses 3 years old and over.	
Actual value.		
Number.	Stallions.	
Actual value.		
Number.		
Actual value.		

(CONTINUED)

Cattle.		Swine
Number.	Heifers 1 year old.	Number.
Actual value.		Actual value.
Number.	Heifers 2 years old.	Number.
Actual value.		Actual value.
Number.	Cows.	Number.
Actual value.		Actual value.
Number.	Steers 1 year old.	Number.
Actual value.		Actual value.
Number.	Steers 2 years old.	Number.
Actual value.		Actual value.
Number.	Steers 3 years old or over.	Number.
Actual value.		Actual value.
Number.	Bulls.	Number.
Actual value.		Actual value.
Number.		Number.
Actual value.		Actual value.
Number.	Sheep over 6 months.	Number.
Actual value.		Actual value.
Number.	Vehicles.	Number.
Actual value.		Actual value.
Number.	H'sid furniture, hotel and boarding house.	Number.
Actual value.		Actual value.
Number.	Moneys and credits.	Number.
Actual value.		Actual value.
Number.	Corporation stocks.	Number.
Actual value.		Actual value.
Number.	Merchandise.	Number.
Actual value.		Actual value.
Number.	Other personal property.	Number.
Actual value.		Actual value.
Number.	Total personal property.	Number.
Actual value.		Actual value.
Number.	Taxable value of all property.	Number.
Actual value.		Actual value.
Number.	Dogs.	Number.
Actual value.		Actual value.

ASSESSMENT ROLL—FORM No. 2.

ASSESSMENT OF MONEYS AND CREDITS.

Of.....of.....township of.....state of Iowa, January 1,.....

Notes, Bonds and Other Evidence of Credit.	Actual Value.
Aggregate amount of notes
Aggregate amount of bonds
Aggregate amount of other written evidences of credit.....
Aggregate amount of money in bank
Aggregate amount of other money
Aggregate amount of book accounts—good
Aggregate amount of book accounts—doubtful
Aggregate amount of checks, drafts and other cash items.....
Total moneys and credits.....
Liabilities.	
Total amount of notes
Total amount of accounts
Total amount of other debts
Total amount of debts.....
Net amount of moneys and credits.....

The party assessed need list only such of his liabilities as he may desire to have subtracted from his moneys and credits.

STATE OF IOWA.....County, ss.

I,do solemnly swear (or affirm) that the above is a full, true and correct statement of all moneys and credits owned by me, and that the liabilities above given to be deducted therefrom are obligations in good faith actually owed by me.

Signed.....
Subscribed and sworn to (or affirmed) before me by.....
this.....day of.....
.....Assessor.

[C., '51, §§ 471, 473; R., '60, §§ 732, 733; C., '73, § 821; C., '97, § 1360; S., '13, § 1360; 39 G. A., ch. 92, § 1.]

SEC. 4595. Assessors' books returned.

- 1 Such rolls shall be laid before the local board of review on or
- 2 before the first Monday of April in each year for correction, and when
- 3 such correction has been completed, the assessor shall proceed to make
- 4 up the assessor's books in duplicate from such assessment rolls, allot-
- 5 ting a sufficient number of pages to each letter, and return to the county
- 6 auditor, together with the assessment rolls, plat book, and all state-
- 7 ments which have been furnished to him in connection with the assess-
- 8 ment, and the county auditor shall foot up each column of numbers and
- 9 values on each page and enter such footings in recapitulation sheets,
- 10 and not later than the tenth day of May, return one of the books to
- 11 the township clerk, and to the city or town clerk, and the assessor shall
- 12 furnish to the clerk of the city, town or township, as the case may be,
- 13 a list of all persons subject to poll tax.
- 14 In cities of ten thousand population and over, such assessment
- 15 rolls shall be laid before the local board of review on or before the first

16 Monday in May in each year and one of the books shall be returned to
17 the city clerk not later than the tenth day of June.

[C., '51, § 478; R., '60, § 736; C., '73, § 825; C., '97, § 1366;
S., '13, § 1366; 38 G. A., ch. 385, § 1; 39 G. A., ch. 92,
§ 2; 39 G. A., ch. 268.]

CHAPTER 14

BOARDS OF REVIEW

SECTION 4599. Local board of review.

1 The township trustees shall constitute the local board of review
2 for the township or the portion thereof not included within any city
3 or town, and the city or town council shall constitute such board for
4 such city or town.

5 The board shall meet on the first Monday of April, at the office of
6 the township, city or town clerk or recorder, and sit from day to day
7 until its duties are completed, which shall be not later than the first day
8 of May, and shall adjust assessments for the township, city or town by
9 raising or lowering the assessment of any person, partnership, cor-
10 poration or association as to any or all of the items of his assessment,
11 in such manner as to secure the listing of property at its actual value
12 and the assessment of property at its taxable value, and shall also add
13 to the assessment rolls any taxable property not included therein,
14 assessing the same in the name of the owner thereof, as the assessor
15 should have done; provided that:

16 1. In townships having a population of twenty thousand or more,
17 and situated entirely within the limits of a city under special charter,
18 and in cities having a population of twenty thousand or more, includ-
19 ing cities under special charters, the board of review may begin the
20 performance of the duties herein defined on and after the first day of
21 March each year.

22 2. In cities having a population of ten thousand or over, such
23 board shall meet on the first Monday of May and shall complete its
24 duties not later than the first day of June.

25 In townships having a population of twenty thousand or more, and
26 situated entirely within the limits of a city under special charter, and
27 in cities under special charters having a population of twenty thousand
28 or more, the city council of said city shall be the board of review, except
29 that the township trustees of said townships may, in the event the city
30 council does not act as such board of review for such townships, be the
31 board of review, the same as township trustees would be in townships
32 in which the township lines are not coterminous with city limits.

[C., '73, §§ 829, 830; C., '97, § 1370; S., '13, § 1370; 38 G. A.,
ch. 244, § 1; 39 G. A., ch. 92, § 3.]

SEC. 4602. Complaint to board of review—appeal.

1 Any person aggrieved by the action of the assessor in assessing
2 his property may make oral or written complaint thereof to the board
3 of review, which shall consist simply of a statement of the errors

4 complained of, with such facts as may lead to their correction, and
 5 any person whose assessment has been raised or whose property has
 6 been added to the assessment rolls, as provided in section forty-six
 7 hundred one of the compiled code, and any member of the board of
 8 review aggrieved by any action of the board of review of which
 9 he was, at the time complained of, a member, shall make such com-
 10 plaint before the meeting of the board for final action with reference
 11 thereto, as provided in said section, and appeals may be taken from
 12 the action of the board with reference to such complaints to the
 13 district court of the county in which such board holds its sessions,
 14 within twenty days after its adjournment.

15 Appeals shall be taken by a written notice to that effect to the
 16 chairman or presiding officer of the reviewing board, and served as an
 17 original notice.

18 The court shall hear the appeal in equity and determine anew
 19 all questions arising before the board which relate to the liability
 20 of the property to assessment or the amount thereof, and its decision
 21 shall be certified by the clerk of the court to the county auditor, who
 22 shall correct the assessment books in his office accordingly.

23 Any officer of a county, city, town, township or school district
 24 interested or a taxpayer thereof may in like manner make complaint
 25 before said board of review in respect to the assessment of any prop-
 26 erty in the township, city or town and an appeal from the action of
 27 the board of review in fixing the amount of assessment on any
 28 property concerning which such complaint is made, may be taken by
 29 any of such aforementioned officers.

30 Such appeal is in addition to the appeal allowed to the person
 31 whose property is assessed and shall be taken in the name of the
 32 county, city, town, township or school district interested and tried
 33 in the same manner, except that the notice of appeal shall also be
 34 served upon the owner of the property concerning which the com-
 35 plaint is made and affected thereby or person required to return said
 36 property for assessment.

37 Upon trial of any appeal from the action of the board of review
 38 fixing the amount of assessment upon any property concerning which
 39 complaint is made, the court may increase, decrease or affirm the
 40 amount of the assessment appealed from.

[R., '60, § 740; C., '73, § 831; C., '97, § 1373; S., '13, § 1373;
 40 G. A., ch. 148.]

CHAPTER 15

TAX LIST

SECTION 4609. Tax list.

1 All taxes, except road taxes, which are uniform throughout any
 2 township or school district shall be formed into a single tax, and en-
 3 tered upon the tax list in a single column, to be known as a consoli-
 4 dated tax, and each receipt shall show the percentage levied for each
 5 separate fund.

6 Before the first day of January in each year, the county auditor
 7 shall transcribe the assessments of the several townships, towns or

8 cities into a book, to be provided at the expense of the county for that
 9 purpose, to be known as the tax list, properly ruled and headed, with
 10 distinct columns, in which shall be entered the names of taxpayers,
 11 descriptions of lands, number of acres and value, number of town
 12 lots and value, value of personal property and each description of tax,
 13 with a column for polls and one for payments, and shall complete the
 14 same by entering the amount due on the first installment and the
 15 amount due on the second installment and carrying out the total of
 16 both installments and he shall complete each page by footing all
 17 columns and balancing with tax totals.

18 At the end of the list for each township, town or city he shall
 19 make an abstract thereof, and apportion the consolidated tax among
 20 the respective funds to which it belongs, according to the number of
 21 mills levied for each.

[C., '51, §§ 485, 486; R., '60, §§ 745, 746; C., '73, §§ 837-839;
 C., '97, § 1383; S., '13, § 1383; 40 G. A., ch. 149.]

CHAPTER 16

TAX LEVIES

SECTION 4624. Levy—amount of.

1 The board of supervisors of each county shall, annually, at its
 2 September session, levy the following taxes upon the assessed value
 3 of the taxable property in the county:

4 1. For state revenue, such rate of tax as shall be fixed by the
 5 executive council as hereinafter provided.

6 2. For ordinary county revenue, not to exceed six mills on a
 7 dollar, with a poll tax of fifty cents on each male resident over twenty-
 8 one years of age.

9 In any county where, by reason of extraordinary or unusual
 10 litigation the rates herein fixed for ordinary county revenue are
 11 found to be insufficient to pay the same, the board of supervisors may
 12 create an additional fund to be known as court expense fund, and may
 13 levy for such fund such rate of taxes as shall be necessary to pay all
 14 court expenses chargeable to the county. Such fund shall be used
 15 for no other purpose, and the levy therefor shall be dispensed with
 16 when the authorized levy for the ordinary county revenue is sufficient
 17 to meet the necessary county expenditures including such court ex-
 18 penses. Provided, further, that the levy for the purpose of providing
 19 an additional fund shall not exceed three mills on a dollar.

[C., '51, § 454; R., '60, § 710; C., '73, § 796; C., '97, § 1303;
 S. S., '15, § 1303; 40 G. A., ch. 75.]

SEC. 4626. Peddlers—amount of tax—definition.

1 Peddlers plying their vocation in any county in this state outside
 2 of a city or incorporated town, shall pay an annual county tax of
 3 twenty-five dollars for each pack peddler or hawker on foot, fifty
 4 dollars for each one-horse or two-wheeled conveyance, and seventy-five
 5 dollars for each two-horse conveyance, automobile, or any motor vehicle
 6 having attached thereto or made a part thereof a conveyance for mer-

7 chandise or samples. Such tax shall be paid to the county treasurer,
 8 who shall issue to the person making such payment duplicate receipts
 9 therefor and upon presentation of one of same to the county auditor,
 10 he shall issue to the person presenting such receipt a license which shall
 11 not be transferable authorizing such person to ply the vocation of a
 12 peddler in such county for the term of one year from the date thereof.

13 The word "peddlers" under the provisions of this section, and
 14 wherever found in the code, shall be held to include and apply to all
 15 transient merchants and itinerant vendors selling by sample or by tak-
 16 ing orders, whether for immediate or future delivery.

17 The provisions of this section shall not be construed to apply to
 18 persons selling at wholesale to merchants, nor to transient vendors of
 19 drugs, nor to persons running a huckster wagon, or selling and dis-
 20 tributing fresh meats, fish, fruit, or vegetables, nor to persons selling
 21 their own work or production either by themselves or employees.

[C., '51, § 510; R., '60, § 791; C., '73, § 906; C., '97, § 1347;
 S., '13, § 1347-a; 39 G. A., ch. 52.]

CHAPTER 17

COLLECTION OF TAXES

SECTION 4635. Statutes applicable—writ of attachment—dam- ages.

1 All the provisions of chapters one and two of title thirty-one are
 2 hereby made applicable to any proceedings instituted by a county
 3 treasurer under section forty-six hundred thirty-four of the compiled
 4 code, and a writ of attachment shall be issued upon the county treas-
 5 urer complying with the provisions of said chapters, for taxes, whether
 6 due or not due, except that no bond shall be required from the treas-
 7 urer or county in such cases, but the county shall be liable for dam-
 8 ages, only, as provided by section seventy-nine hundred sixty-two of
 9 the compiled code.

[S., '13, § 1452-b.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to correct error in printing of compiled code.

SEC. 4653. Collectors—appointment of—compensation—sheriff.

1 Immediately after the taxes become delinquent, each county treas-
 2 urer shall proceed to collect the same by distress and sale of the per-
 3 sonal property of the delinquent taxpayers, and for this purpose he
 4 may appoint one or more collectors to assist him in collecting the same.

5 Each collector appointed shall receive for his services and ex-
 6 penses the sum of five per cent on the amount of all taxes collected
 7 and paid over by him, which percentage he shall collect from the de-
 8 linquent, together with the whole amount of delinquent taxes and in-
 9 terest; and pay the same to the treasurer at the end of each month,
 10 and in the discharge of his duties as collector, should it become neces-
 11 sary to make the delinquent taxes by distress and sale, or should no
 12 collector be appointed, or should the collector fail to institute pro-

13 ceedings to collect said delinquent taxes, the treasurer shall place the
 14 same in the hands of the sheriff, or a constable, who shall proceed to
 15 collect the same, and either shall be entitled to receive the same com-
 16 pensation, in addition to the five per cent, as constables are entitled
 17 to receive for the sale of property on execution.

18 The boards of supervisors may in their discretion authorize
 19 the appointment by the treasurer of one or more collectors to assist
 20 in the collection of such delinquent personal tax as the board may
 21 designate, and may pay such collector as full compensation for all
 22 services rendered and expenses incurred a sum not to exceed ten per
 23 cent of the amount collected, which sum shall in no event be paid
 24 or allowed until all such taxes collected have been paid over to the
 25 county treasurer by such collector.

26 In no case shall delinquent taxes of the current year be turned
 27 over for collection, whether designated by the board or otherwise,
 28 before the first day of November.

[C., '73, § 859; C., '97, § 1407; S., '13, § 1407; 40 G. A., ch.
 151.]

SEC. 4659. When taxes delinquent—penalties.

1 If the first installment of taxes shall not be paid by April first,
 2 the whole shall become due and draw interest as a penalty of one
 3 per cent per month until paid from the first of March following the
 4 levy; and if the first half shall be paid when due, and the last half
 5 shall not be paid by October first following such levy, then a like
 6 interest shall be charged from the date such last half became delin-
 7 quent; on all personal taxes not paid on or before the first Monday in
 8 December a penalty of five per cent shall be added and collected in
 9 addition to the one per cent per month penalty herein provided; and
 10 the tax with all penalties shall be collected at the same time and in
 11 the same manner; but no interest as a penalty shall be added to taxes
 12 levied by any court to pay a judgment on county, city, town or school
 13 district indebtedness, other than the interest which such judgment
 14 may draw, nor upon taxes levied in aid of the construction of any rail-
 15 road. All road taxes payable to the county treasurer shall be due with
 16 the first installment of other taxes, and subject to the penalty for non-
 17 payment as other taxes.

[C., '51, §§ 495, 497; R., '60, §§ 759, 760; C., '73, §§ 865, 866;
 C., '97, § 1413; 39 G. A., ch. 66.]

CHAPTER 18

TAX SALE

SECTION 4681. Certificate of purchase.

1 The treasurer shall prepare, sign, and deliver to the purchaser of
 2 any real estate sold for the nonpayment of taxes a certificate of pur-
 3 chase, describing it as shown in the record of sales, giving the part of
 4 each tract or lot sold, the amount of each kind of tax, interest and
 5 costs for each tract or lot as described in such record, and that pay-
 6 ment has been made therefor. Not more than one such parcel or

7 description shall be entered upon each certificate of purchase. And in
 8 case of loss of said certificate of purchase, the owner thereof, as
 9 appears on record, may, by filing an affidavit of such loss or destruction
 10 with the county treasurer, receive a duplicate thereof, which shall take
 11 the place of the original certificate and have the same force and effect
 12 in law and be subject to the same rules and regulations.

[C., '51, § 503; R., '60, § 777; C., '73, § 887; C., '97, § 1432;
 S., '13, § 1432; 39 G. A., ch. 12.]

CHAPTER 19

TAX REDEMPTION

SECTION 4688. Redemption—how effected.

1 Real estate sold under the provisions of this chapter and chapter
 2 eighteen of this title may be redeemed at any time before the right of
 3 redemption is cut off, by the payment to the auditor, to be held by him
 4 subject to the order of the purchaser, of the amount for which the same
 5 was sold and eight per cent of such amount added as a penalty, with
 6 eight per cent interest per annum on the whole amount thus made from
 7 the day of sale, and the amount of all taxes, interest and costs paid by
 8 the purchaser or his assignee for any subsequent year or years, with a
 9 similar penalty added as before on the amount of the payment for each
 10 subsequent year, and eight per cent per annum on the whole of such
 11 amount or amounts from the day or days of payment; but the penalty
 12 for nonpayment of taxes of any subsequent year or years shall not
 13 attach, unless the same shall have remained unpaid until the first day
 14 of April after they become due and have become delinquent, nor shall
 15 said penalties apply to taxes voted in aid of the construction of any
 16 railroad.

17 In redeeming from a sale of a leasehold interest in agricultural
 18 college land, the amount to be paid shall include any amount paid by
 19 the holder of the certificate as interest or principal due by the terms of
 20 the lease or otherwise to prevent a forfeiture thereof, as provided by
 21 law, and for which proper voucher shall have been filed with the
 22 auditor, with interest thereon at eight per cent per annum from date
 23 of payment, which amount shall be paid by the auditor to the holder
 24 of the certificate, and the certificate of redemption shall show the
 25 amount so paid by the party redeeming.

[C., '51, § 505; R., '60, § 779; C., '73, § 890; C., '97, § 1436;
 S., '13, § 1436.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to correct error in printing of compiled code.

CHAPTER 20-A

APPORTIONMENT OF TAXES

SECTION 4701-a1. Application for apportionment.

1 When a tract of real estate has been assessed and taxed as one
2 item of property, and thereafter and before the tax is paid, the title
3 to different portions of said real estate becomes vested in different
4 parties in severalty, and the said owners are unable to agree as to
5 what portion of the total tax each portion of the real estate should
6 bear, any of said parties may file with the board of supervisors a
7 written application for the apportionment of said tax.

[40 G. A., ch. 152, § 1.]

SEC. 4701-a2. Notice.

1 In the absence of the appearance of all interested parties, the
2 board shall prescribe the notice which nonappearing parties shall
3 receive, and the time and manner of the service thereof.

[40 G. A., ch. 152, § 2.]

SEC. 4701-a3. Apportionment made—record.

1 On the hearing, the board shall apportion said tax to the differ-
2 ent portions of the real estate owned in severalty, in accordance with
3 the values thereof. All orders and determinations of the board shall
4 be entered of record in its minutes. An order of apportionment shall
5 definitely identify each portion of said real estate so owned in sev-
6 eralty.

[40 G. A., ch. 152, § 3.]

SEC. 4701-a4. Correction of books.

1 The county auditor shall, upon the making of an order of appor-
2 tionment, at once correct the tax books in his possession, in accord-
3 ance with said order, and if said books have been delivered to the
4 county treasurer, the said auditor shall at once certify said order
5 of apportionment to the said treasurer who shall make said correc-
6 tion.

[40 G. A., ch. 152, § 4.]

SEC. 4701-a5. Effect of order.

1 An order of apportionment, when followed by a correction of the
2 tax book in accordance therewith, shall have the same effect as though
3 the original assessment had been made in the same manner.

[40 G. A., ch. 152, § 5.]

SEC. 4701-a6. Appeal.

1 A party aggrieved by an order of apportionment may appeal
2 therefrom to the district court at any time within ten days from
3 the date of said order, by serving written notice of said appeal on all
4 other parties to said proceeding. Should personal service of said
5 notice within the county be impossible as to any party, any judge of
6 the district court may prescribe the manner of such service.

[40 G. A., ch. 152, § 6.]

SEC. 4701-a7. Trial on appeal.

1 The district court shall try said appeal anew and in equity.
 2 The final order of the court shall be certified by the clerk of the
 3 district court to the county auditor and shall be treated in the same
 4 manner as though originally made by the board of supervisors.

[40 G. A., ch. 152, § 7.]

SEC. 4701-a8. Interpretative clause.

1 This chapter shall not be construed as exclusive of other legal
 2 remedies.

[40 G. A., ch. 152, § 8.]

CHAPTER 21
INHERITANCE TAX

NOTE: "Collateral" has been omitted from the above chapter heading because 39 G. A., ch. 38, broadens out the inheritance tax law so as to include direct as well as collateral inheritances.

SECTION 4702. Definitions and rules of construction.

[Apparently repealed by 39 G. A., ch. 38, § 20—at least now obsolete.]

SEC. 4702-a1. "Person" defined—authority of county attorney.

1 In the construction of this chapter the word "person" shall
 2 include a plural as well as singular, and artificial as well as natural
 3 persons. This chapter shall not be construed to confer upon a county
 4 attorney authority to represent the state in any case, and he shall rep-
 5 resent the treasurer of state only when especially authorized by him to
 6 do so.

[S., '13, § 1481-a45; 39 G. A., ch. 38, § 14.]

SEC. 4703. "Debts"—defined—when deducted.

[Repealed by 39 G. A., ch. 38, § 5, and a substitute enacted in lieu thereof, which substitute, for the purpose of logical arrangement, appears as section 4704-a10 of this supplement.]

SEC. 4704. Estates, property and transfers taxable.

1 The estates of all deceased persons in any property whether the
 2 decedents be inhabitants of this state or not, and whether such estates
 3 consist of real, personal or mixed property, tangible or intangible, and
 4 any interest in, or income from any such estate or property which
 5 estate or property is, at the death of the decedent owner within this
 6 state, or is subject to the jurisdiction of the courts of this state, or
 7 thereafter is brought within this state and becomes subject to the
 8 jurisdiction of the courts of this state; or the property of any decedent,
 9 domiciled within this state at the time of the death of such decedent,
 10 even though the property of such decedent so domiciled was situated
 11 outside of the state, except real estate located outside of the state, pass-

12 ing in fee from the decedent owner, which shall pass in any manner
13 herein described shall be subject to tax as herein provided.

14 The tax hereby imposed shall be collected upon the net market
15 value and shall go into the general fund of the state to be determined
16 as herein provided, of any property passing:

17 1. By will or under the statutes of inheritance of this or any
18 other state or country.

19 2. By deed, grant, sale, gift, or transfer made in contemplation of
20 the death of the grantor or donor, or any such deed, grant, sale, gift,
21 or transfer made or intended to take effect in possession or enjoyment
22 after the death of the grantor or donor.

23 3. Under power of appointment hereafter exercised whether the
24 power was created before or after the taking effect of this chapter.

25 4. Property which is held jointly or as tenants in the entirety by
26 the decedent and any other person or persons or any deposit in banks,
27 or other institution in their joint names and payable to either or to
28 the survivor, except such part as may be proven to have belonged to
29 the survivor; or any interest of a decedent in property owned by a
30 joint stock or other corporate body whereby the survivor or survivors
31 become beneficially entitled to the decedent's interest upon the death
32 of a share holder. The tax imposed upon the passing of property under
33 the provisions of this paragraph shall apply to property held under
34 all such contracts or agreements whether made before or after the
35 taking effect of this chapter.

36 5. When the decedent shall have disposed of his estate in any
37 manner to take effect at his death with a request secret or otherwise
38 that the beneficiary give, pay to, or share the property or any interest
39 therein received from the decedent, with other person or persons, or
40 to so dispose of beneficial interests conferred by the decedent upon the
41 beneficiaries as that the property so passing would be taxable under the
42 provisions of this chapter if passing directly by will or deed from the
43 decedent owner to those to receive the gift from the beneficiary, com-
44 pliance with such request shall constitute a transfer taxable under the
45 provisions of this chapter, at the highest rate possible in like cases of
46 transfers by will or deed.

[C., '97, § 1467; S., '13, § 1481-a; 39 G. A., ch. 38, § 2.]

**SEC. 4704-a1. Estates, transfers, bequests and devises not tax-
able.**

1 The tax imposed by this chapter shall not be collected:

2 1. When the net value of the estate of decedent passing to the
3 beneficiaries named in class two of section forty-seven hundred four-a
4 six of this supplement, after deducting the debts as defined herein, does
5 not exceed the sum of one thousand dollars, provided, however, that
6 where such net value of such estate exceeds one thousand dollars then
7 the whole of said net estate shall be subject to said tax.

8 2. When the property passes to societies or institutions within
9 this state incorporated for educational or religious purposes, or to
10 cemetery associations or societies within this state organized for pur-
11 poses of public charity, including humane societies.

12 3. When the property passes to public libraries or public art gal-
13 leries within this state, open to the use of the public and not operated

14 for gain, or to hospitals within this state, or to municipal corporations
15 for purely public purposes.

16 4. Bequests for the care and maintenance of the cemetery or
17 burial lot of the decedent or his family, and bequests not to exceed five
18 hundred dollars in any estate of a decedent for the performance of a
19 religious service or services by some person regularly ordained, au-
20 thorized or licensed by some religious society to perform such service,
21 which service or services are to be performed for or in behalf of the
22 testator or some person named in his last will.

[S., '13, § 1481-a1; 39 G. A., ch. 38, § 3.]

SEC. 4704-a2. Liability for tax.

1 Any person becoming beneficially entitled to any property or
2 interest therein by any method of transfer as herein specified, and all
3 administrators, executors, referees, and trustees of estates or transfers
4 taxable under the provisions of this chapter, shall be respectively liable
5 for all such taxes to be paid by them respectively.

[C., '97, § 1467; S., '13, § 1481-a; 39 G. A., ch. 38, § 2]

SEC. 4704-a3. Accrual of tax—maturity—extension of time.

1 The tax hereby imposed shall be for the use of the state, shall
2 accrue at the death of the decedent owner, and said tax shall be paid
3 to the treasurer of state within eighteen months after the death of the
4 decedent owner except when otherwise provided in this chapter. When
5 in the opinion of the treasurer of state additional time should be
6 granted for payment to avoid hardship, said treasurer may extend the
7 period to a date not exceeding three years from date of death of dece-
8 dent, but in case of any such extension the tax shall bear six per cent
9 interest from the expiration of eighteen months from decedent's death.

[S., '13, § 1481-a; 39 G. A., ch. 38, § 2.]

SEC. 4704-a4. Lien of tax.

1 The tax shall be and remain a legal charge against and a lien upon
2 such estate, and any and all the property thereof from the death of the
3 decedent owner until paid, provided that said lien shall not continue
4 longer than five years from the date such tax becomes due and payable;
5 provided, further, such five year limitation shall not apply to estates or
6 beneficiaries embraced in paragraph two of section forty-seven hun-
7 dred four-a six of this supplement, in cases where decedent died prior
8 to the taking effect of this chapter.

[C., '97, § 1467; S., '13, § 1481-a; 39 G. A., ch. 38, § 2;
39 G. A., ch. 164, § 3.]

SEC. 4704-a5. Transfers in contemplation of death.

1 If the decedent makes a transfer of, or creates a trust with respect
2 to, any property in contemplation of his death, or intended to take
3 effect after his death (except in the case of a bona fide sale for a fair
4 consideration in money or money's worth), and if the tax in respect
5 thereto is not paid when due, the transferee or trustee shall be person-
6 ally liable for such tax, and such property, to the extent of the dece-
7 dent's interest therein at the time of his death, shall be subject to a
8 lien for the payment of such tax.

[C., '97, § 1467; S., '13, § 1481-a; 39 G. A., ch. 38, § 2.]

SEC. 4704-a6. Rate of tax.

1 The property, or any interest therein or income therefrom subject
2 to the provisions of this chapter shall be taxed as herein provided.

3 1. When such property, interest or income passes to the wife or
4 the husband of the deceased, in excess of the distributive share of such
5 surviving spouse, grantor, donor or vendor, or to the father or mother
6 or to any child or lineal descendant of such decedent, grantor, donor
7 or vendor, including a legally adopted child or illegitimate child en-
8 titled to inherit under the laws of this state the tax imposed shall be
9 on the individual share so passing, and shall be as follows:

10 One per centum on any amount in excess of fifteen thousand dollars
11 and up to thirty thousand dollars.

12 One and one-half per centum on any amount in excess of thirty
13 thousand dollars and up to forty-five thousand dollars.

14 Two per centum on any amount in excess of forty-five thousand
15 dollars and up to sixty thousand dollars.

16 Two and one-half per centum on any amount in excess of sixty
17 thousand dollars and up to ninety thousand dollars.

18 Three per centum on any amount in excess of ninety thousand
19 dollars and up to one hundred twenty thousand dollars.

20 Four per centum on any amount in excess of one hundred twenty
21 thousand dollars and up to one hundred eighty thousand dollars.

22 Five per centum on any amount in excess of one hundred eighty
23 thousand dollars and up to two hundred forty thousand dollars.

24 Six per centum on any amount in excess of two hundred forty
25 thousand dollars and up to three hundred thousand dollars.

26 Seven per centum on all sums in excess of three hundred thousand
27 dollars.

28 Provided, that, in case any such child does not survive the dece-
29 dent, grantor, donor or vendor, or, for any reason, sufficient property,
30 interest or income of such decedent does not pass to such child to equal
31 the amount of the exemption to which such child would be entitled un-
32 der the provisions of this section, but property, interest or income
33 passes to the spouse or any lineal descendant of such child, the amount
34 so passing to such child, if any, and the amount passing to such spouse
35 or lineal descendant shall be treated collectively as one inheritance and
36 the persons receiving such collective inheritance shall collectively be
37 entitled to the same exemption, prorated according to the amount
38 passing to each of such persons as if such inheritance had passed en-
39 tirely to such child.

40 2. When the property or any interest therein or income therefrom
41 taxable under the provisions of this chapter passes to any person,
42 firm, corporation or society other than those designated in paragraph
43 one of this section the rate of tax imposed shall be as follows:

44 Five per centum on any amount up to one hundred thousand
45 dollars.

46 Six per centum on any amount in excess of one hundred thousand
47 dollars up to two hundred thousand dollars.

48 Seven per centum on all amounts in excess of two hundred thou-
49 sand dollars.

[C., '97, § 1467; S., '13, § 1481-a; 39 G. A., ch. 38, § 4;
39 G. A., ch. 164, § 1.]

SEC. 4704-a7. Death prior or subsequent to law—effect.

1 As to estates of decedents passing to beneficiaries named in para-
 2 graph one of the preceding section, this chapter shall apply only where
 3 decedent dies after the taking effect of this chapter, and as to estate of
 4 decedents passing to beneficiaries named in paragraph two of the pre-
 5 ceding section, the rate of tax shall be five per cent as to all persons
 6 dying before this chapter takes effect.

[39 G. A., ch. 38, § 16.]

NOTE: 39 G. A., ch. 38, § 17, repealed by 39 G. A., ch. 164, § 4.

SEC. 4704-a8. Alien beneficiaries.

1 When property or any interest therein shall pass to heirs, devisees
 2 or other beneficiaries subject to the tax imposed by this chapter, who
 3 are aliens, nonresidents of the United States, the same shall be subject
 4 to a tax of twenty per centum of its true value except when such foreign
 5 beneficiaries are brothers or sisters of the decedent owner or are within
 6 the class described in paragraph one of section forty-seven hundred
 7 four-a six of this supplement, when the rate of tax to be assessed and
 8 collected therefrom shall be ten per centum of the value of the property
 9 or interest so passing.

[C., '97, § 1467; S., '13, § 1481-a; 39 G. A., ch. 38, § 4.]

SEC. 4704-a9. Rates applied on aggregate value of property.

1 In determining the inheritance tax due from the estate of any
 2 decedent under this chapter, the rates provided in section forty-seven
 3 hundred four-a six of this supplement shall be applied upon the aggre-
 4 gate value of the property making up said estate after deducting the
 5 exemptions herein provided. Where part of said property passes to
 6 the class described in paragraph one of section forty-seven hundred
 7 four-a six of this supplement, and part to the class described in para-
 8 graph two, the tax applying to each of said classes shall be computed as
 9 if the same were a separate estate.

[39 G. A., ch. 38, § 4.]

SEC. 4704-a10. Deductions of debts.

1 There shall be deducted from the gross value of the estate as
 2 fixed by the inheritance tax appraisers appointed under the provisions
 3 of this chapter, or as fixed by the court, the debts defined as follows:
 4 1. From the estate of such decedent who at the time of his death
 5 was domiciled within this state, there shall be deducted the debts
 6 owing by the decedent at the time of his death, the local and state taxes
 7 due from the estate in January of the year of his death, and federal
 8 taxes, a reasonable sum for funeral expenses, temporary allowance for
 9 the widow and children under fifteen years of age as granted by the
 10 probate court or judge thereof, court costs, the costs of appraisal
 11 made for the purpose of assessing the inheritance tax, the statutory fee
 12 of executors, administrators, or trustees estimated upon the appraised
 13 value of the property, the amount paid by the executor or administra-
 14 tor for a bond, the attorney fee in a reasonable amount to be approved
 15 by the court for the ordinary probate proceedings in said estate, and
 16 no other sum; provided, however, that the debt of such decedent owing

17 for or secured by property outside of this state, shall not be deducted
 18 from estimating the tax, except when the property for which the debt
 19 is owing or by which it is secured, is subject to the tax imposed by this
 20 chapter, or when the foreign debt exceeds the value of the property
 21 securing it or for which it was contracted, when the excess may be de-
 22 ducted provided that satisfactory proof of the value of the foreign
 23 property and the amount of such debt is furnished to the treasurer of
 24 state.

25 Said debts shall not be deducted unless the same are approved and
 26 allowed by the court within eighteen months from the death of the
 27 decedent, unless otherwise ordered by the judge or court of the proper
 28 county.

29 2. From the estate of such decedent who at the time of his death
 30 is domiciled outside of this state, the state treasurer shall deduct such
 31 debts and expenses as are chargeable to the property under the laws
 32 of this state, provided that in the event that the executor, administra-
 33 tor, or trustee of such foreign estate files with the clerk of the court
 34 having ancillary jurisdiction and with the treasurer of state, or with
 35 the treasurer of state in case there is no administration of the estate
 36 within this state, a duly certified statement exhibiting the true market
 37 value of the entire estate of the decedent owner, and the indebtedness
 38 for which the said estate has been adjudged liable, which statement
 39 shall be duly attested by the judge of the court having original juris-
 40 diction, the beneficiaries of the said estate shall then be entitled to
 41 have deducted such proportion of the said indebtedness of the decedent
 42 from the value of the property as the value of the property within this
 43 state bears to the value of the entire estate.

44 3. An amount equal to the value at the time of the decedent's death
 45 of any property, real, personal or mixed, which can be identified as
 46 having been received by the decedent as a share in the estate of any
 47 person who died within two years prior to the death of the decedent,
 48 or which can be identified as having been acquired by the decedent
 49 in exchange for property so received, if an estate tax under this chapter
 50 was collected from such estate, and if such property is included in de-
 51 cent's gross estate.

[S., '13, § 1481-a2; 39 G. A., ch. 38, § 5.]

SEC. 4705. Exceptions.

[Repealed by 39 G. A., ch. 38, § 3, and a substitute enacted in lieu thereof, which substitute, for the purpose of logical arrangement, appears as section 4704-a1 of this supplement.]

SEC. 4706. Inheritance tax and lien book.

1 The clerk of the district court in and for each county shall provide
 2 and keep a suitable book, substantially bound and suitably ruled,
 3 to be known as the inheritance tax and lien book, in which shall be kept
 4 a full and accurate record of all proceedings in cases where property is
 5 charged or sought to be charged with the payment of an inheritance
 6 tax under the laws of this state, to be printed and ruled so as to show
 7 upon one page:

- 8 1. The name, place of residence, and date of death of the decedent.
- 9 2. Whether the decedent died testate, or intestate, and if testate,
- 10 the record and page where the will was probated and recorded.

- 11 3. The name and postoffice address of the executor, administra-
 12 tor, trustee, or grantee, with date of appointment or transfer.
 13 4. The names, postoffice addresses and relationship, if known,
 14 of all the heirs, devisees and grantees.
 15 5. The appraised valuation of the personal property.
 16 6. The amount of inheritance tax due upon said personal prop-
 17 erty.
 18 7. A record of payment with amount and date.
 19 8. Date of filing objections and names of objectors.
 20 9. Blank for index and reference to all proceedings and for memo-
 21 randum entries of the court or judge in relation thereto.
 22 Upon the opposite page of such record shall be printed:
 23 1. Real estate derived from (naming
 24 decedent) which is subject to the lien prescribed by the statute for
 25 inheritance tax.
 26 2. A full and accurate description of such real estate, by forty-
 27 acre or fractional tracts, or by lots, or other complete individual de-
 28 scription.
 29 3. The appraised valuation as reported by the appraisers, with
 30 a reference to the record of their report, as to each piece of such real
 31 estate.
 32 4. The amount of the inheritance tax due upon each such piece.
 33 5. A record of payments, with dates and amounts.
 [S., '13, § 1481-a25; 39 G. A., ch. 38, § 10.]

SEC. 4708. Lien.

[Repealed by 39 G. A., ch. 38, § 1.]

SEC. 4709. Property certified to treasurer.

[Repealed by 39 G. A., ch. 38, § 1.]

SEC. 4710. Copy of appraisalment.

[Repealed by 39 G. A., ch. 38, § 1.]

SEC. 4713. Appraisal.

[Repealed by 39 G. A., ch. 38, § 1.]

SEC. 4714. Appraisers—appointment by court—term—bond not required—removal—vacancies.

- 1 In each county, the court shall annually at the first term of the
 2 court therein appoint three competent residents and freeholders of
 3 said county, to act as appraisers of all property within its jurisdiction
 4 which is charged or sought to be charged with an inheritance tax.
 5 Said appraisers shall serve for one year, and until their successors
 6 are appointed and qualified. They shall each take an oath to faith-
 7 fully and impartially perform the duties of the office, but shall not be
 8 required to give bond. They shall be subject to removal at any time
 9 at the discretion of the court, and the court or judge thereof in vaca-
 10 tion, may also in its discretion, either before or after the appoint-
 11 ment of the regular appraisers, appoint other appraisers to act in any
 12 given case. Vacancies occurring otherwise than by expiration of
 13 term, shall be filled by the appointment of the court or by a judge in

14 vacation. No person interested in any manner in the estate to be ap-
15 praised may serve as an appraiser of such estate.

[S., '13, § 1481-a4; 39 G. A., ch. 38, § 6.]

SEC. 4719. Relief from appraisement.

1 All estates subject in whole or in part to the tax imposed by this
2 chapter shall be appraised for the purpose of computing said tax by
3 the regular inheritance tax appraisers; provided that estates liable
4 for the payment of the inheritance tax upon specific legacies, an-
5 nuities, bequests of money or other property the value of which may
6 be determined without appraisement, and estates which consist of
7 money, book accounts, bank deposits, notes, mortgages and bonds,
8 need not be appraised by the inheritance tax appraisers if the
9 administrator, executor or trustee or the persons entitled to or claim-
10 ing such property are willing to charge themselves with the full
11 face value of such bequests or property, together with the interest,
12 earnings or undivided profits which may be due on said properties, at
13 the time of death of the testator or intestate, as the basis for the assess-
14 ment of said tax, but in all cases the relief from appraisement for the
15 inheritance tax is dependent upon the consent of the treasurer of
16 state, and the subsequent approval thereof by the court or judge
17 thereof in vacation. In the event that the estate has been duly
18 appraised under the ordinary statutes of inheritance or the property
19 has been sold and such appraisement or selling price is accepted by
20 the treasurer of state as satisfactory for inheritance tax purposes,
21 the court or judge thereof in vacation may, upon proper application,
22 relieve the estate from the appraisement by the inheritance tax apprais-
23 ers; but in order to obtain such relief, the administrator, executor,
24 trustee or other party interested must file an application for relief
25 with the consent of the treasurer of state thereto in the office of the
26 clerk of the court before said clerk issues a commission to the in-
27 heritance tax appraisers. The court or judge thereof in vacation may,
28 upon application of the representatives of the estate or parties inter-
29 ested, relieve the estate of the appraisement for tax purposes if it be
30 shown to said court that the market value of the entire estate will not
31 exceed one thousand dollars; provided that prior to the application to
32 said court or judge the written consent of the treasurer of state to such
33 relief is procured. In all cases where an estate is relieved from an
34 appraisement for inheritance tax purposes, the order granting relief
35 shall be recorded in the clerk's office, and the fact of such relief and
36 reasons therefor shall be duly noted in the decree or order of final
37 settlement made by the court.

[S., '13, § 1481-a9; 39 G. A., ch. 38, § 7.]

SEC. 4720. Remainders in realty after term estates to exempted persons—when appraised.

1 When any person, whose estate over and above the amount of
2 his debts, as defined in this chapter, exceeds the sum of one thousand
3 dollars, shall bequeath or devise or otherwise transfer any real prop-
4 erty to or for the use of persons exempt from the tax imposed by this
5 chapter, during life or for a term of years, and the remainder to a
6 person or persons not thus exempt, said property upon the determina-

7 tion of such estate for life or years, shall be appraised at its then actual
 8 market value from which shall be deducted the value of any improve-
 9 ments thereon; or betterments thereto, if any, made by the remainder-
 10 man during the time of the prior estate, to be ascertained and deter-
 11 mined by the appraisers and the tax on the remainder shall be paid by
 12 such remainderman as provided in section forty-seven hundred twenty-
 13 two of this supplement.

[S., '13, § 1481-a10; 39 G. A., ch. 38, § 8.]

SEC. 4721. Remainders.

[Repealed by 39 G. A., ch. 38, § 1.]

**SEC. 4722. Life and term estates in realty to those not exempt—
 appraisal—payment of tax—determination of prior es-
 tates—report—tax to be paid by remainderman.**

1 Whenever any real property of a decedent shall be subject to
 2 such tax and there be an estate or interest for life or term of years
 3 given to a party other than those especially exempt by this chapter,
 4 the clerk shall cause such property to be appraised at the actual mar-
 5 ket value thereof, as is provided in ordinary cases, and the party en-
 6 titled to such estate or interest shall, within one year from the death
 7 of decedent owner, pay such tax, and in default thereof the court shall
 8 order such interest in said estate, or so much thereof as shall be nec-
 9 essary to pay such tax and interest, to be sold. Upon the determina-
 10 tion of any prior estate or interest, when the remainder or deferred
 11 estate or interest or any part thereof is subject to such tax and the
 12 tax upon such remainder or deferred interest has not been paid, the
 13 person or persons entitled to such remainder or deferred interest
 14 shall immediately report to the clerk of the proper court the fact of
 15 the determination of the prior estate, and upon receipt of such report,
 16 or upon information from any source, of the determination of any
 17 such prior estate when the remainder interest has not been appraised
 18 for the purpose of assessing such tax, the clerk shall forthwith issue
 19 a commission to the inheritance tax appraisers, who shall immediately
 20 proceed to appraise the property as provided in like cases in section
 21 forty-seven hundred twenty of this supplement, and the tax
 22 upon such remainder interest shall be paid by the remainderman
 23 within one year next after the determination of the prior estate. If
 24 such tax is not paid within said time the court shall then order said
 25 property, or so much thereof as may be necessary to pay such tax and
 26 interest, to be sold.

[S., '13, § 1481-a11, 39 G. A., ch. 38, § 9.]

SEC. 4723. Life estate.

[Repealed by 39 G. A., ch. 38, § 1.]

**SEC. 4728. Determination of value of annuities and life and term
 estates—basis of computation—release of lien on remainders
 and reversions.**

1 The value of any annuity, deferred estate, or interest, or any
 2 estate for life or term of years, subject to the inheritance tax, shall
 3 be determined for the purpose of computing said tax by the rule of

4 standards of mortality and of value commonly used in actuaries' com-
 5 bined experience tables as now provided by law. The taxable value
 6 of annuities, life or term, deferred or future estates, shall be com-
 7 puted at the rate of four per cent per annum of the appraised value
 8 of the property in which such estate or interest exists or is founded.
 9 Whenever it is desired to remove the lien of the inheritance tax on
 10 remainders, reversions, or deferred estates, parties owning the bene-
 11 ficial interest may pay at any time the said tax on the present worth
 12 of such interests determined according to the rules herein fixed.

[S., '13, § 1481-a16; 39 G. A., ch. 38, § 10.]

SEC. 4731. Payment by executor or trustee.

[Repealed by 39 G. A., ch. 38, § 1.]

SEC. 4732. Payment to state.

[Repealed by 39 G. A., ch. 38, § 1.]

SEC. 4733. Collection.

[Repealed by 39 G. A., ch. 38, § 1.]

SEC. 4734. Settlements with executors or trustees.

[Repealed by 39 G. A., ch. 38, § 1.]

**SEC. 4735. Order on final settlement void if taxes not paid—
 recording of treasurer's receipt on lien book.**

1 No final settlement of the account of any executor, administrator,
 2 or trustee shall be accepted or allowed unless it shall show, and the
 3 court shall find, that all taxes imposed by the provisions of this chap-
 4 ter upon any property or interest therein, that is hereby made pay-
 5 able by such executors, administrators or trustees, and to be settled
 6 by said account, shall have been paid, and the receipt of the treasurer
 7 of state for such tax shall be the proper voucher for such payment.
 8 Any order contravening the provision of this section shall be void.
 9 Upon the filing of such receipt showing payment of the tax, the clerk
 10 shall record the same upon the inheritance tax lien book in his office.

[S., '13, § 1481-a19; 39 G. A., ch. 38, § 10.]

SEC. 4737. Jurisdiction of court.

[Repealed by 39 G. A., ch. 38, § 1.]

SEC. 4739. Executors or trustees.

[Repealed by 39 G. A., ch. 38, § 1.]

SEC. 4741. Legacies charged upon land.

[Repealed by 39 G. A., ch. 38, § 1.]

SEC. 4743. Treasurer to enforce collection of delinquent taxes.

1 It shall be the duty of the treasurer of state to enforce the col-
 2 lection of the delinquent inheritance tax, and the provisions of law
 3 with reference thereto.

[38 G. A., ch. 300, § 1; 39 G. A., ch. 209, § 58.]

NOTE: The word "collateral" preceding the word "inheritance" has been stricken out of the above section because 39 G. A., ch. 38, broadens out the inheritance law so as to include direct as well as collateral inheritances.

SEC. 4743-a1. Independent investigation by treasurer of state.

1 The treasurer of state is hereby authorized and empowered to
 2 issue a citation to any person whom he may believe or have reason to
 3 believe has any knowledge or information concerning any property
 4 which he believes or has reason to believe has been transferred by any
 5 person and as to which there is or may be a tax due to the state under
 6 the provisions of the inheritance tax laws of this state, and by such
 7 citation require such person to appear before him or any one designated
 8 by him at the county seat of the county where said person resides and
 9 at a time to be designated in such citation, and testify under oath
 10 as to any fact or information within his knowledge touching the quan-
 11 tity, value and description of any such property and the disposition
 12 thereof which may have been made by any person, and to produce and
 13 submit to the inspection of the treasurer of state, any books, records,
 14 accounts or documents in the possession of or under the control of any
 15 person so cited.

16 The treasurer of state shall also have the power to inspect and
 17 examine the books, records and accounts of any person, firm or cor-
 18 poration, including the stock transfer books of any corporation, for
 19 the purpose of acquiring any information deemed necessary or desir-
 20 able by him for the proper enforcement of the inheritance tax laws of
 21 this state, and the collection of the full amount of the tax which may
 22 be due to the state thereunder.

23 Any and all information acquired by the treasurer of state under
 24 and by virtue of the means and methods provided for by this section
 25 shall be deemed and held by him as confidential and shall not be dis-
 26 closed by him except so far as the same may be necessary for the en-
 27 forcement and collection of the inheritance tax provided for by the
 28 laws of this state.

29 Refusal of any person to attend before the treasurer of state in
 30 obedience to any such citation, or to testify, or produce any books,
 31 accounts, records or documents in his possession or under his control
 32 and submit the same to inspection of the treasurer of state when so
 33 required, may, upon application of the treasurer of state, be punished
 34 by any district court in the same manner as if the proceedings were
 35 pending in such court.

36 Witnesses so cited before the treasurer of state, and any sheriff
 37 or other officer serving such citation shall receive the same fees as are
 38 allowed in civil actions; to be paid upon the certificate of the treasurer
 39 of state and audited by the board of audit, out of funds not otherwise
 40 appropriated.

[39 G. A., ch. 38, § 15.]

SEC. 4745. Extension of time of appraisalment — complicated estates.

1 Whenever, by reason of the complicated nature of an estate, or
 2 by reason of the confused condition of the decedent's affairs, it is im-
 3 practicable for the executor, administrator, trustee or beneficiary of
 4 said estate to file with the clerk of the court a full, complete and item-
 5 ized inventory of the personal assets belonging to the estate, within
 6 the time required by statute for filing inventories of the estates, the
 7 court may, upon the application of such representatives or parties in

8 interest, extend the time for making the inheritance appraisement
9 for a period not to exceed three months beyond the time fixed by this
10 chapter.

[S., '13, § 1481-a27; 39 G. A., ch. 38, § 10.]

SEC. 4747. Entries made by clerk.

1 The clerk shall enter upon the inheritance tax and lien book, the
2 title of all estates subject to the inheritance tax as shown by the in-
3 ventories or lists of heirs filed in his office, or as reported to him by
4 the county attorney, treasurer of state, or other person, and shall enter
5 in said book as against each estate or title at the appropriate place,
6 all such information relating to the situation and condition of the
7 estate as he may be able to obtain from the papers filed in his office,
8 or from any other source, as may be necessary to the collection and
9 enforcement of the tax. He shall also immediately index in the book
10 kept in his office for that purpose, all liens entered upon the inheritance
11 tax and lien book. Failure to make such entries as are herein required,
12 shall not operate to relieve the estate from the lien or defeat the collec-
13 tion of the tax.

[S., '13, § 1481-a29; 39 G. A., ch. 38, § 10.]

SEC. 4749-a1. Duty of recorder.

1 Each county recorder shall, upon the filing in his office of any
2 deed, bill of sale, or other transfer of any description whatsoever which
3 shows upon its face that it was made or intended to take effect in pos-
4 session or enjoyment at or after the death of the maker of such instru-
5 ment, forward to the state treasurer a certified copy thereof.

[39 G. A., ch. 38, § 11.]

**SEC. 4750. Duties of county attorney — compensation — other
counsel may be employed.**

[Repealed by 39 G. A., ch. 38, § 18.]

**SEC. 4752. Inspection of records—action in re newly discovered
estates—notice.**

1 On the first day of each regular term, the court shall require the
2 clerk to present for its inspection the inheritance tax and lien book
3 hereinbefore provided for, together with all reports of administrators,
4 executors and trustees which have been filed pursuant to this chapter,
5 since the last preceding term. If, from information obtained from the
6 records or reports, or from any other source, the court has reason to
7 believe that there is property within its jurisdiction liable to the pay-
8 ment of an inheritance tax, against which proceedings for collection
9 are not already pending, it shall enter an order of record directing the
10 clerk to notify the state treasurer of such fact, and the clerk shall enter
11 said estate on the inheritance tax book. Should any estate, or the
12 name of any grantee or grantees be placed upon the book at the sug-
13 gestion of the clerk or by order of court, in which the papers already
14 on file in the clerk's office do not disclose that an inheritance tax is due
15 or payable, the clerk shall forthwith give to all parties in interest such
16 notice as the court or judge may prescribe, requiring them to appear
17 on a day to be fixed by the said court or judge, and show cause why

18 the property should not be appraised and subjected to said tax. At
 19 any such hearing any person may be required to appear and answer as
 20 to his knowledge of any such estate or property, and it shall be the
 21 duty of the clerk to notify the treasurer of state of the time and place
 22 of such hearing. If upon any such hearing the court is satisfied that
 23 any property of the decedent, or any property devised, granted, or
 24 donated by him is subject to the tax, the same proceeding shall be had
 25 as in other cases, so far as applicable.

[S., '13, § 1481-a34; 39 G. A., ch. 38, §§ 10, 19.]

SEC. 4758. Property in this state belonging to a foreign estate and not specifically devised—how assessed.

1 Whenever any property, real or personal, within this state be-
 2 longs to a foreign estate and said foreign estate passes in part exempt
 3 from the tax imposed by this chapter and in part subject to said tax
 4 and there is no specific devise of the property within this state to
 5 exempt persons or if it is within the authority or discretion of the for-
 6 eign executor, administrator or trustee administering the estate to
 7 dispose of the property not specifically devised to exempt persons in
 8 the payment of debts owing by the decedent at the time of his death,
 9 or in the satisfaction of legacies, devises, or trusts given to direct or
 10 collateral legatees or devisees or in payment of the distributive shares
 11 of any direct and collateral heirs, then the property within the juris-
 12 diction of this state, belonging to such foreign estate, shall be subject
 13 to the tax imposed by this chapter, and the tax due thereon shall be
 14 assessed as provided in section forty-seven hundred fifty-seven of the
 15 compiled code relating to the deduction of the proportionate share of
 16 indebtedness; provided, however, that if the value of the property so
 17 situated exceeds the total amount of the estate passing to other persons
 18 than those exempt hereby from the tax imposed by this chapter such
 19 excess shall not be subject to said tax.

[S., '13, § 1481-a40; 39 G. A., ch. 38, § 12.]

SEC. 4759. Compromise settlement—how effected—discharge of lien.

1 Whenever an estate charged or sought to be charged with the
 2 inheritance tax is of such a nature, or is so disposed, that the liability
 3 of the estate is doubtful, or the value thereof cannot with reasonable
 4 certainty be ascertained under the provisions of law, the treasurer of
 5 state may, with the written approval of the attorney general, which
 6 approval shall set forth the reasons therefor, compromise with the
 7 beneficiaries or representatives of such estates, and compound the tax
 8 thereon; but said settlement must be approved by the district court
 9 or judge of the proper court, and after such approval the payment of
 10 the amount of the taxes so agreed upon shall discharge the lien against
 11 the property of the estate.

[S., '13, § 1481-a41; 39 G. A., ch. 38, § 10.]

SEC. 4761. Refund of tax improperly paid.

1 When within five years after the payment of the tax, a court of
 2 competent jurisdiction may determine that property upon which an
 3 inheritance tax has been paid is not subject to or liable for the

4 payment of such tax, or that the amount of tax paid was excessive,
 5 so much of such tax as has been overpaid to the treasurer of state
 6 shall be returned or refunded to the executor or administrator of
 7 such estate, or to those entitled thereto, when a certified copy of the
 8 record of such court showing the fact of nonliability of such property
 9 to the payment of such tax has been filed with the executive
 10 council of the state, the executive council shall if the case has been
 11 finally determined issue an order to the auditor of state directing
 12 him to issue a warrant upon the treasurer of state to refund such tax.
 13 Such order of court shall not be given until fifteen days' notice of the
 14 application therefor shall have been given to the treasurer of state of
 15 the time and place of the hearing of such application, which notice
 16 shall be served in the same manner as provided for original notices.

[S., '13, § 1481-a43; 39 G. A., ch. 38, § 13.]

CHAPTER 22

SECURITY OF THE REVENUE

SECTION 4767. **Loaning or depositing public funds—interest on daily balances.**

1 A county treasurer shall be liable to a like fine for loaning out, or
 2 in any manner using for private purposes, state, county or other funds
 3 in his hands, but the county treasurer shall, with the approval of the
 4 board of supervisors as to place of deposit, by resolution entered of
 5 record, deposit such funds in any bank or banks in the state to an
 6 amount fixed by such resolution at interest at the rate of at least two
 7 and one-half per cent per annum on ninety per cent of the daily balances
 8 payable at the end of each month all of which shall accrue to the benefit
 9 of the general county fund; but before such deposit is made, such bank
 10 shall file a bond with sureties to be approved by the treasurer and the
 11 board of supervisors in double the amount deposited, conditioned to
 12 hold the treasurer harmless from all loss by reason of such deposit or
 13 deposits; provided that in cases where an approved surety company's
 14 bond is furnished, said bond may be accepted in an amount equal to
 15 ten per cent more than the amount deposited. Said bond shall be filed
 16 with the county auditor and action may be brought thereon either by
 17 the treasurer or the county as the board of supervisors may elect;
 18 and the state treasurer shall be liable to a fine of not more than ten
 19 thousand dollars for a like misdemeanor. But nothing done under
 20 the provisions of this section shall alter or affect the liability of the
 21 treasurer or the sureties of his official bonds.

[R., '60, § 797; C., '73, § 912; C., '97, § 1457; S., '13, § 1457;
 39 G. A., ch. 114, § 2.]

SEC. 4769. **Payments to state treasurer.**

[Repealed by 40 G. A., ch. 153, § 1, and the four following sections enacted in lieu thereof.]

SEC. 4769-a1. Payments to state treasurer.

1 The treasurer of each county shall, on or before the fifteenth day
2 of each month, prepare sworn statements of the amount of money
3 in his hands on the last day of the preceding month belonging to the
4 state treasury, and forward by mail, one such statement to the
5 auditor of state, and one such statement to the treasurer of state.

6 The treasurer of each county shall also, at any time when di-
7 rected by the treasurer of state, forthwith pay into the state treasury
8 according to the provisions of this section and sections forty-seven
9 hundred sixty-nine-a two to forty-seven hundred sixty-nine-a four, in-
10 clusive, of this supplement, any or all of the money due the state and
11 remaining in his hands, and the treasurer of state is hereby required
12 to receive on all such payments the same kind of money and notes
13 which the county treasurer is authorized and required by law to re-
14 ceive in payment of taxes.

15 The treasurer of state shall maintain in the state treasury a cash
16 balance of the money belonging to the state and collected by the
17 respective county treasurers including all funds and moneys received
18 by him from other sources and properly a part of the general fund,
19 of not more than three million dollars. When such cash balance shall
20 become less than two million dollars he may draw upon the treasurer
21 of each county of the state in proportion to the amount in their
22 possession respectively, a sum sufficient in the aggregate to restore
23 said cash balance to a sum not exceeding said maximum. Such drafts
24 shall be honored by the treasurer of each county upon presentation.

[R., '60, § 799; C., '73, § 914; C., '97, § 1459; 40 G. A., ch.
153, § 1.]

SEC. 4769-a2. Required credits.

1 The treasurer of state shall also credit to said general balance
2 fund all funds and moneys received by him from other sources and
3 properly a part of the general fund. The treasurer of state shall
4 keep proper books of account for the purposes herein specified.

[40 G. A., ch. 153, § 2.]

SEC. 4769-a3. Penalty.

1 In case the treasurer of any county shall fail to prepare and
2 forward the statements required in section forty-seven hundred sixty-
3 nine-a one of this supplement, or shall fail to promptly honor any draft
4 by the treasurer of state as provided in the two preceding sections, he
5 shall forfeit and pay for each and every failure a sum not less than
6 one hundred dollars or more than five hundred dollars, to be recovered
7 in an action brought in the name of the state auditor or the treas-
8 urer of the state against him and his bondsman.

[40 G. A., ch. 153, § 3.]

SEC. 4769-a4. Primary road funds.

1 The provisions of the three preceding sections shall not be so
2 construed as to include any of the primary road funds.

[40 G. A., ch. 153, § 4.]

SEC. 4769-a5. Motor vehicle funds.

1 The provisions of section forty-seven hundred sixty-nine-a one of
2 this supplement relating to the payment of money into the state treas-
3 ury shall not be applicable to money collected under the provisions of
4 chapter seventeen, title eleven, relating to motor vehicles.

[39 G. A., ch. 155, § 3.]

NOTE: The above section was enacted by 39 G. A., ch. 155, § 3, and appeared in the 1921 supplement to the compiled code as the last *sentence* of section 4769, which latter section was section 1459 of the code, 1897. Said section 1459 was repealed by 40 G. A., ch. 153, § 1, but an examination of said repealing act will reveal the fact that said repeal did not include said *last sentence* of said section 4769. Said section (39 G. A., ch. 155, § 3) is here preserved as a distinct section.

TITLE XV

CERTAIN INTERNAL IMPROVEMENTS

CHAPTER 1

LEVEES, DRAINS, DITCHES, AND WATERCOURSES

SECTION 4795. Drainage bonds.

1 If the board of supervisors shall determine that the estimated
 2 cost of reclamation of such district of lands is greater than should
 3 be levied in a single year upon the lands benefited, it shall fix the pro-
 4 portion that should be levied and collected each year, and may issue
 5 drainage bonds of the county, bearing not more than five per cent
 6 annual interest, and payable in the proportions and at the times when
 7 such taxes so apportioned will have been collected, and may devote
 8 the same at par to the payment of the work as it progresses, or may
 9 sell the same at not less than par and devote the proceeds to such pay-
 10 ment; and should the cost of such work exceed the estimate, a new
 11 apportionment of taxes may be made, and other bonds issued and used
 12 in like manner; but in no case shall the bonds run longer than fifteen
 13 years, and at least ten per cent in amount of those issued on the first
 14 estimate shall be payable annually. The board may divide the land
 15 to be benefited into drainage districts, which shall be accurately de-
 16 scribed and numbered, and such drainage bonds shall be in sums of
 17 not less than fifty dollars each, numbered consecutively, and issued as
 18 other county bonds are, and shall specify that they are drainage
 19 bonds, and designate by number the drainage district on account of
 20 which they are issued. In no case shall the amount of the bonds issued
 21 exceed fifty per cent of the value of the lands in the drainage district,
 22 as shown by the last assessment for taxation. Each bond so issued
 23 shall express on its face that it shall only be paid by taxes assessed,
 24 levied, and collected on the lands within the district so designated and
 25 numbered, and for the benefit of which district such bond was issued.
 26 In no case shall any tax be levied or collected for the payment of such
 27 bond or bonds, or the interest thereon, on any property outside of the
 28 district so numbered, designated, and benefited.

[C., '97, § 1953; 40 G. A., ch. 108, § 10.]

CHAPTER 2

LEVEES, DRAINS, DITCHES, AND WATERCOURSES

SECTION 4836-a1. Levee defined — bank protection — overflowed lands.

1 For the purposes of this chapter the word "levee" shall be con-
 2 strued to include in addition to its ordinary and accepted meaning em-
 3 bankments, revetments, retards or any other approved system of con-

4 struction which may be deemed necessary adequately to protect the
5 banks of any river or stream, within or adjacent to any county, from
6 wash, cutting or erosion, and the provisions of this chapter shall be
7 liberally construed to promote, embrace and authorize the drainage,
8 reclamation or protection of wet and overflowed lands, or lands en-
9 dangered, or liable to be endangered by wash, cutting or erosion, with-
10 in this state, and the preservation and maintenance of such works
11 whether heretofore or hereafter constructed.

[39 G. A., ch. 45, § 1.]

SEC. 4837. Proceedings—bond—survey.

1 Whenever a petition signed by one or more of the landowners
2 whose lands will be affected by, or assessed for the expenses of, the
3 proposed improvement, shall be filed in the office of the county auditor,
4 setting forth that any body or district of land in the county, described
5 by metes and bounds, or otherwise, so as to convey an intelligible
6 description of such lands, is subject to overflow or too wet for culti-
7 vation, and that the public benefit or utility, or the public health, con-
8 venience or welfare will be promoted by draining, ditching, tiling or
9 leveeing the same, or by changing a natural watercourse, and setting
10 forth therein the starting point, route and terminus and lateral
11 branches, if necessary, of the proposed improvement, and there is filed
12 therewith a bond, in amount and with sureties to be approved by the
13 county auditor and conditioned for the payment of all costs and ex-
14 penses incurred in the proceedings in case the supervisors do not
15 grant the prayer of said petition, the board shall at its first session
16 thereafter, regular, special or adjourned, appoint a disinterested and
17 competent engineer, who shall give bond to the county for the use
18 and benefit of the proposed levee or drainage district, if it be estab-
19 lished, in amount and with sureties to be approved by the county audi-
20 tor and conditioned for the faithful and competent performance of
21 his work, and place a copy of the petition in his hands and he shall
22 proceed to examine the lands described in said petition and any other
23 lands which would be benefited by said improvement or necessary in
24 the carrying out of said improvement, and survey and locate such
25 drain or drains, ditch or ditches, improvement or improvements, as
26 may be practicable and feasible to carry out the purposes of the peti-
27 tion and which will be of public benefit or utility or conducive to pub-
28 lic health, convenience or welfare; provided, however, that when the
29 proposed drainage district involves only the straightening of a creek
30 or river, the board of supervisors may refuse to consider any such
31 petition unless and until signed by those landowners who own at least
32 ten per cent of the land affected by, or assessed for the expense of,
33 the proposed improvement. Provided, however, that this act [37 G.
34 A., ch. 415] shall not affect drainage projects where the drainage of
35 swamps and sloughs are involved that are not in the congressional
36 forty-acre tracts adjoining such creek or river. He shall make return
37 of his proceedings to the county auditor, which returns shall set forth
38 the starting point, the route, the terminus or termini of the said ditch
39 or ditches, drain or drains, or other improvements, together with a
40 plat and profile showing the ditches, drains or other improvements,
41 and the course and length of the drain or drains through each tract
42 of land, together with the number of acres appropriated from said

43 tract for construction of said improvement, and the elevation of all
 44 lakes, ponds and deep depressions in said district, and the boundary
 45 of the proposed district, so as to include therein all lands that will
 46 be benefited or otherwise affected by the proposed improvements, and
 47 the description of each tract of land therein and names of the owners
 48 thereof as shown by the transfer books in the auditor's office, together
 49 with the probable cost, and such other facts and recommendations as
 50 he may deem material. The engineers' notes of the preliminary sur-
 51 vey, together with the original tracing of plat and profile of the drain-
 52 age district, are to be filed with the county auditor at the time of
 53 making report, and to be the property of the drainage district, together
 54 with all other plats, profiles and reports specified in this section. The
 55 board of supervisors may at any time recall the appointment of any
 56 engineer made under the provisions of this section, if deemed advis-
 57 able to do so, and select another to act in his place. The ditches or
 58 drains herein provided for shall so far as practicable be surveyed and
 59 located along the general course of the natural streams and water-
 60 courses or in the general course of natural drainage of the lands of
 61 said district, but where it will be more economical or practicable such
 62 ditch or drain need not follow the course of such natural streams,
 63 watercourses, or course of natural drainage, but may straighten,
 64 shorten or change the course of any natural stream, watercourse or
 65 general course of drainage. Whenever any such ditch or drain
 66 crosses any railroad right of way it shall when practicable be located
 67 at the place of the natural waterway across such right of way unless
 68 said railroad company shall have provided another place in the con-
 69 struction of the roadbed for the flow of the water; and if located at
 70 the place provided by the railroad company, such company shall be
 71 estopped from afterwards objecting to such location on the ground
 72 that it is not at the place of the natural waterway.

73 The engineer shall also provide plans for the most economical
 74 and practicable method of passing the machines and other equipment
 75 of the contractor across railroad right of way and other highways.

[S., '13, § 1989-a2; 37 G. A., ch. 344, § 1; 37 G. A., ch. 415,
 § 1; 38 G. A., ch. 141, § 1; 39 G. A., ch. 206, § 1.]

SEC. 4837-a1. Preliminary expense allowable.

1 No preliminary expense shall be incurred before the establish-
 2 ment of such proposed improvement district by the board in excess
 3 of the amount of bond filed by the petitioners. In case it is necessary
 4 to incur any expense in addition to the amount of such bond, the
 5 board of supervisors shall require the filing of an additional bond by
 6 the petitioners and shall not proceed with the preliminary survey
 7 or authorize any additional expense until the additional bond is filed
 8 in a sufficient amount to cover such expense.

[40 G. A., ch. 154.]

SEC. 4843. Letting work—notice—bids.

1 The board shall cause notice to be given by publication, once each
 2 week, for two consecutive weeks in some newspaper published in the
 3 county wherein such improvement is located and such additional pub-
 4 lication elsewhere as they may direct, of the time and place of letting
 5 the work of construction of said improvement, and in such notice they

6 shall specify the approximate amount of work to be done in each sec-
7 tion and the time fixed for the commencement and completion thereof;
8 which time of commencement shall not be prior to the date on which
9 the assessment shall be fixed by the board, and when the estimated cost
10 of said improvement exceeds fifteen thousand dollars the board shall
11 make additional publication for two consecutive weeks in some con-
12 tracting journal of general circulation, of such notice as they may
13 prescribe, and they shall award contract or contracts for each section
14 of the work to the lowest responsible bidder or bidders therefor, bids
15 to be submitted, received and acted upon separately as to the main
16 drain and each of the laterals, exercising their own discretion as to
17 letting such work as to the main drain as a whole, or as to each lateral
18 as a whole, or by sections as to both main drain and laterals, and reserv-
19 ing the right to reject any and all bids and readvertise the letting of the
20 work. Each person bidding for such work shall deposit in cash or
21 certified check a sum equal to ten per centum of the amount of the bid,
22 not in any event, however, to exceed ten thousand dollars, said deposit
23 to be returned to him if his bid is not successful, and if successful to be
24 retained as a guarantee only of his good faith in entering on said con-
25 tract. The successful bidder shall be required to execute a bond with
26 sufficient sureties in favor of the county for the use and benefit of the
27 levee or drainage district in an amount equal to twenty-five per centum
28 of the estimated cost of the work so let, or he may deposit such amount
29 in cash with the auditor as security for the performance of his contract
30 and for the payment as they become due of all just claims for labor per-
31 formed and material used in the completion of said contract, and upon
32 the execution of such bond, or the making of such deposit, the deposit
33 originally made with his bid shall be returned to him.

[S. S., '15, § 1989-a8; 39 G. A., ch. 127.]

SEC. 4844. Monthly estimates—payment.

1 The engineer in charge of the construction shall furnish the con-
2 tractor monthly estimates of the amount of work done on each section,
3 and upon filing the same with the auditor, he shall draw a warrant
4 in favor of such contractor, or deliver to him improvement certificates,
5 or drainage bonds, as the case may be, for eighty per centum of the
6 value of the work done according to the estimate, and when said im-
7 provement is completed to the satisfaction of the engineer in charge
8 thereof and so certified by him to the board and approved by it, the au-
9 ditor shall draw a warrant in favor of said contractor upon the levee or
10 drainage fund, or deliver to him improvement certificates, or drainage
11 bonds, as the case may be, for the balance due. All warrants drawn
12 upon the funds of any drainage district which cannot be paid for
13 want of funds shall bear interest at the rate of six per centum, payable
14 annually, from and after the date of presentation thereof to the county
15 treasurer.

[S., '13, § 1989-a9; 37 G. A., ch. 264, § 1; 39 G. A., ch. 116,
§ 1.]

SEC. 4851. Assessment of costs and damages—apportionment.

1 When the levee or drainage district or other improvement herein
2 provided for shall have been located and established as provided for
3 in this chapter, or when it shall be necessary to cause the same to be

4 repaired, enlarged, reopened or cleared from any obstruction therein,
5 unless such repairs, reopening or clearing of obstructions can be paid
6 for as hereinafter provided, the board shall appoint three commis-
7 sioners, one of whom shall be a competent civil engineer and two of
8 whom shall be resident freeholders of the state not living within the
9 levee or drainage district and not interested therein, nor related to
10 any party whose land is affected thereby; and they shall within twenty
11 days after such appointment begin to personally inspect and classify
12 all the lands benefited by the location and construction of such levee
13 or drainage district, or the repairing or reopening of the same, in
14 tracts of forty acres or less according to the legal or recognized sub-
15 divisions in a graduated scale of benefits, to be numbered according to
16 the benefit to be received by the proposed improvement; and they shall
17 make an equitable apportionment of the costs, expenses, costs of con-
18 struction, fees and damages assessed for the construction of any such
19 improvement, or the repairing or reopening of the same, and make
20 report thereof in writing to the board of supervisors. In making the
21 said estimate the lands receiving the greatest benefit shall be marked
22 on a scale of one hundred and those benefited in a less degree shall be
23 marked with such percentage of one hundred as the benefit received
24 bears in proportion thereto. This classification when finally estab-
25 lished shall remain as a basis for all future assessments connected
26 with the objects of said levee or drainage district, unless the board,
27 for good cause, shall authorize a revision thereof. In the report of
28 the appraisers so appointed, they shall specify each tract of land by
29 proper description and the ownership thereof as the same appears on
30 the transfer books in the auditor's office, and the auditor shall cause
31 notice to be served upon each person whose name appears as owner
32 and also upon the person or persons in actual occupancy of any such
33 land in the time and manner provided for the establishment of a
34 levee or drainage district, which notice shall state the amount of spe-
35 cial assessments apportioned to such owner, upon each tract or lot,
36 the day set for hearing the same before the board of supervisors and
37 that all objections thereto must be made in writing and filed with the
38 county auditor on or before noon of the day set for such hearing.
39 When the day set for hearing shall have arrived, the board of super-
40 visors shall proceed to hear and determine all objections made and
41 filed to said report and may increase, diminish, annul or affirm the
42 apportionment made in said report or in any part thereof as may ap-
43 pear to the board to be just and equitable; but in no case shall it be
44 competent to show that the lands assessed would not be benefited by
45 the improvement, and when such hearing shall have been had the
46 board shall levy such apportionment so fixed by it upon the lands
47 within such levee or drainage district; and all installments of the tax
48 shall be levied at that time, and shall bear interest at six per cent per
49 annum from that date; provided that if the owner of any parcel of
50 land, lot or premises against which any such levy shall have been
51 made and certified, shall, within twenty days from the date of such
52 assessment, promise and agree in writing filed in the office of the
53 county auditor that in consideration of his having the right to pay
54 his assessments in installments he will not make any objection of
55 illegality or irregularity as to the assessment of benefits or levy of
56 such taxes upon or against his property, but will pay said assessment,

57 then said taxes levied against said land, lot or premises of such owner
 58 shall be payable without interest, as follows: one-third of the amount
 59 of said assessment at the time of filing the above agreement; one-third
 60 within twenty days after the engineer in charge of said drainage im-
 61 provement shall file a certificate in the office of the county auditor that
 62 said improvement is one-half completed, and the remaining one-third
 63 within twenty days after the said improvement shall have been ac-
 64 cepted by the board of supervisors.

65 Within two days after the engineer has filed a certificate that the
 66 work is half completed, and within two days after the board of super-
 67 visors have accepted the improvement as hereinbefore provided, the
 68 county auditor shall notify the owner of each such parcel of any land,
 69 lot or premises, of such fact, such notice to be sent by registered mail
 70 to the address filed with the auditor at the time of making the above
 71 agreement, and if said installments are not paid as above provided,
 72 the failure to pay any installment shall cause the whole sum to become
 73 due and payable at once with interest at the rate of one per cent per
 74 month from the date of filing said agreement, and such assessments
 75 shall thereupon be collected as other taxes on real estate, which rate
 76 may be later reduced to correspond with the rate specified in the cer-
 77 tificates or bonds, as the case may be; provided, however, that no de-
 78 ferred installment of the amount assessed, as between vendor and
 79 vendee, mortgagor and mortgagee, shall become a lien upon the prop-
 80 erty against which it is assessed and levied, until the thirty-first day
 81 of December of the year next preceding that in which it is due and
 82 payable; and in case the board of supervisors shall increase said ap-
 83 portionment, service of notice thereof shall be made upon the owner
 84 of such tract or lot of land as shown by the transfer books in the audi-
 85 tor's office, in the same manner in which original notices are required
 86 to be served, where such owner is a resident of the county, and in
 87 case such owner is a nonresident of the county such notice as to him
 88 shall be served on the actual occupant of the tract or lot of land; pro-
 89 vided that in case any railroad company shall be affected by such in-
 90 creased apportionment said notice shall be served upon the station
 91 agent of the said railroad company nearest the proposed improvement.
 92 If the first assessment made by the board of supervisors for the orig-
 93 inal cost or for repairs of any improvement as provided in this chap-
 94 ter is insufficient, the board may make an additional assessment and
 95 levy in the same ratio as the first for either purpose; provided, fur-
 96 ther, that any assessment may be paid in full without interest at any
 97 time within twenty days from the date the assessment is confirmed
 98 by the board of supervisors.

[S. S., '15, § 1989-a12; 37 G. A., ch. 127, § 1; 37 G. A., ch.
 344, § 2; 39 G. A., ch. 214, § 1.]

SEC. 4853. Levy and collection of tax—warrants.

1 In estimating the benefits as to the lands not traversed by said
 2 improvement they shall not consider what benefits such lands will re-
 3 ceive after some other improvements shall have been constructed, but
 4 only the benefits which will be received by reason of the construction
 5 of the improvement in question as it affords an outlet for the drainage
 6 of such lands, or brings an outlet nearer to said lands or relieves the
 7 same from overflow. Said tax shall be levied upon the lands of the

8 owners so benefited in the ratio aforesaid and collected in the same
 9 manner as other taxes for county purposes, and the funds so collected
 10 shall be kept as a separate fund and shall be paid out only for pur-
 11 poses properly connected with such improvement on the order of the
 12 board of supervisors; provided, however, that warrants drawn upon
 13 the funds of any drainage district shall be accepted by the county
 14 treasurer in payment of drainage assessments levied upon any lands
 15 in that district and when the amount of the warrant exceeds the
 16 amount of the assessment, the treasurer shall cancel the said warrant,
 17 and give the holder thereof a certificate for the amount of the overplus,
 18 upon the presentation of which certificate to the county auditor he
 19 shall file it, and issue a new warrant for the amount of the overplus,
 20 and charge the treasurer therewith; and such certificate is transfer-
 21 able by delivery, and will entitle the holder of the new warrant, made
 22 payable to his order, and bearing the original number, preceded by the
 23 words, "Issued as unpaid balance due on warrant number.....".

[S., '13, § 1989-a13; 39 G. A., ch. 118.]

SEC. 4857-a1. Reassessment.

1 Whenever any special assessment upon any lands within any
 2 drainage district shall have been heretofore adjudged to be void for
 3 any jurisdictional defect or for any illegality or uncertainty as to the
 4 terms of any contract and the improvement shall have been wholly
 5 completed, the board or boards of supervisors shall have power to
 6 remedy such illegality or uncertainty as to the terms of any such
 7 contract with the consent of the person with whom such contract
 8 shall have been entered into and make certain the terms of such
 9 contract and shall then cause a reassessment of such land to be made
 10 on an equitable basis with the other land in the district by taking the
 11 steps required by law in the making of an original assessment and
 12 relieving the tax in accordance with such assessment, and such tax
 13 shall have the same force and effect as though the board or boards of
 14 supervisors had jurisdiction in the first instance and no illegality or
 15 uncertainty existed in the contract.

[40 G. A., ch. 155.]

SEC. 4857-a2. Excessive assessment—return.

1 In all cases where drainage districts have been established con-
 2 sisting of open or closed mains which are beneficial to the entire
 3 district, and also of laterals; and where assessments have been made
 4 or fixed based upon the estimated costs, expenses, costs of construc-
 5 tion, fees, and damages for improvements which are beneficial to the
 6 entire district and also for the estimated costs, expenses, costs of
 7 construction, fees, and damages for such laterals; and where the
 8 laterals may be or were afterwards actually constructed for a ma-
 9 terially less amount than was so estimated for such laterals (includ-
 10 ing the costs, expenses, costs of construction, fees, and damages per-
 11 taining thereto), and where the lands to be benefited by the laterals
 12 have been assessed for their proper share of the costs of such open
 13 and closed mains and outlets; and where such difference between such
 14 estimated cost of the lateral and such actual cost thereof is capable
 15 of ascertainment, either by reference to the report of the commis-
 16 sion which was appointed to inspect and classify the lands benefited,

17 or in some other manner, then the board of supervisors or joint board
 18 of supervisors or other officers having control of such drainage
 19 district shall be, and hereby are, authorized and directed to return
 20 to the party or parties who owned the land benefited and assessed
 21 for such laterals at the time the assessment was fixed and levied
 22 by the board or boards of supervisors, the respective proportional
 23 parts of such excess assessments made for such laterals by the issu-
 24 ance of warrants drawn upon the district fund.

[40 G. A., ch. 156.]

SEC. 4858. Establishment and construction across railroad right of way.

1 Whenever the board of supervisors shall have established any
 2 levee, or drainage district, or change of any natural watercourse and
 3 the levee, ditch, drain or watercourse as surveyed and located crosses
 4 the right of way of any railroad company, the county auditor shall
 5 immediately cause to be served upon such railroad company, in the
 6 manner provided for the service of original notices, a notice in writ-
 7 ing stating the nature of the improvement to be constructed, the place
 8 where it will cross the right of way of such company, and the full
 9 requirements for its complete construction across such right of way
 10 as shown by the plans, specifications, plat and profile of the engineer
 11 appointed by the board, and directing such company to construct such
 12 improvement according to said plans and specifications at the place
 13 designated, across its right of way, and to build and construct or re-
 14 build and reconstruct the necessary culvert or bridge where any ditch,
 15 drain or watercourse crosses its right of way, so as not to obstruct,
 16 impede or interfere with the free flow of the water therein, within
 17 thirty days from the time of the service of such notice upon it; and
 18 upon receiving said notice it shall be the duty of such railroad company
 19 to construct the improvement across its right of way according to the
 20 plans and specifications furnished in said notice and to build and con-
 21 struct or rebuild and reconstruct the necessary culvert or bridge above
 22 mentioned and complete the same within the time specified in said
 23 notice; if such railroad company shall fail, neglect or refuse to do so
 24 within the time fixed in said notice the auditor shall cause the same
 25 to be done under the supervision of the engineer in charge of the im-
 26 provement and such railroad company shall be liable for the cost there-
 27 of to be collected by the county in any court having jurisdiction; and
 28 the cost of constructing the improvement across the right of way of
 29 such company, not including the cost of building and constructing or
 30 rebuilding and reconstructing any necessary culvert or bridge when
 31 such improvement is located at the place of the natural waterway or
 32 place provided by the railroad company for the flow of the water, shall
 33 be considered as an element of such company's damages by the ap-
 34 praisers thereof; and the cost of building and constructing or rebuild-
 35 ing and reconstructing any necessary culvert or bridge, when such
 36 improvement is located at the place of the natural waterway or place
 37 provided by the railroad company for the flow of the water, shall be
 38 borne by such railroad company without reimbursement therefor.

39 It shall be the duty of any railroad company to furnish the con-
 40 tractor free passage across its right of way, telegraph, telephone and
 41 signal lines, for his machines and equipment without dismantling the

42 same, whenever recommended by the engineer and approved by the
 43 board of supervisors, and the cost thereof shall be considered as an
 44 element of such company's damages by the appraisers thereof; pro-
 45 vided that if such company shall fail to do so within thirty days after
 46 written notice from the auditor, the engineer shall cause the same to
 47 be done under his direction, and the company shall be liable for the
 48 cost thereof to be collected by the county in any court having juris-
 49 diction. Provided, further, that the railway company shall have the
 50 right to designate the day and hours thereof within said period of
 51 thirty days above mentioned when such crossing shall be made.

52 The commissioners to assess benefits shall fix and determine the
 53 benefits to the property of the railroad company within the levee or
 54 drainage district and make return thereof with their regular return.
 55 Such special assessment shall be a debt due personally from the rail-
 56 road company, and unless the same is paid by the railroad company
 57 as special assessment, it may be collected in the name of the county
 58 in any court having jurisdiction. All other proceedings in relation
 59 to railroads shall be the same as provided for individual property
 60 owners within the drainage district.

[S., '13, § 1989-a18; 39 G. A., ch. 206, § 2.]

**SEC. 4858-a1. Establishment and construction across telegraph,
 telephone and electric lines.**

1 Whenever the board of supervisors shall have established any
 2 levee or drainage district or change of any natural watercourse and
 3 the levee, ditch, drain or watercourse as surveyed and located crosses
 4 any telephone, telegraph or other electric line it shall be the duty of
 5 the company controlling said line to remove the same to permit the
 6 free passage and operation of the contractor's equipment without dis-
 7 mantling such equipment and the contractor shall pay the reasonable
 8 cost of the expense of such removal and for the cost necessary to put
 9 same back in proper condition.

10 The contractor shall be required to give written notice fifteen
 11 days in advance of the time in which such lines shall be removed by
 12 the companies owning same.

13 If the company shall fail, neglect or refuse to comply with the
 14 provisions of this section the county auditor of the county in which
 15 such improvement is being done shall cause the same to be done under
 16 the supervision of the engineer in charge of the improvement and the
 17 contractor shall be liable for the cost thereof to be collected by the
 18 county in any court having jurisdiction. Electric lines as defined in
 19 this section shall not be construed to include electric railways.

[39 G. A., ch. 205, § 1.]

**SEC. 4874. Special assessment — how paid — improvement cer-
 tificates—waivers.**

1 The special assessment for benefits made by the commissioners
 2 appointed for that purpose, as corrected and approved by the board
 3 of supervisors, shall be levied at one time by the board against the
 4 property so benefited, and when levied and certified shall be payable
 5 at the office of the county treasurer.

6 If the owner of any parcel of land, lot or premises against which
 7 any such levy shall have been made and certified, which is embraced

8 in any certificate provided for in this section, shall within thirty days
9 from the date of such assessment promise and agree in writing in-
10 dorsed upon such certificate, or in a separate agreement, that in con-
11 sideration of having the right to pay his assessment in installments,
12 he will not make any objection of illegality or irregularity as to the
13 assessment of benefits, or levy of such tax upon and against his
14 property, but will pay said assessment with interest thereon at such
15 rate not exceeding six per centum per annum as shall be prescribed by
16 resolution of the board, such tax so levied against the land, lot or
17 premises of such owner shall be payable in not less than ten nor more
18 than twenty equal installments, the first of which, with interest on
19 the whole assessment, shall mature and be payable on the date of
20 such assessment, and the others with interest on the whole amount
21 unpaid annually thereafter at the same time and in the same man-
22 ner as the March semiannual payment of ordinary taxes, but the fore-
23 going provision as to payment in installments shall not apply to
24 assessments of twenty dollars or less on a single lot or tract of land;
25 but where no such terms and agreement in writing shall be made by
26 the owner of any land, lot or premises, then the whole of said special
27 assessment, so levied upon and against the property of such owner,
28 shall mature at one time and be due and payable with interest from
29 the date of such assessment, and shall be collected at the next suc-
30 ceeding March semiannual payment of ordinary taxes.

31 All of such tax with interest shall become delinquent on the first
32 day of March next after its maturity and shall bear the same interest
33 with the same penalties as ordinary taxes; provided, however, that
34 the county treasurer shall, at the March semiannual tax-paying date,
35 require only the payment of a sufficient portion of the assessments to
36 meet the interest and the amount maturing on bonds or certificates
37 prior to the regular time for the payment of the second installment
38 of taxes and the balance shall be collected with such second install-
39 ment and without penalty.

40 The board may provide by resolution for the issuance of im-
41 provement certificates, payable to bearer or to the contractors who
42 have constructed the said improvement or completed part thereof
43 within the meaning of this chapter in payment or part payment there-
44 for, each of which certificates shall state the amount of one or more
45 assessments or part thereof made against the property, designating
46 it and the owners thereof liable to assessments for the cost of same,
47 and said certificate may be negotiated.

48 Such certificates shall transfer to the bearer, contractor, or as-
49 signs all right and interest in and to the tax in every such assessment
50 or part thereof described therein, and shall authorize such bearer,
51 contractor, or assignee to collect and receive every assessment em-
52 braced in said certificate, by or through any of the methods provided
53 by law for their collection, as the same mature.

54 Such certificates shall bear interest not to exceed six per centum
55 per annum, payable annually, and shall be paid by the taxpayer to
56 the county treasurer who shall receipt for the same and cause the
57 amount paid to be applied to the payment of the certificate issued
58 therefor; provided that any person shall have the right to pay the
59 full amount of the tax so levied against his property, together with
60 interest thereon to date of payment, at any time he desires so to do,
61 even before the maturity of any certificates issued therefor.

62 No certificate shall be issued or negotiated for the use of the
63 drainage district for less than par value with accrued interest up to
64 the delivery or transfer thereof.

65 Should the costs of such work exceed the amount of benefits
66 assessed and certificates issued, a new apportionment and levy of tax
67 may be made and other certificates issued in like manner.

68 If the board of supervisors provides for the issuance of improve-
69 ment certificates by the owners of lands, the township trustees may
70 execute waivers, and there may be issued improvement certificates
71 for such part of the assessment for benefits to highways as is to be
72 paid by the township, such waivers and certificates to conform as
73 nearly as may be to those executed upon the assessments against
74 lands.

[S., '13, § 1989-a26; 37 G. A., ch. 344, § 5; 38 G. A., ch. 64,
§ 1; 38 G. A., ch. 271, § 1; 40 G. A., ch. 157.]

SEC. 4875. Drainage bonds—benefits to highways included.

1 If the board of supervisors, when the drainage district has been
2 established, or on making any subsequent repair or improvement of
3 the same, shall determine that the estimated cost of reclamation and
4 improvement of such district of land is greater than should be levied
5 in a single year upon the lands benefited, instead of issuing improve-
6 ment certificates as provided in section forty-eight hundred seventy-
7 four of this supplement, it may fix the amount that shall be levied
8 and collected each year and may issue drainage bonds of the county,
9 bearing not more than five per centum annual interest and payable
10 semiannually in the proportions and at the times when such taxes
11 shall have been collected, and may devote the same at par, with ac-
12 crued interest, to the payment of the work as it progresses or may sell
13 the same at not less than par, with accrued interest, and devote the
14 proceeds to such payment; and if in the sale of said bonds a premium
15 is received, such premium shall be credited to the drainage fund, and
16 should the cost of such work exceed the estimate, or should the pro-
17 ceeds of the tax when collected be insufficient to pay the principal and
18 interest of bonds sold, a new apportionment of the tax may be made
19 and other bonds issued and sold in like manner, to meet such excess
20 of cost or shortage in the proceeds of tax, but in no case shall the bonds
21 run longer than not more than twenty years. The bonds issued under
22 the provisions of this section, or the proceeds thereof, shall be avail-
23 able for the use of the district at a date not later than ninety days
24 after the actual commencement of the work, as provided in section
25 forty-eight hundred forty-three of this supplement. Provided, how-
26 ever, that no assessments of twenty dollars or less on a single lot or
27 tract shall be included in such bond issue and such sums shall be col-
28 lected as provided in section forty-eight hundred seventy-four of this
29 supplement, at the next succeeding March semiannual payment of
30 ordinary taxes; provided, however, that nothing herein shall prevent
31 owners of such lots or tracts to take advantage of the provisions of
32 section forty-eight hundred fifty-one of this supplement providing for
33 payment in three installments. Any property owner may pay the full
34 amount of the benefit assessed against his property before such bonds
35 are issued and receive a receipt in full therefor. Such payment shall
36 be made to the county treasurer, and it shall be the duty of the county

37 auditor to certify to the treasurer the amount of any such assessment
 38 when requested to do so, and the treasurer shall enter the same upon
 39 the tax lists in his hands in a separate place provided therefor, and
 40 shall furnish the auditor with duplicate receipts given for all assess-
 41 ments so paid in full. The terms and times of payment of the bonds
 42 so issued shall be fixed by the board. Said bonds shall be issued for
 43 the benefit of the district numbered thereon and each district shall be
 44 numbered by the board of supervisors and recorded by the auditor,
 45 said record showing specifically the lands embraced in said district
 46 and upon which the tax has not been previously paid in full. In no
 47 case shall the amount of bonds exceed the benefits assessed. Each
 48 bond issued shall show expressly upon its face that it is to be paid only
 49 by a tax assessed, levied and collected on the lands within the district
 50 so designated and numbered, and for the benefit of which district such
 51 bond is issued; nor shall any tax be levied or collected for the payment
 52 of said bond or bonds, or the interest thereon, on any property outside
 53 the district so numbered, designated and benefited. When the board
 54 of supervisors shall provide for the issuance of drainage bonds, it shall
 55 determine what part, if any, of the amount assessed for the benefits
 56 to highways shall be included in such bond issue, and such part, with
 57 interest, shall be paid out of the proper funds in the same yearly
 58 proportion and at the same times as the assessments against the lands
 59 of private owners.

[S., '13, § 1989-a27; 37 G. A., ch. 344, § 6; 38 G. A., ch. 64,
 § 2; 38 G. A., ch. 271, § 2; 39 G. A., ch. 39; 39 G. A.,
 ch. 124, § 1; 40 G. A., ch. 108, § 11.]

SEC. 4877. Establishment through two or more counties—voting powers of boards of supervisors equalized.

1 When the desired levee or drainage district extends into or
 2 through two or more counties and embraces land in two or more coun-
 3 ties, the petition of one or more owners of land to be affected or bene-
 4 fitted by such improvement shall be presented to the county auditor
 5 of each county into or through which said levee or drainage district
 6 will extend, accompanied by a bond to be filed with the county auditor
 7 of each of the said counties at the time of filing such petition, con-
 8 ditioned as provided when the district is wholly within one county,
 9 in an amount and with sureties satisfactory to and approved by the
 10 board of supervisors. Upon the presentation of such petition and the
 11 approval of such bond, the board of supervisors of each of said coun-
 12 ties shall appoint a commissioner, and the commissioners of the sev-
 13 eral counties thus appointed shall meet within thirty days thereafter
 14 and appoint a competent engineer, and such commissioners and engi-
 15 neer shall together make a survey of the entire lands embraced in
 16 the district, and shall determine what improvement or improvements
 17 in the way of levees, drains, ditches or changing of natural water-
 18 courses are necessary for the reclamation of the lands described in
 19 the said petition; the engineer shall make a plat of all of the lands of
 20 said district, showing thereon the proposed improvements, the eleva-
 21 tions and levels of said lands, so far as he may deem necessary, and
 22 a profile of said levee, drains, ditches or changes in any natural water-
 23 course and shall file a copy in the auditor's office of each of said
 24 counties, together with a full return of said commissioners and engi-

25 neer explaining the situation, describing the lands, the improvements,
26 what effect said improvements will have upon the lands of said dis-
27 trict, the course and length of any levee, drain, ditch or change of any
28 natural watercourse through each tract of land, the estimated cost of
29 the same, the dimensions of said improvement, together with the
30 names of the owners of all lands included within said district; as
31 shown by the transfer books in the auditor's office, and which in their
32 opinion will be affected or benefited thereby, together with such other
33 facts and recommendations as to them shall seem advisable, and espe-
34 cially whether or not in their judgment such levee or drainage district
35 should be established. Immediately upon the filing of such return,
36 plat and profile, if such recommends the establishment of the levee or
37 drainage district, each county auditor of said counties shall cause the
38 owners of the lands in his county, as shown by the transfer books in
39 the auditor's office, and also the person in actual occupancy of said
40 lots or lands, in the district recommended by the commissioners, and
41 also each lienholder or incumbrancer, as shown by the county records
42 in his county of any land through or abutting upon which the proposed
43 improvement extends, to be notified of the time and place where the
44 boards of the several counties will meet in joint session for the con-
45 sideration of said petition and return. Such notice shall be the same
46 and served in the same time and manner as provided in this chapter
47 when the levee or drainage district is wholly within one county. When
48 the boards of supervisors are of unequal number, each member of the
49 board of the smallest number of members shall cast a full vote, and
50 each member of any larger board shall cast such fractional part of a
51 full vote as may be determined by making the smallest number of
52 the membership of any board the numerator and the number of the
53 membership of any such larger board entitled to vote the denominator
54 of such fraction, so as to equalize the voting power of each board.

[S., '13, § 1989-a29; 39 G. A., ch. 150.]

SEC. 4880. Assessments of costs and damages—improvement certificates—bonds.

1 If the boards of supervisors, acting jointly, shall establish the
2 levee or drainage district, they shall appoint a commission, one of
3 whom shall be selected from each county, and in addition thereto a
4 competent engineer, each of whom shall have the same qualifications
5 as provided where the district is wholly within one county; and said
6 commission shall within twenty days go upon and view the premises
7 and begin the work of classifying the same as hereinbefore provided
8 where the district is wholly within one county, and in addition thereto
9 shall make an equitable apportionment of the costs, expenses, costs of
10 construction, fees and damages assessed for the construction of such
11 improvement or of the repairing or reopening the same, and make
12 report thereof as provided where the improvement is wholly within
13 one county, except a copy of said report shall be filed with each of the
14 several county auditors. Immediately upon the filing of such report
15 the several county auditors, acting jointly, shall cause notice to be
16 served of the time when and the place where the boards of super-
17 visors will meet and consider such report, which notice shall be the
18 same and served in the same time and manner, and all proceedings
19 thereon shall be the same as provided where the district is wholly

20 within one county, publication thereof to be made in each of said
 21 counties, except that the objections not filed prior to the day of the
 22 hearing shall be filed with the boards of supervisors at the place where
 23 the hearing is to be held, and except after the amount to be assessed
 24 and levied against the several parcels or tracts of land shall have been
 25 apportioned and finally determined, the several boards of supervisors,
 26 acting separately, and within their own counties, shall proceed to levy
 27 and collect the taxes thus apportioned in the same manner as provided
 28 where the district is wholly within one county, and they may issue
 29 improvement certificates or may sell bonds for the full amount of the
 30 benefits apportioned to such county.

[S., '13, § 1989-a32; 37 G. A., ch. 344, § 7; 39 G. A., ch. 257.]

SEC. 4880-a1. Time bonds or proceeds available.

1 The bonds issued under the provisions of the preceding section,
 2 or the proceeds thereof, shall be available for use of the district, at a
 3 date not later than ninety days after the actual commencement of the
 4 work, as provided in sections forty-eight hundred forty-three of this
 5 supplement and forty-eight hundred seventy-nine of the compiled code.

[39 G. A., ch. 124, § 2.]

SEC. 4882. Supervising engineer—contractor—how paid.

1 At the time of establishing the levee or drainage district the
 2 boards of supervisors shall appoint a competent engineer to have
 3 charge of the construction of the work, and they shall fix his com-
 4 pensation therefor, and he shall, before entering upon and taking
 5 charge of said work, give bond to the counties for the use and benefit
 6 of the levee or drainage district, approved by the boards of supervisors
 7 in such sum as they may direct, conditioned for the faithful discharge
 8 of his duties. The engineer in charge of the work shall furnish the
 9 contractor monthly estimates of the amount of work done on each
 10 section and the amount due from each county, a duplicate of which
 11 shall be filed with the auditor of each of the several counties. Upon
 12 the filing of such statement each auditor shall draw a warrant or de-
 13 liver to him improvement certificates, or drainage bonds, as the case
 14 may be, in favor of the contractor for eighty per centum of the amount
 15 due from his respective county. When said improvement is completed
 16 to the satisfaction of the engineer in charge and accepted by the boards
 17 of supervisors, the engineer shall certify such fact to the several county
 18 auditors and each county auditor shall draw a warrant in favor of
 19 the contractor, or deliver to him improvement certificates, or drainage
 20 bonds, as the case may be, for the balance due from his respective
 21 county.

[S., '13, § 1989-a34; 39 G. A., ch. 116, § 2.]

**SEC. 4886. Cities and towns may be included—benefits assessed
 —notice—objections—appeal.**

1 The board of supervisors shall have the same power, right and
 2 authority to establish a levee or drainage district that includes the
 3 whole or any part of any incorporated town or city, including cities
 4 acting under special charters, as they have to establish districts as
 5 hereinbefore provided, and they shall have the same power, right and

6 authority with respect to the assessment of damages and benefits
 7 within such towns or cities as they have in other cases provided for in
 8 this chapter, and like notice to such city or town with respect to the
 9 establishment of such district and the apportionment and assessment
 10 of damages and benefits shall be given as is required by this chapter
 11 to be given to owners of property damaged or benefited by the estab-
 12 lishment or construction of such improvement. Whenever the streets,
 13 alleys, public ways or parks of any incorporated town or city, or city
 14 acting under special charter, so included within a levee or drainage
 15 district, will be beneficially affected by the construction of any im-
 16 provement or improvements in such district, it shall be the duty of the
 17 commissioners appointed to classify and assess benefits to determine
 18 and return in their report the amount of benefit to such streets, alleys,
 19 public ways and parks, and notice thereof shall be served upon the
 20 clerk of such incorporated town or city, or city acting under special
 21 charter, and the town or city council, or clerk of such town or city,
 22 may file objections to such assessment in the time and manner pro-
 23 vided in case of landowners, and the town or city council shall have
 24 the same right to appeal from the finding of the board with reference
 25 to such an assessment, and such assessment, as finally established,
 26 shall draw interest at the same rate and from the same time as the
 27 assessments against lands, and the board of supervisors and the town
 28 or city council shall have the same power and authority in reference
 29 to issuing improvement certificates or drainage bonds and executing
 30 waivers on account of such assessment for benefits to streets, alleys,
 31 public ways and parks as is herein conferred upon the board of super-
 32 visors and township trustees in reference to assessment for benefits to
 33 highways. Cities or towns affected by this section may issue their
 34 funding bonds in accordance with the provisions of chapter thirty-
 35 four, title thirteen, for the purpose of securing the money to pay any
 36 assessment, or said assessment may be paid by tax levy as provided
 37 by section forty hundred thirty-eight, paragraph fifteen of this sup-
 38 plement.

[S., '13, § 1989-a38; 37 G. A., ch. 28, § 1; 39 G. A., ch. 137,
 § 3.]

SEC. 4890. Fees and expenses.

1 Any engineer employed under the provisions of this chapter shall
 2 receive such compensation per diem as shall be fixed and determined
 3 by the board of supervisors. Appraisers of damages and commission-
 4 ers to assess benefits, other than the engineer, shall receive such com-
 5 pensation as the board of supervisors may allow, not to exceed five
 6 dollars per day each, and all other fees and costs required under the
 7 provisions of this chapter shall be the same as provided by law for like
 8 services in other cases. Such costs and expenses shall be paid by the
 9 order of the board of supervisors out of the county treasury from the
 10 levee or drainage funds collected for that purpose upon warrants
 11 drawn by the county auditor. And the amount of fees for publica-
 12 tion of all notices required to be published by the provisions of this
 13 chapter shall be fixed by the board of supervisors not exceeding thirty-
 14 three and one-third cents for each insertion for each ten lines of bre-
 15 vier type, or its equivalent.

[S., '13, § 1989-a41; 38 G. A., ch. 76, § 1; 39 G. A., ch. 130.]

SEC. 4911-a1. Federal levees—trustees.

1 Sections forty-nine hundred five to forty-nine hundred eleven,
2 inclusive, of the compiled code, are hereby made applicable to any
3 levee constructed by the United States or may hereafter be con-
4 structed by the United States along or near the bank of a navigable
5 stream, forming a part of the boundary of this state as provided in
6 section forty-eight hundred seventeen of the compiled code.

[40 G. A., ch. 158, § 1.]

SEC. 4912-a1. Record of private drainage system.

1 Any person who has provided a system of drainage on land owned
2 by him may have the same made a matter of record in the office of the
3 county recorder in which the drainage system is located as is herein-
4 after provided.

[39 G. A., ch. 237, § 1.]

SEC. 4912-a2. Plat book record—form and requirements.

1 The county recorder shall be provided with a plat book (loose
2 leaf system) made to a scale not larger than sixteen inches to one mile
3 for each section of the land within the county in which such records
4 shall be made. Such plat book shall consist of sheets of paper inter-
5 bound by sheets of tracing cloth with proper heading, margin, and
6 binding edge. Said plat book shall be used for keeping a record of
7 drainage systems filed by any landowner, and shall be made or ap-
8 proved only by a registered engineer. Plats so offered for record shall
9 be drawn to scale giving distances in feet, indicate the size of tile used,
10 length of mains, submains, and laterals and location with regard to
11 boundary lines of tract or government corners and subdivisions.

[39 G. A., ch. 237, § 2.]

SEC. 4912-a3. Record book and index—contents—original plat in lieu of record.

1 The county recorder shall also be provided with a record book
2 and index referring to the plats provided for in the preceding section,
3 and which may be used to give the owners' name, description of tracts
4 of land drained, stating the time when drainage system was estab-
5 lished, the kind, quality and brand of tile used, the name and place of
6 manufacturing plant, the name of contractors who laid the tile, the
7 name of the engineer in charge of the survey and installation, the cost
8 of tile, delivery, installation and engineering expense, depths, grades,
9 outlets, connections, contracts for agreements with adjoining land-
10 owners as to connections and any other matters or information that
11 may be considered of value, all of said information to be furnished
12 by the landowner or the engineer having charge of the installation of
13 the same and certified to under oath, and shall be certified under oath
14 by a registered engineer as being a true and accurate record. Pro-
15 vided that in lieu of making the record as herein provided any land-
16 owner may file with the county recorder the original plat used in the
17 establishment of said drainage system, or a copy thereof, which shall
18 be certified by the engineer having made the same.

[39 G. A., ch. 237, § 3.]

SEC. 4912-a4. Records not part of title.

1 The drainage records herein provided for shall not be construed
 2 as an essential part of the title to said lands, but may upon request
 3 be set out by abstracters as a part of the record title of said lands.

[39 G. A., ch. 237, § 4.]

SEC. 4912-a5. Fees for record and copies.

1 The county recorder shall be entitled to collect fees for the filing
 2 and information heretofore provided for, and for the making of copies
 3 of such records the same as is provided for other work of a similar
 4 nature.

[39 G. A., ch. 237, § 5.]

CHAPTER 2-A
DRAINAGE FUNDING BONDS**SECTION 4935-a1. Limitation on amount.**

1 Drainage or levee districts having and operating a pumping
 2 station may settle, adjust, renew, or extend the legal indebtedness
 3 they may have, or any part thereof, in the sum of one thousand dol-
 4 lars or upwards, whether evidenced by bonds, warrants, or judgments,
 5 and may fund or refund the same and issue coupon bonds therefor
 6 but no bonds shall be issued under this chapter for any other pur-
 7 pose than is above authorized.

[40 G. A., ch. 159, § 1.]

SEC. 4935-a2. Form of bonds.

1 Such bonds shall be issued in sums of not less than one hundred
 2 dollars or more than one thousand dollars each, running not more than
 3 twenty years, bearing interest not exceeding six per cent per annum,
 4 payable annually or semiannually, and shall be substantially in the
 5 form provided by the laws of the state of Iowa for funding bonds
 6 issued for drainage purposes.

[40 G. A., ch. 159, § 2.]

SEC. 4935-a3. Numbering and signing—interest.

1 Such bonds shall be numbered consecutively, signed by the chair-
 2 man of the board of supervisors, attested by the county auditor. The
 3 interest coupons attached thereto shall be executed in the same
 4 manner.

[40 G. A., ch. 159, § 3.]

SEC. 4935-a4. Resolution.

1 All bonds issued under the provisions of this chapter shall be
 2 issued pursuant to and in conformity with a resolution adopted by the
 3 board of supervisors, which shall specify the amount authorized to
 4 be issued, the purpose for which issued, the rate of interest they shall
 5 bear and whether payable annually or semiannually, the place where
 6 the principal and interest shall be payable and when it becomes due,

7 and such other provisions not inconsistent with law in reference
 8 thereto as the board of supervisors shall think proper, which resolu-
 9 tion shall be entered of record upon the minutes of the proceedings of
 10 the said board and a complete copy thereof printed on the back of
 11 each bond, which resolution shall constitute a contract between the
 12 drainage district and the purchasers or holders of said bonds.

[40 G. A., ch. 159, § 4.]

SEC. 4935-a5. Registration and report.

1 When bonds have been executed as aforesaid they shall be deliv-
 2 ered to the county treasurer and his receipt taken therefor. He shall
 3 register the same in a book provided for that purpose, which shall
 4 show the number of each bond, its date, date of sale, amount, date of
 5 maturity and the name and address of the purchaser and if exchanged
 6 what evidences of debt were received therefor, which record shall at
 7 all times be open to the inspection of the owners of property within
 8 the district. The treasurer shall thereupon certify on the back of each
 9 bond as follows:

10 "This bond duly and properly registered in my office thisday
 11 of.....19.....

12
 13 Treasurer of the County of
 14"

15 and he shall stand charged on his official bond with all bonds so deliv-
 16 ered to him and the proceeds thereof.

17 He shall report under oath to the board of supervisors, at each
 18 first regular session thereof in each month, a statement of all such
 19 bonds sold or exchanged by him since his last report and the date of
 20 such sale or exchange and when exchanged a description of the indebt-
 21 edness for which exchanged.

[40 G. A., ch. 159, § 5.]

SEC. 4935-a6. Sale.

1 He shall, under a resolution and the direction of the said county
 2 board of supervisors, sell the bonds for cash on the best available
 3 terms or exchange them on like terms for a legal indebtedness of the
 4 said district evidenced by bonds, warrants, or judgments outstanding
 5 at the date of the passage of the resolution authorizing the issue
 6 thereof and the proceeds shall be applied and exclusively used for
 7 the purposes for which said bonds are issued. In no case shall they
 8 be sold or exchanged for a less sum than their face value and all inter-
 9 est accrued at the date of sale or exchange. After registration the
 10 treasurer shall deliver said bonds to the purchaser thereof and when
 11 exchanged for indebtedness of said district shall at once cancel all
 12 warrants or bonds or secure proper credits therefor on judgments.

[40 G. A., ch. 159, § 6.]

SEC. 4935-a7. Levy authorized.

1 Drainage districts issuing funding or refunding bonds under this
 2 chapter shall levy taxes for the payment of the principal and interest
 3 thereof, where there has not been a prior levy covering same, in
 4 accordance with the provisions of the law relating to taxation.

[40 G. A., ch. 159, § 7.]

SEC. 4935-a8. Limitation on action.

1 No action shall be brought questioning the liability of any of the
2 bonds authorized by this chapter from and after three months from
3 the time the same are ordered issued by the proper authorities.

[40 G. A., ch. 159, § 8.]

SEC. 4935-a9. Scope of act.

1 Refunding bonds for the purposes set out in this chapter may be
2 issued to pay off and take up bonds issued in payment for drainage
3 improvements under prior laws or to refund any part thereof. Bonds
4 thus issued shall substantially conform to the provisions of the law
5 relating to drainage bonds and the face amount thereof shall be limited
6 to the amount of the unpaid assessments, with interest thereon,
7 applicable to the payment of the bonds so taken up.

[40 G. A., ch. 159, § 9.]

SEC. 4935-a10. Funds available.

1 When refunding bonds shall be issued to pay for drainage
2 improvements issued under the provisions of this chapter, all special
3 assessments, taxes and sinking funds applicable to the payment of
4 such bonds previously issued shall be applicable in the same manner
5 and to the same extent to the payment of the refunding bonds issued
6 hereunder, and all the powers and duties to levy and collect special
7 assessments and taxes or create liens upon property shall continue
8 until all refunding bonds shall be paid.

9 The drainage district shall collect the special assessments out of
10 which the said bonds are payable and hold the same separate and
11 apart in trust for the payment of said refunding bonds but the pro-
12 visions of this chapter shall not apply to assessments or bonds
13 adjudicated to be void.

[40 G. A., ch. 159, § 10.]

SEC. 4935-a11. Conditions precedent.

1 The refunding of said bonds can be taken by the board of super-
2 visors acting as drainage commissioners only for such amounts as
3 are shown by the assessment of taxes to have been levied against the
4 lands within said drainage district and not until the owners of ten
5 per cent of the lands within said district shall have petitioned the
6 said board of supervisors to extend the time of payment of the taxes
7 assessed against the lands within said district for a period not exceed-
8 ing twenty years, under such rules and regulations as the board of
9 supervisors may direct, the interest on such assessments to be paid
10 annually, the same as other taxes levied against the property and that
11 of the extended taxes the principal of said tax shall be paid, one-
12 twentieth each year until the entire tax is paid and that the lien of
13 said tax shall continue until the full payment thereof. Upon the
14 filing of said petition the board of supervisors shall have authority to
15 extend the period, not exceeding twenty years, for the payment of
16 taxes and interest thereon and issuing refunding bonds to take up
17 the bonds issued against said assessments as provided in this chapter.

[40 G. A., ch. 159, § 11.]

CHAPTER 5

EMINENT DOMAIN

SECTION 4959-a1. Damages.

1 When the amount of the damages is finally determined, the sheriff
 2 or clerk, as the case may be, shall certify the amount thereof to the
 3 governor, who shall, by an order indorsed thereon, direct the payment
 4 of the same, and the auditor of state shall issue a warrant on the
 5 treasury for the amount, which shall be paid with any money not
 6 otherwise appropriated, and when paid to the sheriff or person entitled
 7 thereto, the state, through its proper officer or agent, may enter on
 8 the premises and construct the desired work.

[C., '73, § 1272; C., '97, § 2025.]

NOTE: This section appeared in the compiled code as section 5009. It should have followed section 4959 and is reprinted to correct the error.

SEC. 4966. County fair society—real estate—acquisition of.

NOTE: This section at this point in the compiled code breaks the connection between sections 4965, 4967 and 4968. It is, therefore, transferred and reprinted as section 4968-a1 of this supplement.

SEC. 4968-a1. County fair society—real estate—acquisition of.

1 Any incorporated county fair society, county agricultural asso-
 2 ciation, or district agricultural associations shall have the power to
 3 acquire real estate for the necessary and convenient use of such so-
 4 ciety or associations in the same manner as is provided by law for tak-
 5 ing private property for works of internal improvement in this
 6 chapter.

[38 G. A., ch. 292, § 1.]

NOTE: No change made by the 39th G. A. or the 40th G. A., but reprinted to change location. See note under section 4966.

SEC. 4970-a1. Courthouses—jails—reversion of lands.

1 When lands that have been condemned and taken under sections
 2 forty-nine hundred sixty-nine and forty-nine hundred seventy of the
 3 compiled code and under section twenty-eight hundred eighty-eight of
 4 this supplement and not used for the purpose herein specified for the
 5 period of five consecutive years, such lands shall then revert to the
 6 owner or owners of the tract from which it was taken.

[S., '13, § 2024-1.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to change location. See note under section 4976.

SEC. 4976. Courthouses—jails—reversion of lands.

NOTE: The printing of this section at this point in the compiled code was an error. The expression "two preceding sections" refers to sections 4969 and 4970. It is, therefore, transferred and reprinted as section 4970-a1 of this supplement.

SEC. 5009. Damages.

NOTE: The printing of this section at this point in the compiled code was an error. It has reference solely to section 4959 and is, therefore, transferred and reprinted as section 4959-a1 of this supplement.

TITLE XVI

COMMON CARRIERS

CHAPTER 1

BOARD OF RAILROAD COMMISSIONERS

SECTION 5019. Duty of railroad to transport freight—passenger service.

1 Every railway corporation shall upon reasonable notice, and with-
 2 in a reasonable time, furnish suitable cars to any and all persons who
 3 may apply therefor, for the transportation of any and all kinds of
 4 freight, and receive and transport such freight with all reasonable
 5 dispatch, and provide and keep suitable facilities for the receiving and
 6 handling thereof at any depot on the line of its road; and shall also
 7 receive and transport in like manner the empty or loaded cars fur-
 8 nished by any connecting road, to be delivered at any station or sta-
 9 tions on the line of its road, to be loaded or discharged or reloaded
 10 and returned to the road so connecting; and for compensation it shall
 11 not demand or receive any greater sum than is accepted by it from
 12 any other connecting railroad for a similar service. In any suit or
 13 action in court brought against a railroad corporation for the purpose
 14 of enforcing rights arising under the provisions of this section, the
 15 burden of proving that the provisions of this section have been com-
 16 plied with by such railroad corporation shall be upon such railroad
 17 corporation. Every railway corporation owning or operating lines of
 18 railroads of more than seventeen miles in length within the limits of
 19 the state of Iowa shall maintain a service of not less than two pas-
 20 senger trains each way every twenty-four hours, over the entire length
 21 of each division of such line or lines, when so ordered by the board of
 22 railroad commissioners. Passenger service of less than the number of
 23 trains provided herein shall be presumed to be unreasonable within
 24 the contemplation of section fifty hundred sixteen of the compiled code.

[C., '97, § 2116; S., '13, § 2116; 39 G. A., ch. 153, § 1.]

SEC. 5035. Uniform gauge—inspection—order.

[Obsolete by reason of the terms of the original enactment. See 35 G. A., ch. 170, § 1.]

SEC. 5036. Uniform gauge—inspection—order.

[Obsolete by reason of the terms of the original enactment. See 35 G. A., ch. 170, § 2.]

SEC. 5044. Office.

1 The board shall keep an office in the capitol at the seat of govern-
2 ment.

[C., '97, § 2121; S. S., '15, § 2121; 37 G. A., ch. 315, § 2;
39 G. A., ch. 209, § 20.]

SEC. 5044-a1. Appropriation.

1 There is hereby appropriated out of the funds in the state treas-
2 ury, not otherwise appropriated, the sum of twenty-five thousand dol-
3 lars annually, or so much thereof as may be necessary, the same to be
4 expended by the state railroad commission in the preparation and sub-
5 mission of cases involving interstate rates or services affecting Iowa,
6 and in the investigation and determination of all cases within its
7 jurisdiction, and to defray the general expenses of the administration
8 of the duties of the state railroad commission.

[39 G. A., ch. 309; 40 G. A., ch. 160.]

CHAPTER 2
COMMERCE COUNSEL**SECTION 5047. Office—expenses.**

1 Said commerce counsel shall have his office in the quarters as-
2 signed to the board of railroad commissioners and he shall have free
3 access to all the files, documents, reports and papers in said offices.
4 The commerce counsel and other necessary agents and experts shall
5 have reimbursed to them all the actual and necessary traveling, and
6 all other expenses and disbursements incurred or made by him in the
7 discharge of his official duties, such expenditures to be approved by
8 the board of railroad commissioners, and paid out of such funds as
9 shall be appropriated for said purpose by the general assembly.

[S., '13, § 2121-j; 39 G. A., ch. 209, § 21.]

SEC. 5048. Appropriation.

[Repealed by 39 G. A., ch. 209, § 1.]

CHAPTER 3
CONSTRUCTION AND OPERATION OF RAILWAYS**SECTION 5079. Interlocking switches.**

[Repealed by 39 G. A., ch. 247, § 1, and the four following sec-
tions enacted in lieu thereof.]

SEC. 5079-a1. Interlocking switches—approval of plans.

1 When in any case two or more railroads cross each other at a
2 common grade, or a railroad crosses a stream by swing or draw bridge,
3 they may be equipped thereat with an interlocking switch system, or

4 other suitable safety device rendering it safe for engines or trains to
 5 pass thereover without stopping. The plans for such proposed inter-
 6 locking system or other safety device shall be first submitted to the
 7 board of railroad commissioners for approval, and after the same has
 8 been installed no engines or trains shall pass over such crossings or
 9 bridge without stopping until the board of railroad commissioners
 10 shall have inspected and issued a certificate of approval of such inter-
 11 locking system or safety device.

[C., '97, § 2060; 39 G. A., ch. 247, § 2.]

SEC. 5079-a2. Changing plan of interlocking switches—approval.

1 In the event any railroad company desires to make a change in the
 2 mechanical construction, arrangement or location of any interlocking
 3 system or other safety device, or in any of the parts of such system
 4 or device, the plans showing specifically the nature of the changes pro-
 5 posed shall be filed with the board of railroad commissioners, and such
 6 system or device as changed shall not be operated until a certificate of
 7 approval thereof has been issued by the board.

[39 G. A., ch. 247, § 3.]

SEC. 5079-a3. Unsafe switches—condemnation—reconstruction.

1 Any interlocking system or other safety device now or hereafter
 2 constructed or operated, which may be found by the board of railroad
 3 commissioners, after inspection, to be unsafe or dangerous, may be
 4 condemned by the said board, and the railroad company or companies
 5 required to reconstruct the same in accordance with the rules govern-
 6 ing the construction, operation and maintenance of interlocking plants
 7 adopted by said board of railroad commissioners.

[39 G. A., ch. 247, § 4.]

SEC. 5079-a4. Compulsory establishment of interlocking switches.

1 Whenever in the judgment of the board of railroad commission-
 2 ers it is necessary for the public safety, said board may require the
 3 establishment of an interlocking system or other safety device at any
 4 railroad crossing, junction, or drawbridge.

[39 G. A., ch. 247, § 5.]

SEC. 5118. Minimum length—construction—equipment.

1 It shall be unlawful, except as otherwise provided in this chapter,
 2 for any such common carrier by railroad to use on its lines any caboose
 3 car or other car used for like purposes, unless such caboose or other
 4 car shall be at least twenty-four feet in length, exclusive of the plat-
 5 form, and equipped with two four-wheel trucks, and shall be provided
 6 with a door in each end thereof and an outside platform across each
 7 end of said car; each platform shall not be less than eighteen inches
 8 in width and shall be equipped with proper guard rails, and with grab
 9 irons and hand brakes, and steps for the safety of persons getting on
 10 and off said car; said steps shall be equipped with a suitable rod,
 11 board, or other guard at each end and at the back thereof, properly
 12 designed to prevent slipping from said step. Such caboose or other
 13 car used for like purposes shall be provided with cupola, and necessary
 14 closets and windows. Each caboose car shall be equipped with an

15 emergency air valve, and air gauge, which shall be placed on inside
 16 of said car; but the provisions hereof shall not apply to work trains,
 17 transfer service or emergencies not exceeding thirty-six hours.

[S., '13, § 2083-j; 39 G. A., ch. 195.]

CHAPTER 3-A

SPUR TRACKS

SECTION 5172-a1. Construction and maintenance.

1 Every railroad, whether operated by steam or electricity, shall
 2 acquire the necessary rights of way for, by condemnation or purchase,
 3 and shall construct, connect and operate and maintain a reasonably
 4 adequate and suitable spur track, whenever such spur track does not
 5 necessarily exceed three miles in length, and is required for the suc-
 6 cessful operation of any existing or proposed mill, elevator, store-
 7 house, warehouse, dock, wharf, pier, manufacturing establishment,
 8 lumber yard, coal dock, or other industry or enterprise, and its con-
 9 struction and operation is not unusually unsafe and dangerous, and
 10 is not unreasonably harmful to public interest, provided, however,
 11 that no such track is required to be constructed until, or if hereafter
 12 constructed need not be maintained unless, the board of railroad com-
 13 missioners, after hearing, shall have declared the same to be necessary.

[39 G. A., ch. 86, § 1.]

SEC. 5172-a2. Payment of cost of construction—bond.

1 Such railroad may require the person or persons, firm, corpora-
 2 tion or association primarily to be served thereby, to pay the legiti-
 3 mate cost and expense of acquiring, by condemnation or purchase, the
 4 necessary rights of way for such spur track, and of constructing the
 5 same, as shall be determined in separate items by the board of rail-
 6 road commissioners, in which case the total estimated cost thereof
 7 shall be deposited with the railroad before the railroad shall be re-
 8 quired to incur any expense whatsoever therefor; provided, however,
 9 that when any such person, firm, corporation or association, shall be
 10 required by commission to deposit with the railroad, the total esti-
 11 mated cost, as herein provided, such person, firm, corporation or asso-
 12 ciation, may offer or cause to be offered, a proposition in writing to
 13 such railroad, to construct such spur track, such proposition to be
 14 accompanied by a surety company bond, running to such railroad,
 15 and conditioned upon the construction of such spur track in a good
 16 and workmanlike manner, according to the plans and specifications
 17 provided by such railroad, and approved by the said commission, and
 18 deposit with such railroad the estimated cost of the necessary right of
 19 way for such spur track; and whenever such proposition and security
 20 company bond shall be offered the person, firm, corporation, or asso-
 21 ciation primarily to be served thereby, shall not be required to deposit
 22 as herein provided, as the total estimated cost of such construction,
 23 an amount in excess of the estimated cost of the right of way, and
 24 the total amount stated in such written proposition. Provided fur-
 25 ther, that before the railroad shall be required to incur any expense

26 whatever in the construction of said spur track, the person, firm, cor-
 27 poration or association primarily to be served thereby, shall give the
 28 railroad a bond to be approved by the board of railroad commission-
 29 ers as to form, amount and surety, securing the railroad against loss
 30 on account of any expenses incurred beyond the amount so deposited
 31 with the railroad.

[39 G. A., ch. 86, § 2.]

SEC. 5172-a3. Connections with original spurs—prorating costs.

1 Whenever such spur track is so connected with the main line, as
 2 provided in this chapter, at the expense of the owner of such proposed
 3 or existing mill, elevator, storehouse, warehouse, dock, wharf, pier,
 4 manufacturing establishment, lumber yard, coal dock, or other indus-
 5 try or enterprise, and any person, firm, corporation or association
 6 shall desire a connection with such spur track, application therefor
 7 shall be made to the commission, and such person, firm, corporation,
 8 or association shall be required to pay to the person, firm, corporation,
 9 or association that shall have paid or contributed to the primary cost
 10 and expense of acquiring the right of way for such original spur track,
 11 and of constructing the same, an equitable proportion thereof, to be
 12 determined by the commission, upon such application and notice, to
 13 the persons, firms, corporations, or associations that have paid or con-
 14 tributed towards the original cost and expense of acquiring the right
 15 of way and constructing the same.

[39 G. A., ch. 86, § 3.]

SEC. 5172-a4. Failure of railroad to act—hearing.

1 In case of the failure or refusal of any railroad to comply with
 2 any of the provisions of this chapter, the person or persons, firm, cor-
 3 poration or association aggrieved thereby may file a complaint with
 4 the board of railroad commissioners setting forth the facts, and the
 5 said commission shall investigate and determine the matter in con-
 6 troversy, and any order it shall make in said proceeding shall have
 7 the same force and effect as an order by said board in any other pro-
 8 ceeding properly begun under and by virtue of the provisions of law.

[39 G. A., ch. 86, § 4.]

CHAPTER 4

REGULATION OF CARRIERS

SECTION 5177. Long and short haul—fair rate.

1 No common carrier, subject to the provisions of this chapter,
 2 shall charge more for the transportation of persons or property to or
 3 from any point on its railroad than a fair and just rate or charge.

4 No such common carrier, or carriers, shall charge or receive any
 5 greater compensation in the aggregate for the transportation of per-
 6 sons or of a like kind of property for a shorter than for a longer dis-
 7 tance, over the same line or route in the same direction within this
 8 state, the shorter being included within the longer distance, or charge

9 any greater compensation as a through rate than the aggregate of the
 10 intermediate rates; but, this shall not be construed as authorizing
 11 any such common carrier or carriers to charge or receive as great a
 12 compensation for a shorter as for a longer distance or haul; provided
 13 that upon application to the board of railroad commissioners such
 14 common carrier or carriers may, in special cases, after investigation,
 15 be authorized by the board of railroad commissioners to charge less
 16 for a longer than for a shorter distance for the transportation of per-
 17 sons or property; and the board of railroad commissioners may from
 18 time to time prescribe the extent to which such designated common
 19 carrier or carriers may be relieved from the operation and require-
 20 ment of this section; but, in exercising the authority conferred upon
 21 it in this proviso, the board of railroad commissioners shall not permit
 22 the establishment of any charge to or from the more distant point
 23 that is not reasonably compensatory for the service performed; and,
 24 if a circuitous rail line or route is, because of such circuitry, granted
 25 authority to meet the charges of a more direct line or route to or
 26 from competitive points and to maintain higher charges to or from
 27 intermediate points on its line, the authority shall not include inter-
 28 mediate points as to which the haul of the petitioning line or route
 29 is not longer than that of the direct line or route between the com-
 30 petitive points.

[C., '97, § 2126; 40 G. A., ch. 161.]

SEC. 5179. Schedules of rates and fares.

[Repealed by 40 G. A., ch. 162, § 1, and the thirteen following sections enacted in lieu thereof.]

SEC. 5179-a1. Rate schedules—filing and publication.

1 Every common carrier, subject to the provisions of this chapter,
 2 shall file with the board of railroad commissioners and shall print and
 3 keep open to the public inspection schedules showing the rates, fares,
 4 charges, and classifications for the transportation within this state of
 5 persons and property from each point upon its route to all other points
 6 thereon and from all points upon its route to all points upon every
 7 other route leased, operated or controlled by it; and from each point
 8 on its route or upon any route leased, operated or controlled by it to
 9 all points upon the route of any other common carrier, whenever a
 10 through route and a joint rate shall have been established or ordered
 11 between any two such points. If no joint rate over a through route
 12 has been established, the schedules of the several carriers in such
 13 through route shall show the separately established rates, fares,
 14 charges, and classifications applicable to the through transportation.

[C., '73, § 1304; C., '97, § 2128; 40 G. A., ch. 162, § 2.]

SEC. 5179-a2. Detailed requirements—accessibility.

1 The schedules printed as aforesaid shall plainly state the places
 2 between which such property and persons will be carried, and shall
 3 also state separately all terminal charges, storage charges, icing
 4 charges, and all other charges which the board of railroad commis-
 5 sioners may require to be stated, all privileges or facilities granted or
 6 allowed, and all rules or regulations which may in any wise change,
 7 affect or determine any part, or the aggregate of such rates, fares,
 8 charges, and classifications, or the value of the various services ren-

9 dered to the passenger, shipper or consignee. Subject to such rules
10 and regulations as the board of railroad commissioners may prescribe,
11 such schedules shall be plainly printed in large type and a copy thereof
12 shall be kept by every such carrier readily accessible to and for inspec-
13 tion by the public in every station or office of such carrier where pas-
14 sengers or property are respectively received for transportation when
15 such station or office is in charge of an agent, and in every station or
16 office of such carrier where passenger tickets or tickets for sleeping,
17 parlor car or other train accommodations are sold or bills of lading
18 or waybills or receipts for property are issued. Any or all of such
19 schedules kept as aforesaid shall be immediately produced by such
20 carrier for inspection upon the demand of any person.

[C., '73, § 1304; C., '97, § 2128; 40 G. A., ch. 162, § 3.]

SEC. 5179-a3. Notice as to schedules.

1 A notice printed in bold type and stating that such schedules are
2 on file with the agent and open to inspection by any person, and that
3 the agent will assist any person to determine from such schedules
4 any rates, fares, rules or regulations in force, shall be kept posted by
5 the carrier in two public and conspicuous places in every such station
6 or office.

[C., '97, § 2128; 40 G. A., ch. 162, § 4.]

SEC. 5179-a4. Form of schedules.

1 The form of every such schedule shall be prescribed by the board
2 of railroad commissioners and shall conform in the case of common
3 carriers subject to an act of congress entitled "An act to regulate
4 commerce", approved February fourth, eighteen hundred eighty-
5 seven, and the acts amendatory thereof and supplementary thereto,
6 as nearly as may be to the form of schedule prescribed by the inter-
7 state commerce commission under said act.

8 When schedules and classifications required by the interstate
9 commerce commission contain in whole or in part the information
10 required by the provisions of sections fifty-one hundred seventy-nine-a
11 one to fifty-one hundred seventy-nine-a thirteen, inclusive, of this
12 supplement, the posting, publishing and filing of a copy or copies of
13 such schedules and classifications required by the interstate commerce
14 commission shall be deemed in compliance with the requirements of
15 the above named sections in so far as such schedules and classifica-
16 tions contain the information required by said named sections, and
17 any additional or different information may be posted, published, and
18 filed in a supplementary schedule.

[C., '97, § 2128; 40 G. A., ch. 162, § 5.]

SEC. 5179-a5. Partial schedules.

1 In lieu of filing its entire schedule in each station or office, any
2 common carrier may, subject to the regulations of the board of rail-
3 road commissioners, file or keep posted at such stations or offices,
4 schedules of such rates or other charges, classifications, rules, and
5 regulations relating thereto as are applicable at, to and from the
6 places where such stations or offices are located.

[C., '97, § 2128; 40 G. A., ch. 162, § 6.]

SEC. 5179-a6. Changes in schedules.

1 The board of railroad commissioners shall have the power from
 2 time to time, in its discretion, to determine and prescribe by order
 3 such changes in the form of the schedules referred to in sections
 4 fifty-one hundred seventy-nine-a one to fifty-one hundred seventy-
 5 nine-a thirteen, inclusive, of this supplement, as it may find expedi-
 6 ent, and to modify the requirements of any of its orders, rules or
 7 regulations in respect to any matter in said named sections referred
 8 to.

[C., '97, § 2128; 40 G. A., ch. 162, § 7.]

SEC. 5179-a7. Joint tariff schedules.

1 The names of the several common carriers which are parties to
 2 any joint tariff, rate, toll, contract, classification or charge shall be
 3 specified in the schedule or schedules showing the same. Unless
 4 otherwise ordered by the board of railroad commissioners, a schedule
 5 showing such joint tariff, rate, fare, toll, contract, classification or
 6 charge need be filed with the board by only one of the parties; pro-
 7 vided that there is also filed with the board of railroad commissioners
 8 in such form as the board may require a concurrence in such joint
 9 tariff, rate, fare, toll, contract, classification or charge by each of the
 10 other parties thereto.

[C., '97, § 2128; 40 G. A., ch. 162, § 8.]

SEC. 5179-a8. Contracts affecting rate.

1 Every common carrier shall file with the board of railroad com-
 2 missioners copies of all contracts, agreements or arrangements with
 3 other common carriers, in relation to any service affected by the pro-
 4 visions of sections fifty-one hundred seventy-nine-a one to fifty-one
 5 hundred seventy-nine-a thirteen, inclusive, of this supplement, to
 6 which it may be a party and copies of all other contracts, agreements
 7 or arrangements with any other person or corporation affecting in
 8 the judgment of the board of railroad commissioners the cost to such
 9 common carrier of any service.

[C., '97, § 2128; 40 G. A., ch. 162, § 9.]

SEC. 5179-a9. Schedules must be filed.

1 No common carrier shall undertake to perform any service nor
 2 engage or participate in the transportation of persons or property,
 3 between points within this state, until its schedule of rates, fares,
 4 charges, and classifications shall have been filed and published in
 5 accordance with the provisions of sections fifty-one hundred seventy-
 6 nine-a one to fifty-one hundred seventy-nine-a thirteen, inclusive, of
 7 this supplement.

[C., '97, § 2128; 40 G. A., ch. 162, § 10.]

SEC. 5179-a10. Changes in schedules—notice.

1 Unless the board of railroad commissioners otherwise orders, no
 2 change shall be made by any common carrier in any rate, fare, toll,
 3 charge or classification or in any rule, regulation, practice, or con-
 4 tract relating to or affecting any rate, fare, toll, charge or classifica-
 5 tion, except after thirty days' notice to the board of railroad commis-
 6 sioners and to the public as herein provided. Such notice shall be

7 given by filing with the board of railroad commissioners and keeping
8 open for public inspection new schedules or supplements stating
9 plainly the change or changes to be made in the schedule or schedules
10 then in effect, and the time when the change or changes will go into
11 effect.

12 The board of railroad commissioners, for good cause shown, may
13 allow changes without requiring the thirty days' notice herein pro-
14 vided for, by an order specifying the changes so to be made and the
15 time when they shall take effect, and the manner in which they shall
16 be filed and published. When any change is proposed in any rate,
17 fare, toll, charge or classification or in any rule, regulation, practice
18 or contract relating to or affecting any rate, fare, toll, charge or clas-
19 sification, such proposed change shall be plainly indicated on the new
20 schedule filed with the board of railroad commissioners by some char-
21 acter immediately preceding or following the item.

[C., '97, § 2128; 40 G. A., ch. 162, § 11.]

SEC. 5179-a11. Schedule charge mandatory.

1 No common carrier, except as in this chapter otherwise provided,
2 shall charge, demand, collect or receive a greater or less or different
3 compensation for the transportation of persons or property or for any
4 service in connection therewith than the rate, fares, and charges
5 applicable to such transportation as specified in its schedules filed and
6 in effect at the time; nor shall any such carrier refund or remit in any
7 manner or by any device any portion of the rates, fares or charges so
8 specified except upon order of the courts or of the board of railroad
9 commissioners as may be now or hereafter by law provided, nor
10 extend to any shipper or person any privilege or facility in the trans-
11 portation of passengers or property except such as are specified in
12 such schedules.

[C., '97, § 2128; 40 G. A., ch. 162, § 12.]

SEC. 5179-a12. Hearing as to rate—suspension.

1 Whenever there shall be filed with the board of railroad commis-
2 sioners any schedule, stating an individual or joint rate, fare, toll,
3 charge, classification, contract, practice, rule or regulation, the board
4 of railroad commissioners shall have power and it is hereby given
5 authority, either upon complaint or upon its own motion without com-
6 plaint, at once, and if it so orders, without answer or formal plead-
7 ings, by the interested common carrier or carriers, but upon reason-
8 able notice, to enter upon a hearing concerning the propriety of such
9 rate, fare, toll, charge, classification, contract, practice, rule or regu-
10 lation, and pending the hearing and the decision thereon, such rate,
11 fare, toll, charge, classification, contract, practice, rule or regulation
12 shall not go into effect; provided that the period of suspension of such
13 rate, fare, toll, charge, classification, contract, practice, rule or regu-
14 lation shall not extend more than one hundred twenty days beyond
15 the time when such rate, fare, toll, charge, classification, contract,
16 practice, rule or regulation would otherwise go into effect unless the
17 board in its discretion extends the period of suspension for a further
18 period of not exceeding thirty days.

[C., '97, § 2128; 40 G. A., ch. 162, § 13.]

SEC. 5179-a13. Commissioners to fix rate—when effective.

1 On such hearing the board of railroad commissioners shall estab-
 2 lish the rates, fares, tolls, charges, classifications, contracts, practices,
 3 rules or regulations proposed, in whole or in part, or others in lieu
 4 thereof which it shall find to be just and reasonable. All such rates,
 5 fares, tolls, charges, classifications, contracts, practices, rules or regu-
 6 lations not so suspended shall, on the expiration of thirty days from
 7 the time of filing the same with the board of railroad commissioners
 8 or of such less time as the said board may grant, go into effect and
 9 be the established and effective rates, fares, tolls, charges, classifica-
 10 tions, contracts, practices, rules and regulations, subject to the power
 11 of the board of railroad commissioners, after a hearing had upon its
 12 own motion or upon complaint, as herein provided, to alter or modify
 13 the same. After such changes have been authorized by the board of
 14 railroad commissioners, copies of the new or revised schedules shall
 15 be posted or filed as provided in this and the twelve preceding sec-
 16 tions, within such reasonable time as may be fixed by the board of
 17 railroad commissioners.

[C., '97, § 2128; 40 G. A., ch. 162, § 14.]

SEC. 5219-a1. Movement of cars of live stock—burden of proof.

1 It is hereby made the duty of all common carriers of freight
 2 within this state to move cars of live stock at the highest practicable
 3 speed consistent with reasonable safety, and the reasonable movement
 4 of its general traffic. The burden of proof that cars of live stock are
 5 so moved shall be upon the carrier, and proof that such cars were
 6 moved according to schedule or time-table shall not be prima facie evi-
 7 dence that they were moved at the highest practicable speed consistent
 8 with reasonable safety.

[S., '13, § 2157-s.]

NOTE: This section appears in the compiled code as section 5232. Said section is omitted as section 5232 and is reprinted here in order that related matters might stand together.

SEC. 5219-a2. Railroad commissioners to prescribe speed.

1 In order to enforce the duty prescribed in the preceding section,
 2 the board of railroad commissioners shall immediately and from time
 3 to time investigate the practice of the common carriers with respect
 4 to the movement of live stock; and if it ascertains at any time that
 5 the common carriers or any of them are not moving cars of live stock
 6 with the proper speed, then upon notice to any such common carrier
 7 or carriers, the said board shall prescribe the speed at which and the
 8 conditions under which cars of live stock shall be moved within this
 9 state by any such carrier or carriers. The order shall specify the
 10 time at which it shall go into effect, which shall be as soon as, in the
 11 judgment of the board, the carrier or carriers affected can, with rea-
 12 sonable diligence, readjust its or their time-tables. The power to
 13 prescribe speed and determine conditions for the movement of cars
 14 of live stock within this state is hereby expressly conferred upon the
 15 said board of railroad commissioners.

[S., '13, § 2157-t.]

NOTE: This section appears in the compiled code as section 5233. Said section is omitted as section 5233 and is reprinted here in order that related matters might stand together.

SEC. 5219-a3. Enforcement.

- 1 Any order, ruling or regulation made by the board under the two
2 preceding sections shall be enforceable as provided in section fifty
3 hundred twenty-two of the compiled code.

[S., '13, § 2157-u.]

NOTE: This section appears in the compiled code as section 5234. Said section is omitted as section 5234 and is reprinted here in order that related matters might stand together.

SEC. 5230-a1. Appropriation of fuel in transit.

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

[39 G. A., ch. 285, § 1.]

SEC. 5230-a2. Application for permission to appropriate—order.

- 1 Whenever it appears to a corporation operating a common car-
2 rier that it does not have a sufficient supply of fuel to adequately
3 operate its motive power for thirty days next ensuing, an application
4 in writing, duly verified by its proper officer or employee in charge
5 of motive power, setting forth the amount of fuel on hand, and the
6 amount of fuel needed for that specific purpose, for the next thirty
7 days, and that said corporation does not have sufficient fuel in tran-
8 sit, or is unable to obtain a sufficient supply of fuel, and that unless
9 permitted to take fuel in transit, the operation of its motive power
10 will be materially lessened, and to be supplemented by such other facts
11 and showing as may be required by said railroad commission, may in
12 the discretion of such commission be permitted by written order to
13 take and use such fuel in transit for the period, and in such amount
14 as shall by such commission be deemed reasonable or adequate.

[39 G. A., ch. 285, § 2.]

SEC. 5230-a3. Modification of orders.

- 1 The railroad commission in its discretion may modify or annul
2 any order or orders made, without notice or additional showings.

[39 G. A., ch. 285, § 3.]

SEC. 5230-a4. State or public utility as consignee.

- 1 Fuel consigned to the state of Iowa, or to a person, firm or cor-
2 poration operating a public utility, shall not be included in any order
3 made by the railroad commission.

[39 G. A., ch. 285, § 4.]

SEC. 5230-a5. Notice of application to appropriate.

- 1 The commission in its discretion may require notice to be served
2 upon the owner of fuel sought to be taken by virtue hereof, the man-
3 ner and form of such notice, and the time and place of the hearing, to
4 be fixed by said commission.

[39 G. A., ch. 285, § 5.]

SEC. 5230-a6. Notification of owner—payment.

1 Whenever a common carrier is permitted to take fuel in transit
 2 by order of the railroad commission, it shall be the duty of the common
 3 carrier to promptly notify the owner of such taking and the owner
 4 thereof may, at his option, accept as payment therefor, the full value
 5 of such fuel, plus twenty per centum of such value, to be promptly
 6 paid by such carrier; but if the owner does not so elect, nothing herein
 7 shall be construed to affect any other right or remedy.

[39 G. A., ch. 285, § 6.]

SEC. 5230-a7. Violation—penalty.

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

[39 G. A., ch. 285, § 7.]

SEC. 5232. Movement of cars of live stock—burden of proof.

NOTE: This section is omitted at this point and reprinted in this supplement as section 5219-a1 in order that all related statutes on the subject might stand together.

SEC. 5233. Railroad commissioners to prescribe speed.

NOTE: This section is omitted at this point and reprinted in this supplement as section 5219-a2 in order that all related statutes on the subject might stand together.

SEC. 5234. Enforcement.

NOTE: This section is omitted at this point and reprinted in this supplement as section 5219-a3 in order that all related statutes on the subject might stand together.

CHAPTER 5
INTERURBAN RAILWAYS**SECTION 5241. Grade crossings—duties of employees—penalty.**

1 Wherever the tracks of an interurban railway cross the tracks
 2 of any steam railway at grade the steam railway shall have, except
 3 where required to stop by order of the board of railroad commission-
 4 ers, the right of way and not be compelled to stop its trains and the
 5 interurban railway company operating said line shall cause its cars
 6 to come to a full stop not nearer than ten feet nor farther than fifty
 7 feet from such crossing, and before proceeding to cross said steam
 8 railway tracks shall cause some person in its employ first to cross said
 9 track ahead of said car or cars and ascertain if the way is clear and
 10 free from danger for the passage of said interurban cars, and said
 11 interurban cars shall not proceed to cross until signalled to do so by

12 such person employed as aforesaid, or said way is clear for such pas-
13 sage over said tracks. Every person in charge of any interurban car
14 or cars, who wilfully fails to comply with the provisions hereof and
15 fails to bring the car or cars which he has in charge to a stop, or
16 causes the same to cross said steam railway tracks before the way is
17 clear, or he is signalled to do so, shall be subject to a fine of not less
18 than one hundred dollars nor more than two hundred dollars or im-
19 prisonment in the county jail not to exceed twelve months, in the dis-
20 cretion of the court. No steam railway shall obstruct the free passage
21 of the cars of an intersecting interurban railway at such crossing.

[S., '13, § 2033-e; 39 G. A., ch. 34, § 1.]

SEC. 5241-a1. Right of steam and interurban railways at grade crossing.

1 The board of railroad commissioners of the state of Iowa is here-
2 by granted jurisdiction over all crossings at grade of steam and inter-
3 urban railways within the state. Upon the application of any inter-
4 urban railway, or upon its own motion, the said board may require
5 the trains of any steam railway to stop at any such crossing or cross-
6 ings at grade, or said board may make such rules and regulations in
7 reference to speed or other methods of operation at such crossings
8 as in its judgment are necessary to protect the public safety. This
9 section is to be construed as an exception to the general rule as laid
10 down in section fifty-two hundred thirty-seven of the compiled code,
11 with reference to interurbans being street railways within cities and
12 towns.

[39 G. A., ch. 34, §§ 2, 3.]

TITLE XVII

CORPORATIONS

CHAPTER 1

CORPORATIONS FOR PECUNIARY PROFIT

SECTION 5331. Limit of indebtedness.

1 Such articles must fix the highest amount of indebtedness or lia-
2 bility to which the corporation is at any one time to be subject, which
3 in no case, except risks of insurance companies, and liabilities of banks
4 not in excess of their available assets, not including their capital, shall
5 exceed two-thirds of its capital stock.

6 But the provisions of this section shall not apply to the bonds or
7 other railway or street railway securities, issued or guaranteed by
8 railway or street railway companies of the state, in aid of the loca-
9 tion, construction and equipment of railways or street railways, to
10 an amount not exceeding sixteen thousand dollars per mile of single
11 track, standard gauge, or eight thousand dollars per mile of single
12 track, narrow gauge, lines of road for each mile of railway or street
13 railway actually constructed and equipped.

14 Nor shall the provisions of this section apply to the debentures
15 or bonds of any company incorporated under the provisions of this
16 chapter, the payment of which shall be secured by an actual transfer
17 of real estate securities for the benefit and protection of purchasers
18 thereof; such securities to be at least equal in amount to the par value
19 of such bonds or debentures, and to be first liens upon unincumbered
20 real estate worth at least twice the amount loaned thereon; nor to
21 debentures or bonds issued by any corporation organized under this
22 chapter for the purpose of manufacturing or selling gas, heat, steam
23 or electricity, or constructing or operating interurban or street rail-
24 ways, or for any one or more of said purposes, when such debentures
25 or bonds are not issued in an amount exceeding twice the amount
26 of the paid-up capital stock of such corporation.

27 Nor shall the provisions of this section apply to the debentures
28 or bonds of any company organized under the provisions of this chap-
29 ter, provided said company shall have not less than one million dollars
30 paid in and outstanding capital stock, the payment of which debentures
31 and bonds shall be secured by the actual transfer of the obligations
32 of individuals, partnerships, associations or corporations, for the bene-
33 fit and protection of purchasers thereof; provided that where such
34 obligations are secured by the actual transfer of warehouse receipts
35 of bonded warehouses as security collateral thereto, said obligation
36 to represent not exceeding seventy-five per cent of market value of
37 the commodity represented by such warehouse receipt, debentures or
38 bonds may be issued to an amount not in excess of one hundred per

39 cent of the actual value of said obligations; provided, further, that
 40 the said debentures shall be first liens upon the said obligations and
 41 upon the warehouse receipts collateral thereto; and provided further,
 42 that where such debentures or bonds shall be issued upon the security
 43 of obligations indorsed by a bank permitted to do banking business
 44 in the state of Iowa, or obligations secured by collateral other than
 45 warehouse receipts of bonded warehouses, said collateral to consist of
 46 chattel loans on live stock up to eighty per cent of its value, or invest-
 47 ments authorized by law for Iowa savings banks, they shall not be
 48 issued for an amount in excess of ninety per cent of the actual value
 49 of such obligations, and such debentures or bonds shall be first liens
 50 upon said obligations, and the collateral thereto.

[C., '51, § 676; R., '60, § 1153; C., '73, § 1061; C., '97, § 1611;
 S. S., '15, § 1611; 39 G. A., ch. 131.]

SEC. 5334. May begin business.

1 The corporation may commence business as soon as the certificate
 2 is issued by the secretary of state, and its acts shall be valid if the
 3 publication in a newspaper is made within three months from the date
 4 of such certificate; providing that where the notice is not published
 5 within the time herein prescribed, but is subsequently published for
 6 the required time, and proof of the publication thereof filed with the
 7 secretary of state, the acts of such corporation after such publication
 8 shall be valid.

[C., '51, § 679; R., '60, § 1156; C., '73, § 1064; C., '97, § 1614;
 40 G. A., ch. 164, § 1.]

SEC. 5347. Dissolution—notice of.

1 A corporation may be dissolved prior to the period fixed in the
 2 articles of incorporation, by unanimous consent, or in accordance with
 3 the provisions of its articles, and notice thereof must be given in the
 4 same manner and for the same time as is required for its organiza-
 5 tion; provided, however, that the notice of such dissolution shall be
 6 deemed sufficient if signed by the officers of such corporation and pub-
 7 lished as required by law.

[C., '51, §§ 682, 683; R., '60, §§ 1159, 1160; C., '73, §§ 1066,
 1067; C., '97, § 1617; 37 G. A., ch. 128, § 1; 40 G. A.,
 ch. 165.]

SEC. 5355-a1. Stockholders entitled to names of stockholders.

1 The secretary of each corporation shall, upon a written request,
 2 furnish to the stockholders of said corporation a printed or type-
 3 written list, giving the names of the stockholders and their postoffice
 4 address, and the number of shares owned by each stockholder. Said
 5 list shall be prepared and ready for delivery upon said request not
 6 later than thirty days prior to the annual meeting of the stockholders
 7 and not more than sixty days prior to said annual meeting. Said
 8 written request must be made at least forty days prior to said annual
 9 meeting.

[39 G. A., ch. 208.]

SEC. 5367. Foreign corporation—filing articles—process—application—increase of capital—fees.

1 Any corporation for pecuniary profit organized under the laws
2 of another state, or of any territory of the United States, or of any
3 foreign country, which has transacted business in the state of Iowa
4 since the first day of September, eighteen hundred eighty-six, or de-
5 sires hereafter to transact business in this state, and which has not
6 a permit to do such business, shall file with the secretary of state a
7 certified copy of its articles of incorporation, duly attested by the
8 secretary of state or other state officer in whose office the original
9 articles were filed, accompanied by a resolution of its board of direc-
10 tors or stockholders authorizing the filing thereof, and also author-
11 izing service of process to be made upon any of its officers or agents
12 in this state engaged in transacting its business, and requesting the
13 issuance to such corporation of a permit to transact business in this
14 state; said application to contain a stipulation that such permit shall
15 be subject to the provisions of this chapter.

16 Said application shall also contain a statement subscribed and
17 sworn to by at least two of the principal officers of the corporation,
18 setting forth the following facts, to wit:

- 19 1. The total authorized capital of the corporation.
- 20 2. The total paid-up capital of the corporation.
- 21 3. The total value of all assets of the corporation, including money
22 and property other than money, represented by capital, surplus, undi-
23 vided profits, bonds, promissory notes, certificates of indebtedness, or
24 other designation, whether carried as money on hand or in bank, real
25 estate or personal property of any description.
- 26 4. The total value of money and all other property the corpora-
27 tion has in use or held as investment in the state of Iowa, at the time
28 the statement is made (if any).
- 29 5. The total value of money and all other property the corporation
30 proposes or expects to make use of in the state of Iowa, during the
31 ensuing year.
- 32 6. Certified copy of the resolution of the board of directors of
33 said corporation giving name and address in Iowa of a resident agent
34 on whom the service of original notice of civil suit in the courts of
35 this state may be served. Failing which, or in the event such agent
36 may not be found within the state, service of such process may then
37 be made upon said corporation through the secretary of the state of
38 Iowa by sending the original and two copies thereof to him, and on
39 the original of which he shall accept service on behalf of said cor-
40 poration, retain one copy for his files and send the other by registered
41 mail to the corporation at the address of its home office as shown by
42 the records in his office, which service shall have the same force and
43 effect as if lawfully made upon said corporation within the county
44 where such civil suit could be maintained against it under the laws
45 of this state.

46 The secretary of state can make such independent and further
47 investigation as to the property within this state owned by any such
48 corporation as he may desire, and upon the true facts determine the
49 value thereof, and fix the fee to be paid by such company.

50 Before a permit is issued authorizing such corporation to transact
51 business in the state of Iowa, said corporation shall pay to the secre-

52 tary of state a fee of ten cents per one hundred words for recording
 53 the certified copy of the articles of incorporation, with resolution and
 54 statement as previously set forth, and a filing fee of twenty-five dol-
 55 lars upon ten thousand dollars or less of money and property of such
 56 company actually within the state of Iowa, and of one dollar for each
 57 one thousand dollars of such money or property within this state in
 58 excess of ten thousand dollars.

59 If from time to time the amount of money or other property in
 60 use in the state of Iowa by said foreign corporation is increased, said
 61 corporation shall at the time of said increase, or at the time of making
 62 annual report to the secretary of state, in July of each year, file with
 63 the secretary of state a sworn statement showing the amount of such
 64 increase, and shall pay a filing fee thereon of one dollar for each one
 65 thousand dollars or fraction thereof of such increase, together with
 66 a recording fee of ten cents per one hundred words, but not less than
 67 fifty cents.

68 The secretary of state shall upon request furnish a blank upon
 69 which to make report of such increase of capital in use within the
 70 state.

71 Any corporation transacting business in this state prior to the
 72 first day of September, eighteen hundred eighty-six, shall be exempt
 73 from the payment of the fees required under the provisions of this
 74 section. The secretary of state shall thereupon issue to such corpora-
 75 tion a permit, in such form as he may prescribe, for the transaction
 76 of the business of such corporation, and upon the receipt of such per-
 77 mit said corporation shall be permitted and authorized to conduct and
 78 carry on its business in this state.

79 No foreign stock corporation doing business in this state shall
 80 maintain any action in this state upon any contract made by it in this
 81 state unless prior to the making of such contract it shall have pro-
 82 cured such permit. This prohibition shall also apply to any assignee
 83 of such foreign stock corporation and to any person claiming under
 84 such assignee of such foreign corporation or under either of them.

[C., '97, § 1637; S., '13, § 1637; 39 G. A., ch. 139, §§ 1-4.]

SEC. 5375. Testimony—immunity from prosecution.

[This section and sections 6238 and 7319 of the compiled code repealed by 40 G. A., ch. 236, and substitute embraced in sections 7319-a1 to 7319-a3, inclusive, of this supplement.]

CHAPTER 3

COOPERATIVE ASSOCIATIONS

SECTION 5392. Fee for recording.

1 For filing the articles of incorporation of associations organized
 2 under this chapter, there shall be paid to the secretary of state ten
 3 dollars, and for the filing of an amendment to such articles, five dol-
 4 lars; provided that when the capital stock of such corporation shall
 5 be less than five hundred dollars, such fee for filing either the articles

6 of incorporation or amendments thereto shall be one dollar. For re-
7 cording copy of such articles, the recorder of deeds shall receive the
8 usual fee for recording.

[S. S., '15, § 1641-r4.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to correct error in printing of compiled code.

SEC. 5396. Ownership of shares limited.

1 No stockholder in any such association shall own shares of a
2 greater aggregate par value than five thousand dollars, except as here-
3 inafter provided, nor shall he be entitled to more than one vote.

[S. S., '15, § 1641-r8; 39 G. A., ch. 251.]

SEC. 5399. May act as trustee—stock to be fully paid before certificate issued.

1 In case the cash value of such purchased business exceeds one
2 thousand dollars, the directors of the association are authorized to
3 hold the shares in excess of one thousand dollars in trust for the ven-
4 dor, and dispose of the same to such persons, and within such times,
5 as may be mutually satisfactory to the parties in interest, and to pay
6 the proceeds thereof as currently received to the former owner of said
7 business. Certificates of stock shall not be issued to any subscriber
8 until fully paid, but the by-laws of the association may allow sub-
9 scribers to vote as stockholders; provided part of the stock subscribed
10 for has been paid in cash.

[S. S., '15, § 1641-r11.]

NOTE: The word "not" in line seven does not appear in the enrolled act. It is here inserted because its omission is deemed manifestly unintentional by the general assembly.

CHAPTER 3-A

COOPERATIVE ASSOCIATIONS

NOTE: This chapter is given the same heading as the preceding chapter because it deals with the same subject-matter as that covered by chapter 3, title XVII of the compiled code. The two chapters are quite similar but not identical.

SECTION 5408-a1. Organization.

1 Any number of persons, not less than five, may associate them-
2 selves as a cooperative association, without capital stock, for the pur-
3 pose of conducting any agricultural, live stock, horticultural, dairy,
4 mercantile, mining, manufacturing or mechanical business on the co-
5 operative plan and of acting as a cooperative selling agency for its
6 members.

[39 G. A., ch. 122, § 1.]

SEC. 5408-a2. Terms defined—products of nonmember.

1 For the purpose of this chapter, the words "association", "ex-
2 change", "society", or "union", shall be construed to mean the same
3 and are defined to mean a corporate body composed of actual pro-

4 ducers or consumers of the given commodity handled by the associa-
 5 tion, whose business is conducted for the mutual benefit of its members
 6 and not for the profit of stockholders, and control of which is vested in
 7 its members upon the basis of one vote to each member. No associa-
 8 tion shall handle the products of any nonmember.

[39 G. A., ch. 122, § 2.]

SEC. 5408-a3. Incorporation—articles—personal liability.

1 They shall sign and acknowledge written articles, which shall con-
 2 tain the name of the association and the names and residences of the
 3 incorporators. Such articles shall also contain a statement of the pur-
 4 poses of the association, the amount of the membership fee, and shall
 5 designate the city, town or village where its principal place of business
 6 shall be located, and the manner in which such articles may be
 7 amended, and any limitation which the members propose to place upon
 8 their personal liability for the debts of the association.

[39 G. A., ch. 122, § 3.]

SEC. 5408-a4. Filing—certificate of incorporation.

1 The original articles of incorporation shall be filed for record with
 2 the secretary of state. Upon approval of such articles, the secretary
 3 of state shall issue a certificate of incorporation.

[39 G. A., ch. 122, § 4.]

SEC. 5408-a5. Fees.

1 For filing the articles of incorporation of associations organized
 2 under this chapter, there shall be paid to the secretary of state five
 3 dollars, and for the filing of an amendment to such articles, two dol-
 4 lars.

[39 G. A., ch. 122, § 5.]

SEC. 5408-a6. Board of directors—removals.

1 Every such association shall be managed by a board of not less
 2 than five directors, who shall be elected by and from the members at
 3 such time and for such term of office as the articles may prescribe. They
 4 shall hold office until their successors are elected and qualify; but a
 5 majority of the members shall have the power at any regular or special
 6 meeting of the association legally called, to remove any director or
 7 officer for cause, and fill the vacancy.

[39 G. A., ch. 122, § 6.]

SEC. 5408-a7. Officers.

1 The officers of every such association shall be a president, one or
 2 more vice presidents, a secretary and treasurer, who shall be elected
 3 annually by the directors, from amongst their own number. The offices
 4 of secretary and treasurer may be held by the same person.

[39 G. A., ch. 122, § 7.]

SEC. 5408-a8. Amendments.

1 Within thirty days after the adoption of any amendment to its
 2 articles of incorporation, the association shall cause a copy of such
 3 amendment to be recorded in the office of the secretary of state.

[39 G. A., ch. 122, § 8.]

SEC. 5408-a9. Admission of members—central cooperative associations—membership certificates.

1 Under the terms and conditions prescribed in its by-laws, an
2 association may admit as members persons engaged in the production
3 of the products, or in the use or consumption of the supplies, to be
4 handled by or through the association, including the lessors and land-
5 lords of lands used for the production of such products, who receive as
6 rent part of the crop raised on the leased premises.

7 Likewise, associations may be formed under this chapter whose
8 membership shall consist of other associations formed under the pro-
9 visions of this chapter, the purpose being to federate local associations
10 into central cooperative associations for the more economical and
11 efficient performance of their marketing or other operations.

12 Such central associations may enter into contracts, agreements,
13 and arrangements with their member associations. Each member asso-
14 ciation in such federated associations shall have an official representa-
15 tive chosen by its own board of directors, who shall cast one vote and
16 no more at all business meetings of the federated association.

17 Membership certificates in due form shall be issued to all charter
18 members and to such others as shall subsequently be admitted by the
19 association in accordance with its articles and by-laws. No such cer-
20 tificate shall be transferable by the member to any other person, but
21 shall be surrendered to the association in case of his voluntary with-
22 drawal. It shall become void upon his death, or may be revoked by the
23 directors upon proof duly made that he has ceased to be a producer of
24 products handled by or through the association, in the case of pro-
25 ducing or selling associations or has ceased to be the user of products
26 handled by or through the association in case of stores and supply asso-
27 ciations, or for failure to observe its by-laws or his contractual obliga-
28 tions to it. These conditions of membership shall be printed upon the
29 face of every membership certificate.

[39 G. A., ch. 122, § 9.]

SEC. 5408-a10. Voting power of members—proxies—voting by mail.

1 Each member of an association shall be entitled to one vote and no
2 more upon all questions affecting the control and management of the
3 affairs of the association and in the selection of its board of directors.

4 No vote by proxy shall be permitted, but a written vote received
5 by mail from any absent member, and signed by him, may be read and
6 counted at any regular or special meeting of the association, provided,
7 that the secretary shall notify all members in writing of the exact mo-
8 tion or resolution upon which such vote is to be taken, and a copy of
9 same shall be forwarded with and attached to the vote so mailed by the
10 member.

[39 G. A., ch. 122, § 10.]

SEC. 5408-a11. Power to compel sales and purchases—liquidated damages.

1 The association may require members to sell all or a stipulated
2 part of their specifically enumerated products exclusively through the
3 association or to buy specifically enumerated supplies exclusively

4 through the association, but in such case, a reasonable period during
 5 each year shall be specified during which any member, by giving notice
 6 in prescribed form, may be released from such obligation thereafter.
 7 Where it is desired to enter into the exclusive arrangement provided
 8 in this section, the association shall execute a contract with each such
 9 member setting forth what goods or wares are to be handled and upon
 10 what terms. In order to protect itself in the necessary outlay, which
 11 it may make for the maintenance of its services, the association may
 12 stipulate that some regular charge shall be paid by the member for
 13 each unit of goods covered by such contract whether actually handled
 14 by the association or not, and in order to reimburse the association for
 15 any loss or damage which it or its members may sustain through the
 16 member's failure to deliver his products to or to procure his supplies
 17 from the association.

18 In case it is difficult or impracticable to determine the actual
 19 amount of damage suffered by the association or its members through
 20 such failure to comply with the terms of such a contract, the associa-
 21 tion and the member may agree upon a sum to be paid as liquidated
 22 damages for the breach of his contract, said amount to be stated in
 23 the contract.

[39 G. A., ch. 122, § 11.]

SEC. 5408-a12. Power to borrow and to execute notes, bonds and mortgages.

1 Every association may borrow money necessary for the conduct of
 2 its business, and may issue notes, bonds, or debentures therefor, and
 3 may give security in the form of mortgage or otherwise for the repay-
 4 ment thereof.

[39 G. A., ch. 122, § 12.]

SEC. 5408-a13. Personal liability.

1 Members of such association may limit their personal liability to
 2 the amount of their membership fee as provided in their articles of in-
 3 corporation.

[39 G. A., ch. 122, § 13.]

SEC. 5408-a14. Cost of service—dues, etc.—reserve fund.

1 Associations formed under this chapter shall perform services for
 2 their members on a basis of the lowest practicable cost, and may pro-
 3 vide for meeting the cost thereof through dues, assessments, or service
 4 charges, which shall be prescribed in the by-laws. Such charges shall
 5 be set high enough to provide a margin of safety above current operat-
 6 ing costs and fixed charges upon borrowed capital.

7 Out of any surplus remaining in any given year, the directors shall
 8 each year set aside not less than ten per cent of such savings for the
 9 accumulation of a reserve fund until such reserve shall equal at least
 10 forty per cent of the invested capital of the association, not less than
 11 one per cent nor more than five per cent for a permanent educational
 12 fund from which expenditures shall be made annually at the discretion
 13 of the directors for the purpose of teaching cooperation, and the re-
 14 mainder to be returned to the members as a patronage dividend pro-
 15 rated on a uniform basis to each member upon the value of business
 16 done by him through the association.

[39 G. A., ch. 122, § 14.]

SEC. 5408-a15. Annual report—penalty.

1 Every association organized under the terms of this chapter shall
 2 annually, on or before the first day of March of each year, make a re-
 3 port to the secretary of state; such report shall contain the name of the
 4 company, its principal place of business in this state, and generally a
 5 statement as to its business, showing total amount of business trans-
 6 acted, number of members, total expense of operation, amount of in-
 7 debtedness and its profits or losses. Such reports shall be for the
 8 calendar or fiscal year immediately preceding the said first day of
 9 March, provided that a calendar or fiscal year has been completed
 10 upon said date.

11 Failure to comply with this section shall subject the delinquent
 12 association to a penalty of ten dollars.

[39 G. A., ch. 122, § 15; 40 G. A., ch. 166.]

SEC. 5408-a16. Existing associations.

1 All corporations, or associations heretofore organized and doing
 2 business under prior statutes, or which have attempted so to organize
 3 and do business cooperatively, shall have the benefit of all the provis-
 4 ions of this chapter and be bound thereby, on filing with the secretary
 5 of state a written declaration signed and sworn to by the president and
 6 secretary, to the effect that said company or association has, by a ma-
 7 jority vote of its stockholders, decided to accept the benefits of and to
 8 be bound by the provisions of this chapter.

[39 G. A., ch. 122, § 16.]

SEC. 5408-a17. Who may use term "cooperative" — penalty — injunction.

1 No corporation or association hereafter organized shall be entitled
 2 to use the term "cooperative" as part of its corporate or other business
 3 name or title, unless it has complied with the provisions of this chapter
 4 or of sections fifty-three hundred eighty-nine, fifty-three hundred
 5 ninety, fifty-three hundred ninety-one, fifty-three hundred ninety-
 6 three, fifty-three hundred ninety-four, fifty-three hundred ninety-five,
 7 fifty-three hundred ninety-seven, fifty-three hundred ninety-eight,
 8 fifty-four hundred to fifty-four hundred eight, inclusive, of the com-
 9 piled code, fifty-three hundred ninety-two, fifty-three hundred ninety-
 10 six and fifty-three hundred ninety-nine, of this supplement, and any
 11 corporation or association violating the provisions of this chapter
 12 may be enjoined from doing business under such name at the instance
 13 of any stockholder of any association legally organized under the
 14 provisions of this chapter.

[39 G. A., ch. 122, § 17.]

SEC. 5408-a18. Use of funds—promotion expenses.

1 None of the funds of any association shall be used for purposes of
 2 any promotion as commissions, salaries or expenses of any kind, char-
 3 acter or nature whatsoever, except that in the case of associations
 4 operating in more than one county, if the par value of securities to be
 5 sold is in excess of one hundred thousand dollars, a sum not to exceed
 6 five per cent of the par value of bonds or debentures sold may be used

7 by committees elected by the members for selling or soliciting for the
8 sale of such securities or for hiring responsible salaried solicitors for
9 that purpose.

[39 G. A., ch. 122, § 18.]

SEC. 5408-a19. Duration of incorporation — dissolution or renewal.

1 Associations formed under the provisions of this chapter shall
2 continue for a period of twenty-five years, unless earlier dissolved by
3 order of its members or by other processes as by law provided, and the
4 term of its existence may be renewed by the filing of new articles of
5 association, as by law provided.

[39 G. A., ch. 122, § 19.]

CHAPTER 3-B

COLLECTIVE BARGAINING

SECTION 5408-a20. Collective bargaining authorized.

1 Persons engaged in the conduct of any agricultural, horticultural,
2 dairy, live stock, mercantile, mining, or manufacturing business in the
3 manner provided in section fifty-four hundred eight-a twenty-two of
4 this supplement may act together in associations, corporate or other-
5 wise, for the purpose of collectively producing, processing, preparing
6 for market, handling and marketing the products of their members.
7 Such persons may organize and operate such associations, and such
8 associations may make the necessary contracts and agreements to
9 effect that purpose, any law to the contrary notwithstanding.

[39 G. A., ch. 176, § 1.]

SEC. 5408-a21. Contracts for liquidated damages.

1 Contracts and agreements entered into between associations and
2 the members thereof may, where damages that may be sustained for
3 the breach thereof are difficult of ascertainment, provide for such pen-
4 alties as may be agreed upon, which penalties, if the parties thereto
5 so agree, shall be construed as liquidated damages and be enforceable in
6 the full amount thereof both at law and in equity.

[39 G. A., ch. 176, § 2.]

SEC. 5408-a22. Applicability of chapter.

1 The provisions of this chapter shall apply:
2 1. To corporations organized under the provisions of chapter three
3 of this title.
4 2. To other incorporated associations or companies organized
5 without capital stock, not for pecuniary profit and for the mutual bene-
6 fit of their members.

[39 G. A., ch. 176, § 3.]

SEC. 5408-a23. Rule of interpretation.

1 Should any section of this chapter or any part thereof be held by
 2 any court of competent jurisdiction to be unconstitutional, such section
 3 or part thereof shall be deemed to be independent of and unrelated
 4 to any other section or part of this chapter, and such decision shall
 5 affect only the specific provision which it is held offends against the
 6 constitution, and shall not be held to be an inducement to the passage
 7 of any other section or provision of this chapter.

[39 G. A., ch. 176, § 4.]

CHAPTER 5
INVESTMENT COMPANIES**SECTION 5417. Permit to sell stock.**

1 Every person, firm, association, company, or corporation that
 2 shall, either directly or through representatives or agents, sell, offer,
 3 or negotiate for sale, within this state, any stocks, certificates, bonds,
 4 debentures, certificates of participation, certificates of shares or in-
 5 terest, preorganization certificates and subscriptions, memberships,
 6 profit sharing certificates, investments, contracts, unit interests in
 7 property, estates, shares of participation, common law trust agree-
 8 ments or real estate, oil, gas or mineral leases, provided, however,
 9 that this shall not apply in whole or in part to mineral leases in Iowa
 10 lands; and notes or other evidences of indebtedness, and evidence of,
 11 title to, interest in or liens upon any or all of the property or profits of
 12 an individual or company, hereinafter referred to as "stocks, bonds,
 13 or other securities", shall be subject to the provisions of this chapter,
 14 except as herein otherwise provided; and shall, before selling or offer-
 15 ing for sale any such securities in this state, be required to secure a
 16 permit from the secretary of state of the state of Iowa.

[S. S., '15, § 1920-u; 39 G. A., ch. 189, § 1; 40 G. A., ch. 167.]

SEC. 5418. Stocks, bonds and securities excepted from operation of chapter.

1 The provisions of this chapter shall not apply to:
 2 1. Securities of this state, or of the United States, or of any state
 3 or territory thereof, or of any foreign government, or of any district,
 4 county, township, city, town or other public taxing subdivision of any
 5 state or territory of the United States, including all drainage, county,
 6 school or other municipal bonds of this state.
 7 2. Conveyance of real estate located in Iowa; also conveyance of
 8 real estate located elsewhere when the transaction does not involve an
 9 agreement to develop on said real estate or in connection therewith
 10 mines, oil wells, fruit trees, nut producing trees or other projects of a
 11 speculative nature which the parties contemplate as a substantial ele-
 12 ment of value in the transaction.
 13 3. Evidences of indebtedness executed by a corporation and se-
 14 cured by a mortgage on real estate, which mortgage may also cover
 15 tangible property connected therewith, when the total amount of such

16 indebtedness does not exceed the fair value of the property pledged;
17 also evidences of indebtedness (not issued by a corporation) secured
18 by bona fide mortgage on personal property in this state; also commer-
19 cial paper or acceptances or negotiable promissory notes.

20 4. The stock, obligations and other securities issued by any na-
21 tional bank, or of any bank, trust company or building and loan asso-
22 ciation organized under the laws of any state, subject to examination
23 and supervision of the proper authorities thereof; and the stock and
24 obligations of any insurance company when such insurance is legally
25 authorized to transact business in this state by the insurance depart-
26 ment thereof.

27 5. Securities of any corporation organized under the laws of this
28 state whose authorized capital stock, when not sold above par, added
29 to its other outstanding securities, shall not exceed fifty thousand dol-
30 lars; but this exemption shall apply only to the securities issued by
31 such company.

32 6. Securities sold or offered for sale, at any judicial, executor's or
33 administrator's sale, or at any sale by a receiver or trustee in insol-
34 vency or bankruptcy, whether at a public or private sale; also the
35 securities of one acting in a judiciary capacity under an order of court
36 or of a trustee of a trust, created by or declared in a will or judicial
37 writ, or order, decree or judgment, who lawfully disposes of securities
38 embraced within such trust.

39 7. Securities issued by any corporation organized not for pecu-
40 niary profit or organized exclusively for educational, benevolent, fra-
41 ternal, charitable or reformatory purposes.

42 8. Securities issued as a stock dividend when such issue has been
43 approved by the executive council; also securities authorized by the
44 executive council under the provisions of chapter four of this title.

45 9. Securities of corporations operating railroads, public or quasi-
46 public utilities, the issue of whose securities is regulated by the inter-
47 state commerce commission or by a railroad or public service
48 commission, board or similar body of any state or territory of the
49 United States or of any province of the dominion of Canada, and se-
50 curities of all other corporations operating public utilities in this
51 state.

52 10. Bonds, debentures, collateral trust certificates or other similar
53 instruments evidencing title to, interest in, or lien upon property,
54 issued or executed in good faith by any company where the debt se-
55 cured does not exceed sixty per cent of the value of the property
56 pledged as security.

57 11. Securities of an issuer, organized under the laws of this state,
58 where the disposal, in good faith and not for the purpose of avoiding
59 the provisions of this chapter, is made for the sole account of the
60 issuer, without commission and at a total organization therefrom, plus
61 five hundred dollars; provided, that the president and secretary, or
62 the incorporators if done before organization, of the issuer shall,
63 prior to such disposal, file with the secretary a written statement set-
64 ting forth the existence of all facts and that such issuer is formed for
65 the purpose of transacting business within the state. The secretary,
66 however, shall be given the right at any time to inquire into the affairs
67 of companies claiming such exemption, and to examine their books to
68 ascertain whether the securities named have been disposed of in the

69 manner stated. Also the securities of a syndicate unincorporated,
 70 formed by residents of this state, whose members shall not exceed
 71 twenty-five in number, and whose interest or units are not divided into
 72 greater number than twenty-five provided no solicitation is made to
 73 the public for the disposal of said interest or units.

[S. S., '15, § 1920-u1 ; 39 G. A., ch. 189, §§ 2, 7.]

SEC. 5424-a1. Refusal or cancellation of permits.

1 The secretary of state under sections fifty-four hundred twenty-
 2 three, fifty-four hundred twenty-four and fifty-four hundred twenty-
 3 eight of the compiled code and section fifty-four hundred thirty-three
 4 of this supplement shall have the right to refuse or cancel a permit
 5 where he finds from his examination that the applicant is not of
 6 good business repute, or that the proposed plan of business, or of
 7 selling the security is unfair, unjust, or inequitable, or finds that the
 8 securities the dealer, issuer, agent or broker proposes to sell are likely
 9 to work a fraud upon the purchaser thereof, such refusal, or cancel-
 10 lation, to be subject to the same right of appeal as herein provided
 11 in other cases.

[39 G. A., ch. 189, § 6.]

SEC. 5427. Accounts—how kept—open to inspection and examination—fee.

1 The general accounts of every person, firm, association, company
 2 or corporation doing business in this state pursuant to the provisions
 3 of this chapter shall be kept in a businesslike and intelligent manner
 4 and in sufficient detail that the secretary of state can ascertain at any
 5 time upon inspection and examination its financial condition, and any
 6 person, firm, association, company or corporation engaged in the busi-
 7 ness of buying or selling stocks, bonds or other securities and subject
 8 to the provisions of this chapter, shall keep its books of account dur-
 9 ing business hours, except Sundays and legal holidays, open to its
 10 members, stockholders and investors and to the secretary of state or
 11 his duly authorized agents or representatives, and the said secretary
 12 of state shall have the right to make an examination and inspection
 13 of the books, accounts and financial condition of any such person,
 14 firm, association, company or corporation engaged in the business of
 15 dealing in stocks, bonds and other securities pursuant to the provisions
 16 of this chapter. The right, powers and privileges of the secretary of
 17 state in connection with such examination shall be the same as is now
 18 provided with reference to examination of state and savings banks,
 19 and such person, firm, association, company or corporation so exam-
 20 ined shall pay a fee to the secretary of state for each of such examina-
 21 tions not to exceed ten dollars per day, or fraction thereof, spent by
 22 said secretary of state or his duly authorized representative while
 23 absent from the seat of government in making such examination, and
 24 shall further pay the actual traveling and hotel expenses of said exam-
 25 iner. Upon failure or refusal of any person, firm, association, com-
 26 pany or corporation to pay the fees herein required, upon the demand
 27 of the secretary of state or his duly authorized representative, the
 28 secretary of state may suspend its right to sell, offer or negotiate for
 29 sale any of its stocks, bonds or other securities in this state until such
 30 fee or fees are paid.

[S. S., '15, § 1920-u10 ; 39 G. A., ch. 189, § 3.]

SEC. 5429. Fees—account kept.

1 All fees herein provided for shall be collected by the secretary of
 2 state and by him covered into the state treasury on the first secular
 3 day of each month; and the secretary of state shall keep a record of
 4 the receipts and expenditures incurred in carrying out the provisions
 5 of this chapter.

[S. S., '15, § 1920-u12; 39 G. A., ch. 209, § 3.]

SEC. 5432. Agent to register and file appointment with secretary—permit issued—fee—expiration of permit—cancellation.

1 Every person, firm, association, company or corporation that has
 2 received a permit to transact business in this state and desires to
 3 appoint agents or representatives shall cause said agent or representa-
 4 tive to register with the secretary of state and file with said officer
 5 his written appointment and authority to represent said person, firm,
 6 association, company or corporation as its agent in this state, and such
 7 further information as the secretary may require, and receive from
 8 said secretary a certificate showing that the principal represented by
 9 said agent or representative has complied with the provisions of this
 10 chapter and received a certificate to do business. All such certificates
 11 shall be subject to revocation by the secretary of state if upon exam-
 12 ination or investigation the secretary finds that the agent is misrepre-
 13 senting the kind and character of securities, the nature of the business
 14 or is thereby, or otherwise defrauding the people of this state, in the
 15 sale of stocks, bonds or other securities. All such certificates, unless
 16 sooner revoked, shall expire on the first day of July of each year. A
 17 charge of three dollars shall be made by the secretary of state for each
 18 certificate issued to such agent.

[S. S., '15, § 1920-u15; 39 G. A., ch. 189, §§ 8, 9.]

SEC. 5432-a1. Secret agents—failure to disclose interest—penalty.

1 Any individual, not licensed as an agent, who, with intent to se-
 2 cure financial gain for himself, advises and procures or assists in pro-
 3 curing any person to purchase any securities contemplated by this
 4 chapter and who received for such service any commission or reward,
 5 without disclosing to the purchaser the fact of his interest shall, in
 6 addition to any other penalty, be guilty of a misdemeanor.

[39 G. A., ch. 189, § 5.]

SEC. 5432-a2. Promotion expense—agent's commission.

1 No person, firm, association, company or corporation shall offer
 2 for sale, sell or otherwise dispose of, within this state, any securities
 3 coming within the provisions of this chapter on which the total pro-
 4 motion expense, including all commissions, discount on paper or other
 5 expense in marketing such securities exceeds ten per cent of the selling
 6 price thereof; provided, that any such company organized for the pur-
 7 pose of carrying on an industrial business within this state may expend
 8 for such purposes not to exceed fifteen per cent of such selling price;
 9 and provided, that in addition there may be paid all charter fees,
 10 franchise taxes, permit and certificate fees, attorney fees, and neces-
 11 sary expenditures for stationery and supplies. The agent's commission
 12 shall be paid to the agent only out of the purchase price of the stock and
 13 then only when and as such purchase price is paid by the purchaser.

[39 G. A., ch. 189, § 5.]

SEC. 5432-a3. Resale contracts.

1 No resale contract shall be entered into in the state of Iowa in
2 connection with the sale of any stock, bonds or other security contem-
3 plated by this chapter, unless such resale contract is in writing signed
4 by the parties and is accompanied by a performance bond in the penal
5 sum of at least twice the amount in such resale contract, which bond
6 shall be signed by himself and a responsible surety company authorized
7 to do business in Iowa.

[39 G. A., ch. 189, § 5.]

**SEC. 5433. Broker's annual permit—list of stocks filed—cancel-
lation of permit—investigation of securities—fee—bond—for-
feiture—amount of liability.**

1 The secretary of state may issue to any broker, or dealer in
2 stocks, bonds or other securities, an annual permit, which permit shall
3 entitle such stockbroker or dealer to sell, offer or negotiate for sale
4 any stocks, bonds or other securities within this state, except those
5 stocks, bonds or other securities, the sale of which would work a fraud
6 upon the purchaser; provided, however, that such stockbroker or
7 dealer shall file on the first and fifteenth day of each month a detailed
8 list of the stocks, bonds or other securities on hand for sale or listed
9 for sale by him, and also those sold by him during the preceding one-
10 half month and not previously reported; provided further, that the
11 secretary of state shall refuse to grant a permit, or shall cancel a per-
12 mit previously granted, to any such stockbroker or dealer when he
13 finds by investigation or otherwise that such stockbroker or dealer
14 is selling or offering for sale within this state any stocks, bonds or
15 other securities which would work a fraud upon the purchasers there-
16 of. In order that the secretary of state may determine the nature
17 and kind of securities to be sold and the character of the applicant,
18 he is authorized to make investigation as otherwise provided herein,
19 the expenses incurred thereby to be paid as provided in section fifty-
20 four hundred twenty-seven of this supplement. The applicant shall
21 also pay a fee of fifty dollars to the secretary of state for each of
22 said annual permits, which permit, unless sooner revoked by the see-
23 retary of state, shall expire on the first secular day of July of each
24 year. If said permit is issued after the first of January of any year,
25 the fee shall be reduced one-half.

26 Before being granted such permit by the secretary of state, the
27 stockbroker or dealer shall give a bond in the penal sum of five
28 thousand dollars to the state of Iowa, for the use and benefit of any
29 interested person, conditioned upon a strict compliance with this chap-
30 ter and the honest and faithful application of all funds received by
31 said broker, which bond shall be approved by the executive council
32 and filed with the secretary of state.

33 Said bond shall be further conditioned for the payment of all
34 damages suffered by any person damaged or defrauded by reason of
35 the violation of any of the provisions of this chapter, or by reason
36 of any fraud connected with or growing out of any transaction con-
37 templated by the provisions of this chapter.

38 Action may be brought upon said bond in the county where the
39 plaintiff resides, or in any county in which any of the defendants

40 may be sued, or in any county of the state wherein any of the trans-
41 actions relating to the subject matter of the action transpired.

[S. S., '15, § 1920-u16; 40 G. A., ch. 168.]

SEC. 5438. False representations punished—penalty.

1 Any person, firm, association, company or corporation, or any
2 agent or representative thereof, whether subject to the provisions of
3 this chapter or otherwise, that sells, offers for sale or negotiates for
4 the sale of any stocks, bonds, or other securities within this state,
5 and knowingly makes any false representations or statement as to the
6 nature, character or value of such security, or the amount of the earn-
7 ing power of such security whether in the nature of interest, dividends
8 or otherwise, or knowingly makes any false or fraudulent representa-
9 tion concerning the financial condition, the assets or the property of
10 the company, firm or corporation issuing said security, or knowingly
11 makes any other false or fraudulent representation to any person for
12 the purpose of inducing said person to purchase said security, or con-
13 ceals any material fact in the advertisement or prospectus of such
14 security for the purpose of defrauding the purchaser, or knowingly
15 violates any of the provisions of this chapter with intent to defraud,
16 shall be deemed guilty of a felony and upon conviction thereof shall
17 be punished by a fine of not less than five hundred dollars or more
18 than five thousand dollars or by imprisonment in the penitentiary or
19 reformatory for not more than five years or by both such fine and im-
20 prisonment.

[S. S., '15, § 1920-u21; 39 G. A., ch. 189, § 4.]

NOTE: The above section has been compiled by applying 39 G. A., ch. 189, § 4 to section 5438 of the compiled code instead of applying it to section 1920-u21 of the supplemental supplement to the code, 1915. This has been necessary in order to give the proper meaning to the section. The difficulty evidently came about because of the difference in the numbers of the lines in the two sections.

SEC. 5438-a1. Promotion by state officials and employees.

1 No state official or employee of the state of Iowa shall use his name
2 in his official capacity in connection with the indorsement or recom-
3 mendation of the organization or the promotion of any company or in
4 the disposal to the public of its securities, nor shall anyone use the sta-
5 tionery of the state of Iowa or of any official thereof in connection with
6 any such transaction. Whoever violates the aforesaid provision shall,
7 upon conviction, by any court of competent jurisdiction, be deemed
8 guilty of a misdemeanor and fined in any sum not to exceed five hun-
9 dred dollars or be punished by confinement in a county jail for not more
10 than ninety days, or by both such fine and imprisonment.

[39 G. A., ch. 189, § 5.]

SEC. 5439-a1. Contingent fund.

1 For the purpose of carrying the provisions of this chapter into
2 effect, and providing for the payment of necessary expenses not other-
3 wise provided for, there is hereby appropriated as a contingent fund
4 for the use of the secretary of state during each biennial period the
5 sum of twenty-five hundred dollars. Payments from said fund shall
6 be made on order of such secretary by warrant drawn by the auditor
7 of state against such fund upon the state treasurer, an itemized state-
8 ment of expense so incurred to be filed with the state board of audit.

[39 G. A., ch. 189, § 5.]

TITLE XVIII

INSURANCE

CHAPTER 1

INSURANCE DEPARTMENT

SECTION 5460. Appointment by governor—confirmation by senate—term—bond.

1 There shall continue to be a separate and distinct department of
2 the state government to be known as the insurance department of
3 Iowa and the chief officer of which shall be known as the commis-
4 sioner of insurance who shall be appointed by the governor and se-
5 lected solely with regard to his qualifications and fitness to discharge
6 the duties of the office.

7 The appointment shall be with the consent of two-thirds of the
8 members of the senate in executive session and, unless to fill a
9 vacancy, the commissioner shall hold office for a term of four years
10 and until his successor is duly appointed and qualified.

11 The appointment shall be made and confirmed by the senate at
12 the regular session of the general assembly prior to the expiration
13 of the term on the thirtieth day of June in the year nineteen hundred
14 twenty-seven and each fourth calendar year thereafter; provided
15 that the term of the commissioner of insurance who is in office on
16 the thirty-first day of January in the year nineteen hundred twenty-
17 seven shall be extended to the first day of July of that year. A va-
18 cancy in such office shall be filled by the governor only for the bal-
19 ance of the unexpired term.

20 No appointment shall be considered by the senate until the same
21 shall have been referred to a committee of five, not more than three
22 of whom shall belong to the same political party, to be appointed
23 by the president of the senate without formality of a motion, which
24 committee shall report to the senate in executive session, which re-
25 port shall be made at any time when called for by the senate. The
26 consideration of appointment by the senate shall not be had
27 on the same legislative day that the appointment is so referred.

28 He shall be subject to removal only under provisions of section
29 six hundred forty-eight of the compiled code.

30 Before entering upon the discharge of the duties of his office,
31 the commissioner of insurance shall give a bond in the penal sum
32 of twenty-five thousand dollars, conditioned as provided for in sec-
33 tion six hundred twelve of the compiled code, the same to be approved
34 by the executive council and filed in the office of the secretary of state.
35 He shall devote his entire time to the duties of his office.

[S., '13, § 1683-r; 39 G. A., ch. 209, § 15; 40 G. A., ch. 169.]

SEC. 5462. Deputy—bond—assistants.

1 The commissioner of insurance is hereby directed to appoint a
 2 deputy commissioner to assist him in his work, who shall serve dur-
 3 ing the pleasure of the commissioner of insurance. Before entering
 4 upon the duties of his office, the deputy commissioner shall give a bond
 5 in the penal sum of ten thousand dollars conditioned as provided in
 6 section six hundred twelve of the compiled code, the same to be ap-
 7 proved by the executive council and filed with the secretary of state.
 8 The commissioner of insurance is also empowered and directed to
 9 appoint such other clerks and assistants as shall be needed in the
 10 performance of the duties of his office; and he may contract such ex-
 11 penses as may be necessary in the performance of his official duties,
 12 including all actual and necessary expenses incurred in attending
 13 meetings of the insurance commissioners and such other expense as
 14 shall be approved by the executive council; but the total amount to be so
 15 expended for such contingent expenses shall not exceed the sum of one
 16 thousand dollars annually; and there is hereby appropriated out of any
 17 funds in the state treasury not otherwise appropriated two thousand
 18 dollars annually or so much thereof as may be necessary to meet the ex-
 19 penses thus incurred. All salaries of additional clerks and assistants
 20 herein provided for shall be paid in the same manner as are the salaries
 21 of other state officers out of the general revenues of the state and on
 22 the first day of each month all such salaries and other expenses as are
 23 indicated herein shall be paid by warrant drawn by the auditor of
 24 state upon the treasurer of state.

[S., '13, § 1683-r2: 39 G. A., ch. 209, § 16.]

SEC. 5463-a1. Supervision over organization, sale of stock and system of bookkeeping—certificate of compliance—promotion expenses.

1 The commissioner of insurance is hereby given supervision over
 2 the organization of domestic insurance corporations, and over all trans-
 3 actions leading up to the organization of such corporations, and also
 4 over the sale in the state of Iowa, of all stock, certificates or other evi-
 5 dences of interest, either by domestic or foreign insurance companies
 6 or organizations proposing to engage in any insurance business.

7 Neither the stock in an insurance company nor the membership in
 8 an insurance association in process of organization shall be sold or
 9 solicited until such company and association, and the promoters
 10 thereof, shall have first complied with all of the statutory provisions
 11 regulating the organization of such companies and associations, and
 12 also have secured from the commissioner of insurance a certificate of
 13 compliance indicating full compliance with the provisions of this
 14 section.

15 Before the commissioner of insurance shall issue such certificate
 16 of compliance, he shall first be satisfied with the general plan of such
 17 organization and the character of the advertising to be used; he shall
 18 also fix the time within * such organization shall be completed; he
 19 shall also prescribe the method of keeping books and accounts of such
 20 corporation and those of fiscal agents.

21 The maximum promotion expense which may be incurred, which
 22 shall in no case exceed fifteen per cent of the subscription price of said
 23 stock providing that an additional two and one-half per cent of the

24 subscription price of said stock may be used by the company for office
25 expense but no portion of such amount shall be used in the payment of
26 salaries for officers and directors before the issuance by the commis-
27 sioner of insurance of authority to transact an insurance business.

28 The commissioner of insurance shall have power to regulate all
29 other matters in connection with the organization of such domestic
30 corporations, and the sale of stock or the issuing of certificates by all
31 insurance corporations within the state of Iowa, to the end that fraud
32 may be prevented in the organization of such companies and the sale of
33 their stocks and securities. The provisions of this and the two follow-
34 ing sections shall apply to insurance corporations now organizing or
35 selling their stocks and securities within the state of Iowa.

[39 G. A., ch. 224, § 1.]

* "Which" apparently omitted.

SEC. 5463-a2. Violations—penalty—civil liability.

1 Any person, promoter, firm, association, company or corporation
2 coming within the provision of the preceding section, who shall fail to
3 comply with the provisions of said section, or with any order of the
4 commissioner of insurance made hereunder, or who shall otherwise
5 neglect or refuse to comply with any of such requirements, shall be
6 guilty of a misdemeanor, and upon conviction thereof shall be fined not
7 to exceed one thousand dollars and by imprisonment in the county jail
8 not to exceed six months. Those guilty of violating the provisions of
9 said section shall, in addition to the criminal punishment otherwise
10 imposed in said section, be liable to a penalty in the amount of corpora-
11 tion stock wrongfully sold in any insurance corporation in violation of
12 said section, and said penalty may be collected by civil suits brought
13 by and in the name of the several purchasers of such stock, instituted
14 in any court of competent jurisdiction. Any insurance corporation
15 selling stock or soliciting memberships without first complying with
16 the provisions of said section, shall not be granted a certificate of au-
17 thority to transact business within the state of Iowa from the commis-
18 sioner of insurance.

[39 G. A., ch. 224, § 2.]

SEC. 5463-a3. Appeal—procedure.

1 Any person, promoter, firm, association, company or corporation
2 aggrieved by any order made by the commissioner of insurance under
3 the provisions of this and the two preceding sections, shall have the
4 right to appeal to the district court at the seat of government, by the
5 service of a written notice of appeal on the commissioner of insurance
6 and the attorney general; and thereupon the cause may be docketed and
7 the case may be tried in the district court as a special equitable action
8 by the filing of such transcript and such pleadings as the court may
9 prescribe in order that an intelligent hearing may be had and a just
10 decision rendered thereon free from any technical objection or irregu-
11 larities in the matter of procedure or the introduction of evidence.

[39 G. A., ch. 224, § 3.]

SEC. 5470. Examiner — assistants — compensation — expenses — how paid.

1 The commissioner of insurance is hereby authorized to appoint
2 two insurance examiners, one of whom shall be an experienced actu-
3 ary, the other of whom shall be an experienced and competent fire in-
4 surance accountant, and who, while conducting examinations, shall
5 possess all the powers conferred upon the commissioner of insurance
6 for such purposes. Said examiners shall give bond to the state con-
7 ditioned upon the faithful performance of their duties, in the sum of
8 five thousand dollars, which bond shall be filed with and approved by
9 said commissioner. The entire time of the examiners shall be under
10 the control of the said commissioner, and shall be employed as he may
11 direct. The said commissioner may, when in his judgment it is ad-
12 visable, appoint assistants to aid in making examinations.

13 If in making any examination a situation develops which, in the
14 judgment of the commissioner, requires the services of an expert
15 examiner having special training and knowledge not possessed by the
16 regular examiners of the department, he may also employ such an
17 expert assistant examiner, who shall receive as full compensation for
18 such services the sum of not to exceed twenty-five dollars per day.

19 Said examiners and assistants and the said commissioner shall re-
20 ceive actual and necessary traveling, hotel and other expenses while
21 engaged in conducting examinations away from their respective places
22 of residence.

23 All bills for expenses of any examination, together with the com-
24 pensation of the assistants, shall be charged to and paid by the com-
25 panies examined, and upon failure or refusal of any company exam-
26 ined to pay such bill or bills, the same may be recovered in an action
27 brought in the name of the state under the direction of the executive
28 council, and the commissioner may also revoke the certificate of au-
29 thority of such company to transact business within this state.

30 All fees collected under the provisions of this chapter shall be
31 paid to the commissioner of insurance and shall be by him turned into
32 the state treasury as are other fees of his office.

[S., '13, § 1821-c; 38 G. A., ch. 348, § 14; 39 G. A., ch. 209,
§ 17.]

CHAPTER 1-A

STOCK OF INSURANCE COMPANIES

SECTION 5476-a1. Sale of stock as inducement to insurance.

1 No insurance company shall issue in this state, nor permit its
2 agents, officers or employees to issue in this state its own stock, agency
3 company stock or other stock or securities, or any special or advisory
4 board or other contract of any kind promising returns and profits as
5 an inducement to insurance.

6 No insurance company shall be authorized to do business in this
7 state which issues or permits its agents, officers or employees to issue
8 in the state of Iowa or in any other state or territory, agency com-

9 pany stock or other stock or securities, or any special advisory board
10 or other contract of any kind promising returns and profits as an in-
11 ducement to insurance.

12 No corporation or stock company, acting as an agent of an insur-
13 ance company, nor any of its agents, officers or employees, shall be
14 permitted to agree to sell, offer to sell or give, or offer to give, directly
15 or indirectly, in any manner whatsoever, any share of stock, securi-
16 ties, bonds or agreement of any form or nature, promising returns
17 and profits as an inducement to insurance, or in connection therewith.

18 Provided that nothing herein contained shall impair or affect in
19 any manner any such contracts issued or made as an inducement to
20 insurance prior to the enactment hereof, or prevent the payment of
21 the dividends or returns therein stipulated to be paid. Provided, fur-
22 ther, that the provisions of this chapter shall not apply to any existing
23 Iowa corporation to whom a certificate of authority has been issued
24 by the commissioner of insurance for the year nineteen hundred
25 twenty-one and for the period covered by such certificate.

26 It shall be the duty of the commissioner upon being satisfied that
27 any insurance company, or any agent thereof, has violated any of the
28 provisions of this section, to revoke the certificate of authority of the
29 company or agent so offending.

[39 G. A., ch. 181, § 1.]

CHAPTER 2

LIFE INSURANCE COMPANIES

SECTION 5478. Stock companies—capital.

1 Stock companies organized to transact business under the pro-
2 visions of this chapter shall have not less than one hundred thou-
3 sand dollars of capital stock paid up in cash and when first authorized
4 to write insurance shall have a cash surplus in an amount equal to
5 twenty-five per cent of the paid-up capital stock, which capital stock
6 shall be invested as provided by section fifty-five hundred thirty-two
7 of the compiled code, and such securities shall be deposited with the
8 commissioner of insurance and when such deposit is made and evi-
9 dence furnished, by affidavit or otherwise, satisfactory to the com-
10 missioner that the capital stock is all fully paid and the company
11 possessed of the surplus required and that the company is the actual
12 and unqualified owner of the securities representing the paid-up
13 capital stock or other funds of the company, and all laws have been
14 complied with, he shall issue to such company the certificate herein-
15 after provided for.

16 No part of the capital or other funds shall be loaned directly or
17 indirectly to any officer, director, stockholder or employee of the
18 company or directly or indirectly to any relative of any officer or di-
19 rector of such company.

20 No such company shall make any loan upon its own stock as
21 collateral, or directly or indirectly make any loan to or invest any of
22 its funds in the property of any corporation, firm, association or
23 trustees of which any officer or director of the insurance company is

24 also an officer, director, stockholder, member or trustee of such
25 other corporation, firm, association, or trustees.

[C., '73, § 1162; C., '97, § 1769; 39 G. A., ch. 261, § 2; 40
G. A., ch. 263.]

SEC. 5480. Stock or premium notes.

[Repealed by 39 G. A., ch. 261, § 3.]

SEC. 5493. Medical examination.

1 The commissioner of insurance shall decline to approve any such
2 form of policy or contract of insurance unless the same shall, in all
3 respects, conform to the laws of this state applicable thereto, and
4 unless the issuance of the same is based upon a satisfactory medical
5 examination of the applicant by a physician duly authorized to prac-
6 tice medicine or by an osteopathic physician duly authorized to prac-
7 tice osteopathy in the state of Iowa, or the state where examined and
8 no policy or contract of insurance shall be issued by any insurance
9 company to any individual in this state until such examination shall
10 have been passed and duly approved by the medical examiner or med-
11 ical board of such company.

12 Provided, that no medical examination of any person to be in-
13 sured under an industrial policy shall be required or be necessary
14 when the amount of the policy of insurance is five hundred dollars
15 or less.

[S. S., '15, § 1783-b; 39 G. A., ch. 223, § 1.]

SEC. 5495. Life insurance companies may write other insurance.

1 Any life insurance company organized on the stock or mutual
2 plan and authorized by its charter or articles of incorporation so to
3 do, may in addition to such life insurance, insure, either individually
4 or on the group plan, the health of persons and against personal in-
5 juries, disablement or death, resulting from traveling or general acci-
6 dents by land or water, and insure employers against loss in conse-
7 quence of accidents or casualties of any kind to employees or other
8 persons, or to property resulting from any act of the employee or any
9 accident or casualty to persons or property, or both, occurring in or
10 connected with the transaction of their business, or from the opera-
11 tion of any machinery connected therewith, but nothing herein con-
12 tained shall be construed to authorize any life insurance company to
13 insure against loss or injury to person, or property, or both, growing
14 out of explosion or rupture of steam boilers. Every life insurance
15 company issuing a separate policy, or maintaining a separate depart-
16 ment, for the purpose of writing any of the classes of insurance au-
17 thorized by this section shall also be subject to all of the provisions
18 applicable to companies authorized to write a similar kind of insur-
19 ance under the provisions of chapter seven of title eighteen.

[S., '13, § 1783-d; 38 G. A., ch. 348, § 8; 39 G. A., ch. 133.]

SEC. 5496. Capital stock—minimum amount.

1 No insurance company other than life shall be incorporated to
2 transact business upon the stock plan with less than two hundred
3 thousand dollars capital, the entire amount of which shall be fully
4 paid up in cash and invested as provided by law.

5 No part of the capital referred to, shall be loaned to any officer
6 or stockholder of the company.

7 No increase of the capital stock of any company shall be made
8 unless the amount of said increase is fully paid up in cash. Such
9 company shall be possessed of a surplus in cash or invested in se-
10 curities authorized by law, equal to twenty-five per cent of such paid
11 up and outstanding capital at the time certificate of authority is first
12 applied for and issued.

[S., '13, § 1783-e; 39 G. A., ch. 261, § 4.]

SEC. 5498. Companies heretofore organized.

[Repealed by 39 G. A., ch. 261, § 5.]

SEC. 5500. Penalties.

1 Any person, firm or corporation violating any of the provisions
2 of section fifty-four hundred ninety-nine of the compiled code or
3 section fifty-four hundred ninety-six of this supplement, or failing
4 to comply with any of the provisions therein, shall be subjected to
5 the penalties provided in section fifty-four hundred seventy-one of
6 the compiled code.

[S., '13, § 1783-h.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted in order to eliminate reference to section 5498, which has been repealed.

CHAPTER 4

ASSESSMENT LIFE INSURANCE

SECTION 5509. Articles of incorporation—certificates.

1 "Certificates of membership" or "certificate", when used in this
2 chapter with respect to the insurance of the members, shall be taken
3 to mean and include policy of insurance. The articles of incorpora-
4 tion and by-laws of any such association shall show its plan of busi-
5 ness, and be submitted to the commissioner of insurance and the at-
6 torney general, and if they are found by those officers to comply with
7 the provisions of this title, chapter and of law, they shall approve the
8 same. When the articles are thus approved, they shall be recorded
9 in the office of the secretary of state, and a notice published within
10 ninety days in the manner and for the time provided in the general
11 incorporation laws.

[C., '97, § 1785; 39 G. A., ch. 58, § 1.]

SEC. 5512. Assessments.

1 The articles and by-laws of each such association shall state the
2 objects to which the money to be collected is to be devoted, and no
3 part of the proceeds thereof shall be applied to any other purpose
4 than as stated, and the excess, if any, beyond payment of the benefit,
5 shall be set aside and applied only to like purposes, except that all
6 sums collected for expenses and not used for that purpose may be
7 transferred to the benefit, emergency or reserve fund.

[C., '97, § 1788; S., '13, § 1788; 40 G. A., ch. 171, § 1.]

SEC. 5513. Insurable age—beneficiary—assignment of policy.

1 No association organized or operating under this chapter shall
 2 issue a certificate of membership to any person under fifteen nor over
 3 sixty-five years of age, nor unless the beneficiary named in the cer-
 4 tificate is the husband, wife, relative, legal representative, heir, cred-
 5 itor or legatee of the insured member, nor shall any such certificate
 6 be assigned. Any certificate issued or assignment made in violation
 7 of this section shall be void. The beneficiary named in the certificate
 8 may be changed at any time at the pleasure of the assured, as may be
 9 provided for in the articles or by-laws, but no certificate issued for
 10 the benefit of a wife or children shall be thus changed so as to become
 11 payable to the creditors; provided that the foregoing provisions of
 12 this section shall not be applicable except as to certificates issued
 13 prior to July fourth, nineteen hundred twenty-three, to life associa-
 14 tions organized and operating under this chapter issuing life insurance
 15 policies or certificates of membership, and any member or policy-
 16 holder in any such life association shall have the right to designate
 17 his beneficiary, and unless the policy is issued without the right of
 18 revocation, shall have the right to change the beneficiary in the man-
 19 ner authorized by the rules, laws and regulations of the association,
 20 or as may be provided in the policy contract; and no beneficiary under
 21 any policy shall have or obtain any vested right or interest in the
 22 death benefits to be payable under said policy, until such benefits
 23 shall become due and payable after the death of the insured.

[C., '97, § 1789; 40 G. A., ch. 171, § 2.]

SEC. 5518. Foreign companies.

1 Any association organized under the laws of any other state to
 2 carry on the business of insuring the lives of persons, or of furnishing
 3 benefits to the widows, orphans, heirs or legatees of deceased mem-
 4 bers, or of paying accident indemnity, or surrender value of certifi-
 5 cates of insurance, upon the stipulated premium plan or assessment
 6 plan, may be permitted to do business in the state by complying with
 7 the requirements hereinafter made, but not otherwise.

8 It shall file with the commissioner of insurance a copy of its char-
 9 ter or articles of incorporation, duly certified by the proper officers
 10 of the state wherein it was organized, together with a copy of its by-
 11 laws, application and policy or certificate of membership.

12 It shall also file with the commissioner a statement, signed and
 13 verified by its president and secretary, which shall show the name
 14 and location of the association, its principal place of business, the
 15 names of its president, secretary and other principal officers, the num-
 16 ber of certificates or policies in force, the aggregate amount insured
 17 thereby, the amount paid to beneficiaries in the event of death or
 18 accident, the amount paid on the last death loss and the date thereof,
 19 the amount of cash or other assets owned by the association and how
 20 invested, and any other information which the commissioner may re-
 21 quire.

22 The statement, papers and proofs thus filed shall show that the
 23 death loss or surrender value of the certificate of insurance or acci-
 24 dent indemnity is in the main provided for by assessments upon or
 25 contributions by surviving members of such association, and that it
 26 is legally organized, honestly managed, and that an ordinary assess-

27 ment upon its members or other regular contributions to its mortuary
28 fund are sufficient to pay its maximum certificate to the full limit
29 named therein.

30 Upon its complying with the provisions of this section, and of
31 section fifty-five hundred thirty-four of the compiled code, and the
32 payment of twenty-five dollars, the commissioner shall issue to it a
33 certificate of authority to do business in this state, provided the same
34 right is extended by the state in which said association is organized
35 to associations of the same class in this state.

36 When the commissioner doubts the solvency of any foreign asso-
37 ciation, and the failure to pay the full limit named in its certificate
38 or policy shall be such evidence of its insolvency as to require the
39 commissioner to investigate it, he shall for this or other good cause,
40 at the expense of such association, cause an examination of its books,
41 papers and business to be made, and if upon such examination he
42 finds that the association is not financially sound, or is not paying its
43 policies or certificates in full, or is conducting its business fraudu-
44 lently, or if it shall fail to make the statement required by law, he
45 may revoke its authority and prohibit it from doing business until
46 it shall again comply with the provisions of this chapter.

47 If the commissioner appoints someone not receiving a regular
48 salary in his office to make this examination, such examiner shall
49 receive ten dollars per day for his services in addition to his actual
50 traveling and hotel expenses, to be paid by the association examined,
51 or by the state on the approval of the executive council, if the asso-
52 ciation fails to pay the same.

53 The provisions of this section shall apply to fraternal beneficiary
54 associations doing exclusively an accident insurance business, and
55 upon compliance with the provisions of this chapter, and the provi-
56 sions of chapter five of title eighteen, so far as the same are appli-
57 cable, such associations may be authorized to transact business within
58 this state.

[C., '97, § 1794; S., '13, § 1794; 39 G. A., ch. 58, § 2.]

**SEC. 5523. Organizations prohibited — valuation of policies —
separate class of policyholders.**

1 No life, health or accident insurance company or association,
2 other than fraternal beneficiary associations, which issues contracts,
3 the performance of which is contingent upon the payment of assess-
4 ments of call made upon its members, shall do business within this
5 state except such companies or associations as are now [March 23,
6 1907] authorized to do business within this state and which, if a
7 life insurance company or association, shall value their assessment
8 policies or certificates of membership as yearly renewable term poli-
9 cies according to the standard of valuation of life insurance policies
10 prescribed by the laws of this state; provided, however, that the
11 insurance commissioner of this state may authorize any health or
12 accident insurance company or association organized under the laws
13 of any other state or territory, to do business in this state, if, under
14 the laws of such state or territory health and accident insurance
15 companies or associations organized under the laws of this state are
16 permitted to do business in such state. The provisions of this section
17 shall not apply to unincorporated assessment associations now exist-
18 ing in this state, and having policyholders or certificates of member-

19 ship numbering not less than two hundred fifty, and which were or-
 20 ganized or in existence in this state as such unincorporated assess-
 21 ment associations prior to March twenty-third, nineteen hundred
 22 seven; but any such unincorporated assessment association now ex-
 23 isting in this state, having policyholders or certificates of member-
 24 ship numbering not less than two hundred fifty and which were or-
 25 ganized or in existence in this state prior to March twenty-third,
 26 nineteen hundred seven, may, by becoming hereafter incorporated
 27 in this state, and complying with the provisions of this chapter, be-
 28 come entitled to all of the privileges hereof, in which event it shall be-
 29 come amenable to the provisions of this chapter as far as they are
 30 applicable.

31 Any life insurance association, other than fraternal beneficiary
 32 associations, incorporated and doing business under the provisions
 33 of this chapter, may establish a separate class of members or policy-
 34 holders to whom it may issue certificates or policies of insurance
 35 on the legal reserve or level premium plan, provided that all such
 36 policies on the legal reserve or level premium plan shall be valued on a
 37 basis not lower than the valuations required for insurance companies
 38 operating on the level premium or the natural premium plan under
 39 the provisions of chapter two, title eighteen of the compiled code and
 40 amendments thereto. The net cash value of all policies in force on
 41 the legal reserve or level premium plan in any such association shall
 42 be ascertained in accordance with the basis of valuations which shall
 43 be adopted for said policies, and the amount of such ascertained val-
 44 uation, and all other amounts which shall be accumulated and held
 45 in trust for the benefit of members or policyholders of any class or
 46 held for the purpose of fulfilling any contract in its policies or cer-
 47 tificates, shall be invested in the securities provided in section fifty-
 48 five hundred thirty-two of the compiled code, and deposited with the
 49 commissioner of insurance as therein provided.

50 An amount of the funds herein provided for, not less than the
 51 reserve valuation required to be maintained on all such policies on
 52 the legal reserve or level premium plan, shall be held at all times for
 53 the exclusive use and benefit of the class of policyholders having
 54 policies on said legal reserve or level premium plan.

[S., '13, § 1798-a; 37 G. A., ch. 234, § 1; 37 G. A., ch. 413, §
 1; 40 G. A., ch. 171, § 3.]

CHAPTER 6

FRATERNAL BENEFICIARY SOCIETIES, ORDERS OR ASSOCIATIONS

SECTION 5556. Insurable age—beneficiary.

1 No fraternal association created or organized under the provi-
 2 sions of this Chapter shall issue any certificate of membership to any
 3 person under the age of fifteen years, nor over the age of sixty-five
 4 years, nor unless the beneficiary under said certificate shall be the
 5 wife, husband, relative by blood to the fourth degree, father-in-law,
 6 mother-in-law, son-in-law, daughter-in-law, step-father, step-mother,
 7 step-children, children by legal adoption, legal representative or to a
 8 person or persons dependent upon the member; provided that if after

9 the issuance of the original certificate the member shall become de-
10 pendent upon an incorporated charitable institution, he shall have the
11 privilege, with the consent of the governing body or board of the
12 society, to make such institution his beneficiary. Within the above
13 restrictions each member shall have the right to designate his bene-
14 ficiary and from time to time have the same changed in accordance
15 with the laws, rules or regulations of the society, and no beneficiary
16 shall have or obtain any vested interest in said benefit until the same
17 has become due and payable upon the death of said member, provided
18 that any society may, by its laws, limit the scope of beneficiaries with-
19 in the above classes; provided further, that any association or so-
20 ciety, whose articles of incorporation, or constitution, or rules, or by-
21 laws, provide that at the time of the admission to membership into
22 such society, every member, when joining shall belong to one occu-
23 pation or guild, may become a beneficiary as may be provided in its
24 articles of incorporation, or constitution, or rules, or by-laws.

[C., '97, § 1824; 38 G. A., ch. 240, § 1; 39 G. A., ch. 240.]

SEC. 5564. Annual certificate—amount of insurance required.

1 Before any beneficiary society, order or association shall be au-
2 thorized to commence business within this state, it shall submit to
3 the commissioner of insurance its by-laws or rules by which it is to
4 be governed, and also its articles of incorporation, if a corporation,
5 which shall include its plan of business. The commissioner shall
6 thereupon submit its articles of incorporation to the attorney general
7 for examination, and if found by him to be in harmony with this
8 title, chapter and with law, he shall so certify upon said articles and
9 return them to the commissioner. If the commissioner shall approve
10 the articles and also the by-laws or rules, he shall issue to the society,
11 order or association a permit in writing, authorizing it to transact
12 business within this state for a period of one year from the first day
13 of April of the year of its issue, for which certificate and all proceed-
14 ings in connection therewith, there shall be paid to the commissioner
15 a fee of twenty-five dollars, and for each annual renewal thereof a
16 like fee shall be paid; provided, however, that before such certificate
17 shall be issued, the fraternal society, order or association shall have
18 actual bona fide applications upon the lives of at least five hundred
19 persons, residents of this state, for at least one thousand dollars of
20 insurance each, and the commissioner may require the presentation
21 of such applications, signed by the applicants themselves. No renewal
22 of certificate of authority shall be made to any society, order, or asso-
23 ciation whose membership, in good standing, or the amount of whose
24 insurance in force shall be reduced below the above requirements.
25 Societies, orders or associations not organized under the laws of this
26 state, in addition to the requirements of the provisions of section
27 fifty-five hundred sixty-one of the compiled code must also comply
28 with all of the provisions of this chapter, except as to the residence
29 of membership; provided that no such society, order or association
30 shall be authorized to transact business within this state unless it
31 shall be shown to have actual members, in good standing, of at least
32 one thousand, and at least one million dollars of insurance in force.

[C., '97, § 1832; S., '13, § 1832; 39 G. A., ch. 270.]

SEC. 5573. Examination.

1 The commissioner of insurance may, at any time he may deem it
 2 advisable, either in person or by his legally appointed representative,
 3 make an examination of or inquire into the affairs of any fraternal
 4 beneficiary association authorized or seeking to be authorized to trans-
 5 act business within this state, provided the examination of associa-
 6 tions organized under the laws of this state shall not be less frequent
 7 than once during each biennial period.

[S., '13, § 1839-b; 38 G. A., ch. 348, § 12; 39 G. A., ch. 209,
 § 18.]

SEC. 5576. Expenses—how paid.

1 In addition to the compensation of the assistants, the commis-
 2 sioner of insurance or examiner and assistants shall be entitled to
 3 actual and necessary traveling, hotel and other expenses while con-
 4 ducting examinations away from their respective places of residence,
 5 the same to be paid by the treasurer of state upon warrants drawn
 6 by the auditor of state, bills therefor having been filed under oath
 7 and approved by the state board of audit. Such expense and com-
 8 pensation shall, by the commissioner, be charged to and collected from
 9 the associations examined and should any association neglect or re-
 10 fuse to pay the same, the commissioner shall at once revoke its cer-
 11 tificate of authority to transact business within this state.

[S., '13, § 1839-e; 39 G. A., ch. 209, § 19.]

CHAPTER 6-A
**VALUATION OF SECURITIES OF LIFE INSURANCE COMPANIES AND
 ASSOCIATIONS**
SECTION 5597-a1. Rule of valuation.

1 All bonds or other evidences of debt having a fixed term and
 2 rate held by any life insurance company, assessment life association
 3 or fraternal beneficiary association authorized to do business in this
 4 state may, if amply secured and not in default as to principal and
 5 interest, be valued as follows:

- 6 1. If purchased at par, at the par value.
- 7 2. If purchased above or below par, on the basis of the purchase
 8 price adjusted so as to bring the value to par at maturity and so as
 9 to yield in the meantime the effective rate of interest at which the
 10 purchase was made.

11 Provided that the purchase price shall in no case be taken at a
 12 higher figure than the actual market value at the time of purchase.

13 The commissioner of insurance shall have full discretion in de-
 14 termining the method of calculating values according to the foregoing
 15 rule.

[39 G. A., ch. 198.]

CHAPTER 6-B

FRATERNAL CHARITABLE INSTITUTIONS

SECTION 5597-a2. Powers granted.

1 It shall be lawful for any fraternal beneficiary society, order or
2 association now organized and existing or hereafter organized under
3 and by virtue of the laws of the state of Iowa, or any such society,
4 order or association organized and existing under and by virtue of
5 the laws of any other state, province or territory, and now or here-
6 after admitted to do business within this state, to create, maintain
7 and operate, for the benefit of its sick, disabled or distressed mem-
8 bers and their families and dependents, out of any general, special
9 or expense fund, and from any voluntary contributions it may receive
10 therefor, hospitals, asylums, sanatoriums, schools or homes, and for
11 such purpose any such society, order or association may own, hold,
12 lease, mortgage, sell and convey personal property and real property
13 located within or without this state, with necessary buildings there-
14 on; provided that the amount of the general, special or expense fund
15 to be expended, as herein provided, shall not exceed such amounts
16 as shall have been or shall be, from time to time, authorized by the
17 legislative or supreme governing body of such society, order or asso-
18 ciation; provided further, that maintenance, treatment, training and
19 proper attendance in any such hospital, asylum, sanatorium, school or
20 home may be furnished free, or a reasonable charge may be made
21 therefor, but no such hospital, asylum, sanatorium, school or home
22 shall be operated for profit; provided further, that no part of the
23 cost or expense of creating, maintaining or operating any such hos-
24 pital, asylum, sanatorium, school or home shall be defrayed or paid
25 out of the mortuary, sick, disability or benefit funds of any such
26 society.

27 The management of such institutions shall be in such officers
28 as the supreme governing body may designate, and such officers may
29 or may not be members of the society, order or association.

[40 G. A., ch. 172, § 1.]

SEC. 5597-a3. Legal standing.

1 Any such hospital, asylum, sanatorium, school or home, when
2 established in the manner provided by this chapter, is hereby de-
3 clared to be a charitable institution, with all the rights, benefits, and
4 privileges given to charitable institutions under and by the consti-
5 tution and laws of the state of Iowa, and such hospital, asylum, sana-
6 torium, school or home is hereby declared to be competent to be
7 named and to take as beneficiary in and by the benefit certificate
8 of any member of such society, order or association.

[40 G. A., ch. 172, § 2.]

SEC. 5597-a4. Supervisory powers of commissioner.

1 The commissioner of insurance shall have the same powers, su-
2 pervision, and control over such hospitals, asylums, sanatoriums,
3 schools and homes erected by any such society incorporated in this
4 state, as he now has, or may hereafter legally exercise over fraternal
5 beneficiary societies organized or transacting business in this state.
6 Whenever the commissioner of insurance finds that any such hospi-
7 tal, asylum, sanatorium, school or home erected by such domestic so-

8 ciety is being mismanaged or that the interest of the society or pub-
 9 lic requires it, the commissioner may direct an order to the officers
 10 responsible for such mismanagement or in control of such institution
 11 with reference to such mismanagement, and if such officers refuse,
 12 neglect or fail to comply with such order within the time fixed by
 13 the commissioner of insurance, the commissioner shall communicate
 14 the fact to the attorney general, who shall proceed in the manner
 15 provided for in section fifty-five hundred seventy-five of the compiled
 16 code as amended, or the court may remove such officers guilty of mis-
 17 management and appoint others until the society may regularly elect
 18 or select other officers to succeed those deposed.

[40 G. A., ch. 172, § 3.]

CHAPTER 6-C

MUTUAL BENEFIT SOCIETIES

SECTION 5597-a5. Exemption.

1 Unless specific reference is made thereto, no provision of title
 2 eighteen of the compiled code and of this supplement, now in force or
 3 hereafter enacted, shall include or apply to domestic societies which
 4 limit their membership to the employees of:

- 5 1. A particular city or town, or
- 6 2. A designated firm, business house or corporation.

[40 G. A., ch. 170, § 1.]

SEC. 5597-a6.

1 The commissioner of insurance may require from any society
 2 such information as will enable him to determine whether such so-
 3 ciety is exempt from the provisions of the laws relating to insurance
 4 or to fraternal benefit societies.

[40 G. A., ch. 170, § 2.]

CHAPTER 7

INSURANCE OTHER THAN LIFE

SECTION 5605. Capital required.

1 No stock company shall be incorporated under the provisions of
 2 this chapter with a less capital than fifty thousand dollars, as may be
 3 specified in the articles of incorporation, which stock shall be divided
 4 into shares of one hundred dollars each, of which capital not less
 5 than twenty-five per cent, and in no case less than twenty-five thou-
 6 sand dollars, shall be paid up in cash. The balance of the capital may
 7 consist in the bonds or notes of solvent stockholders.

[C., '73, § 1124; C., '97, § 1691; 40 G. A., ch. 173, § 1.]

SEC. 5619. Annual meetings.

1 The annual meetings for the election of directors shall be held
 2 during the month of January, at such time as the by-laws of the com-
 3 pany may direct; but if for any cause no election is held, or there is a
 4 failure to elect at any annual meeting, then a special meeting for that
 5 purpose shall be held on the call of a majority of the directors, or of

6 those persons holding a majority of the stock, or of a majority of
 7 policyholders if a mutual company, by giving thirty days' notice
 8 thereof in some newspaper of general circulation in the county in which
 9 the principal office of the company is located, and the directors chosen
 10 at any such annual or special meeting shall continue in office until the
 11 next annual meeting, and until their successors are elected and have
 12 accepted, except that a company may in its articles of incorporation
 13 provide that the board of directors be divided into classes holding for
 14 a term of not to exceed three years and providing for the election
 15 of the members of one class at each annual meeting.

[C., '73, § 1127; C., '97, § 1696; 40 G. A., ch. 174.]

SEC. 5622. Funds invested.

1 Any company organized under this chapter shall invest its capi-
 2 tal and funds in the following described securities and no other:

3 1. The bonds of the United States or federal farm loan bonds
 4 issued under the provisions of the act of congress approved July
 5 seventeenth, nineteen hundred sixteen.

6 2. The bonds of this state or any other state when such bonds
 7 are at or above par.

8 3. Bonds or other evidences of indebtedness of any county, city,
 9 town or school district within the state or any other state, drainage
 10 district bonds of this state, improvement certificates issued by any
 11 municipal corporation of this state, such certificates being a first lien
 12 upon real estate within the corporate limits of the municipality issuing
 13 the same, where such bonds or other evidences of indebtedness are
 14 issued by authority of and according to law and bearing interest.

15 4. Bonds and mortgages and other interest-bearing securities
 16 being first liens upon real estate within this state or any other state
 17 worth at least double the amount loaned thereon and secured thereby
 18 exclusive of improvements, or two and one-half times such amount
 19 including the improvements thereon, but no such improvement shall
 20 be considered in estimating the value unless the owner shall contract
 21 to keep the same insured during the life of the loan, in some reliable
 22 fire insurance company or companies authorized to do business in the
 23 state, other than the company making the investment, in a sum at
 24 least double the excess of the loan above one-half the value of the
 25 ground exclusive of the improvements, the insurance to be made pay-
 26 able in case of loss to the company or association investing its funds,
 27 as its interest may appear at the time of loss; except that the surplus
 28 funds may be invested in stocks other than bank stock or in bonds or
 29 other evidences of indebtedness of any solvent dividend-paying cor-
 30 poration organized under the laws of any of the states, or of the
 31 United States, or may be loaned thereon upon pledge thereof, at not
 32 exceeding eighty per cent of their current market value, but no in-
 33 vestment shall be made in the company's own stock.

[C., '73, § 1130; C., '97, § 1699; S., '13, § 1699; 40 G. A.,
 ch. 175.]

SEC. 5623. Financial statements—examinations—certificate of authority.

1 After complying with the requirements of the preceding sections
 2 of this chapter, the company shall file with the commissioner of in-
 3 surance a satisfactory detailed statement showing the financial con-

4 dition of the company, including all transactions had during its or-
 5 ganization, together with a record of all moneys received and dis-
 6 bursed, a list of the stockholders, the amount of stock purchased by
 7 each, and the price paid, and such commissioner may appoint in writ-
 8 ing some disinterested person to make an examination and if it shall
 9 be found that the capital or assets herein required of the company
 10 named, according to the nature of the business proposed to be trans-
 11 acted by such company, have been paid in, and are now possessed by
 12 it in money or such stock, bonds and mortgages as are required by
 13 the preceding sections of this chapter, he shall so certify; but if the
 14 examination is made by another than the commissioner, the certifi-
 15 cate shall be by him, and under his oath.

16 The incorporators or officers of any such company, or proposed
 17 company, shall be required to state to the commissioner of insurance
 18 under oath that the capital or assets exhibited to the person making
 19 the examination are actually and in good faith the property of the
 20 company examined, and free and clear of any lien or claim on the part
 21 of any other person.

22 The certificate of examination of a mutual company shall be to
 23 the effect that it has received and has in its actual possession:

24 1. The cash premiums.

25 2. Actual contracts of insurance upon property, belonging to the
 26 signers thereof, and upon which the insurance applied for can prop-
 27 erly be issued.

28 3. Other securities, as the case may be, to the extent and value
 29 hereinbefore required.

30 The incorporators or officers of such mutual company shall file
 31 the statement under oath required of stock companies.

32 The certificate and statements above contemplated shall be filed
 33 in the insurance department and the commissioner of insurance shall
 34 deliver to the company a copy of the report of the examination, in
 35 the event one is made, together with his written permission for it to
 36 commence the business proposed in its articles of incorporation, which
 37 permission shall be its authority to commence business and issue
 38 policies.

39 Such certificate of authority shall expire on the first day of
 40 April next succeeding its issue, and shall be renewed annually so long
 41 as such company shall transact business in accordance with the re-
 42 quirements of law; a copy of which certificate, when certified to by
 43 the commissioner of insurance, shall be admissible in evidence for
 44 or against a company with the same effect as the original.

[C., '73, § 1131; C., '97, § 1700; 37 G. A., ch. 429, § 14; 40
 G. A., ch. 176, § 3.]

SEC. 5625. Dividends—reserve funds.

1 The directors or managers of a stock company incorporated under
 2 the laws of this state shall make no dividends, except from the profits
 3 arising from their business, and in estimating the profits, a reserve
 4 for unearned premiums as set out in the following section, also a
 5 reserve for unpaid losses, expenses and taxes which have been in-
 6 curred shall be set up; and there shall also be held as nonadmitted
 7 assets all sums due the corporation on bonds and mortgages, bonds,
 8 stocks and book account, of which no part of the principal or interest
 9 thereon has been paid during the year preceding such estimate of

10 profits, and upon which suit for foreclosure or collection has not been
 11 commenced, or which, after judgment has been obtained thereon, shall
 12 have remained more than two years unsatisfied, and on which in-
 13 terest has not been paid; and such judgment with the interest due
 14 or accrued thereon and remaining unpaid, shall also be so held. Any
 15 dividend made contrary to these provisions shall subject the com-
 16 pany making it to forfeiture of its franchise.

[C., '73, § 1136; C., '97, § 1702; 39 G. A., ch. 190, § 1.]

SEC. 5625-a1. Unearned premium reserve—computation.

1 The policy liability of any company or association, transacting
 2 business under the provisions of this chapter, and the amount such
 3 company or association shall hold as a reserve for unearned premiums,
 4 shall be computed in the following manner:

5 1. On all policies written or renewed prior to January first, nine-
 6 teen hundred twenty-two, there shall be held as such unearned pre-
 7 mium reserve an amount equal to forty per cent of the aggregate
 8 gross premiums written in all policies in force, less deductions for
 9 reinsurance in authorized companies or associations.

10 2. On all policies written or renewed on and after January first,
 11 nineteen hundred twenty-two, and running one year or less from date
 12 of policy or last renewal thereof, shall be held as such unearned pre-
 13 mium reserve an amount equal to fifty per cent of the aggregate gross
 14 premiums written in all policies in force, less deductions for reinsur-
 15 ance in authorized companies or associations.

16 3. On all policies written or renewed on and after January first,
 17 nineteen hundred twenty-two, and running for more than one year,
 18 and not exceeding five years, from date of policy or last renewal
 19 thereof there shall be held as such unearned premium reserve an
 20 amount of the aggregate gross premiums written in all policies in
 21 force, less deductions for reinsurance in authorized companies or as-
 22 sociations, computed in accordance with the following table:

Term for which Policy was written.	Reserve for Unearned Premium.	
Two years	1st year	3-4
	2nd year	1-4
Three years	1st year	5-6
	2nd year	1-2
	3rd year	1-6
Four years	1st year	7-8
	2nd year	5-8
	3rd year	3-8
	4th year	1-8
Five years	1st year	9-10
	2nd year	7-10
	3rd year	1-2
	4th year	3-10
	5th year	1-10

23 4. On all policies written or renewed on and after January first,
 24 nineteen hundred twenty-two, and running for more than five years
 25 from date of policy or last renewal thereof, there shall be held as such
 26 unearned premium reserve an amount of the aggregate gross pre-
 27 miums, less deductions for reinsurance in authorized companies or
 28 associations equal to the pro rata unearned premium on all policies
 29 in force. The term pro rata used herein shall be such proportion
 30 of the gross premiums on policies in force as the number of months
 31 unexpired bears to the total number of months for which the policy
 32 was written.

33 5. On all policies written or renewed and for which any premium
 34 has been received which would continue a policy in force for a period
 35 beyond the term for which it was written, or term covered by last
 36 renewal thereof, there shall be held as such unearned premium re-
 37 serve an amount equal to one hundred per cent of such premium on
 38 all policies in force.

39 6. Mutual companies or associations, organized, or doing business
 40 under this chapter, shall hold as a reserve for unearned premiums an
 41 amount equal to at least forty per cent of the aggregate gross pre-
 42 miums written in all policies in force less deductions for reinsurance
 43 in authorized companies or associations.

[C., '73, § 1136; C., '97, § 1702; 39 G. A., ch. 190, § 1.]

SEC. 5627. Kinds of insurance—limitation of risk.

1 Any company organized under this chapter or authorized to do
 2 business in this state may:

3 1. Insure dwelling houses, stores, and all kinds of buildings and
 4 household furniture, and other property against loss or damage, in-
 5 cluding loss of use or occupancy, by fire, lightning, rain, windstorm,
 6 tornado, cyclone, earthquake, hail, frost or snow, weather or climatic
 7 conditions including excess or deficiency of moisture, flood, rain or
 8 drought, rising of the waters of the ocean or its tributaries, bom-
 9 bardment, invasion, insurrection, riot, civil war or commotion, mili-
 10 tary or usurped power, and by explosion whether fire ensues or not,
 11 except explosion on risks specified in subdivision six of this section,
 12 and also against loss or damage by insects or disease to farm crops
 13 or products, and loss of rental value of land used in producing such
 14 crops or products, and also against loss or damage by water or other
 15 fluid to any goods or premises arising from sprinkler leakage or from
 16 the breakage of sprinkler, pumps or other apparatus erected for ex-
 17 tinguishing fires, or all other conduits or containers, or by water
 18 entering through leaks or openings in buildings and of water pipes,
 19 and against accidental injury to such sprinklers, pumps, apparatus,
 20 conduits, containers or water pipes; and may also insure glass against
 21 breakage.

22 2. Insure the fidelity of persons holding places of private or
 23 public trust, or execute as surety any bond or other obligation re-
 24 quired or permitted by law to be made, given or filed, except bonds
 25 required in criminal causes. None but stock companies shall engage
 26 in fidelity and surety business; and insure the maker, drawer, drawee
 27 or indorser of checks, drafts, bills of exchange or other commercial
 28 paper against loss by reason of any alteration of such instruments.

29 3. Insure the safe-keeping of books, papers, moneys, stocks,

30 bonds, and all kinds of personal property, and receive them on de-
31 posit.

32 4. Insure against loss or damage by theft, injury, sickness or
33 death of animals and to furnish veterinary service.

34 5. (a) Insure the health of persons and against personal injuries,
35 disablement or death resulting from traveling or general accidents by
36 land or water.

37 (b) Insure against liability for loss, damage or expense resulting
38 from personal injury or death caused by error or negligence of the
39 insured in the practice of medicine, surgery or dentistry, including the
40 performance of surgical operations, or in the prescribing or dispensing
41 of drugs or medicines, or for loss by reason of damages in other re-
42 spects, for which loss, damage or expense the insured is legally liable;
43 provided, however, that any policy issued by any such company shall
44 contain a provision so that said policy shall inure to the benefit of any
45 person obtaining a judgment against the insured to the extent of the
46 insurance carried and for the purpose for which the insurance was
47 issued.

48 (c) Insure against loss or damage to property caused by the
49 accidental discharge or leakage of water from automatic sprinkler
50 system.

51 (d) Insure employers against loss in consequence of accidents or
52 casualties of any kind to employees, including workmen's compensa-
53 tion, or other persons, or to property resulting from any act of an em-
54 ployee, or any accident or casualty to persons or property, or both,
55 occurring in or connected with the transaction of their business, or
56 from the operation of any machinery connected therewith.

57 (e) Insure against liability for loss or expense arising or result-
58 ing from accidents occurring by reason of the ownership, maintenance
59 or use of automobiles or other conveyances, resulting in personal in-
60 juries or death, or damage to property belonging to others, or both,
61 and for damages to assured's own automobile when sustained through
62 collision with another object; provided that should an execution on a
63 judgment against the insured be returned unsatisfied in an action by
64 a person who is injured or whose property is damaged, when such
65 owner or operator has insured his liability for such personal injury
66 or damage, the judgment creditor shall have a right of action against
67 the insurer to the same extent that such owner or operator could have
68 enforced his claim against such insurer had such owner or operator
69 paid such judgment.

70 6. Insure against loss or injury to person or property, or both,
71 and against loss of rents or use of buildings and other property, grow-
72 ing out of explosion or rupture of boilers, pipes, flywheels, engines,
73 and machinery.

74 7. Any insurance company organized and incorporated on the
75 stock or mutual plan may insure against loss or damage resulting
76 from burglary or robbery, or attempt thereat, or larceny.

77 8. Insure or guarantee and indemnify merchants, traders and
78 those engaged in business and giving credit from loss and damage by
79 reason of giving and extending credit to their customers and those
80 dealing with them, which business shall be known as credit insurance.

81 9. Insure vessels, boats, cargoes, goods, merchandise, freights,
82 specie, bullion, jewels, profits, commissions, bank notes, bills of ex-
83 change and other evidences of debt, bottomry and respondentia in-

84 terest and every insurance appertaining to or connected with marine
 85 risks of transportation and navigation, and insure automobiles, air-
 86 planes, seaplanes, dirigibles, or other aircraft, whether stationary or
 87 being operated under their own power, which include all or any of
 88 the hazards of fire, explosion, transportation, collision, loss by legal
 89 liability for damage to property resulting from the maintenance and
 90 use of automobiles, airplanes, seaplanes, dirigibles, or other aircraft,
 91 and loss by burglary or theft, vandalism, malicious mischief, or the
 92 wrongful conversion, disposal or concealment of automobiles whether
 93 held under conditional sale, contract or subject to chattel mortgages,
 94 or any one or more of such hazards, but not including insurance
 95 against loss by reason of bodily injury to the person.

[C., '73, § 1132; C., '97, § 1709; S., '13, § 1709; 37 G. A., ch. 428, §§ 1-4; 37 G. A., ch. 429, § 16; 38 G. A., ch. 330, §§ 1, 2; 38 G. A., ch. 348, §§ 1, 2; 38 G. A., ch. 372; 40 G. A., ch. 177, §§ 1-4.]

SEC. 5628. Kinds of risks—limitation.

1 No company authorized to transact business in this state as pro-
 2 vided in this chapter, shall issue policies of insurance for more than
 3 one of the nine purposes or subdivisions enumerated in section fifty-
 4 six hundred twenty-seven of this supplement, except as herein pro-
 5 vided, as follows:

6 1. Any domestic or foreign insurance company authorized in this
 7 state to do the business specified in subdivision one of section fifty-
 8 six hundred twenty-seven of this supplement may, in addition to
 9 the business specified in subdivision one, insure against the casualties
 10 specified in subdivision nine of section fifty-six hundred twenty-seven
 11 of this supplement.

12 2. Any domestic or foreign insurance company authorized in this
 13 state to do the business contemplated by either subdivisions two or
 14 five, may in addition to such business insure against the casualties
 15 specified in subdivision six of section fifty-six hundred twenty-seven
 16 of this supplement, and also to insure against theft, larceny, bur-
 17 glary and robbery, or attempt thereat.

18 3. Any domestic or foreign company authorized in this state to
 19 transact the business specified in subdivision five of section fifty-six
 20 hundred twenty-seven of this supplement, if it is possessed of a
 21 paid-up capital of five hundred thousand dollars, may, in addition to
 22 insuring against the casualties specified in subdivision five, transact
 23 the business specified in subdivisions two and six of section fifty-six
 24 hundred twenty-seven of this supplement, and insure glass against
 25 breakage.

26 4. Any domestic insurance company authorized in this state to
 27 transact the business specified in subdivision five of section fifty-six
 28 hundred twenty-seven of this supplement, and possessed of two
 29 hundred fifty thousand dollars paid-up capital stock, may, in addition
 30 to insuring against the casualties specified in subdivision five, insure
 31 against injury or loss to persons or property, or both, contemplated
 32 by subdivision six, and may also insure glass against breakage.

33 5. Any foreign insurance company authorized in this state to
 34 transact the business specified in subdivision five of section fifty-six
 35 hundred twenty-seven of this supplement, if possessed of a paid-up

36 capital of three hundred thousand dollars, may, in addition to insur-
 37 ing against the casualties specified in said subdivision five, insure
 38 against the casualties specified in subdivision six of section fifty-six
 39 hundred twenty-seven of this supplement, and also insure glass
 40 against breakage.

41 6. Any domestic or foreign insurance company authorized in
 42 their state to transact the business specified in subdivision two of
 43 section five thousand six hundred twenty-seven of this supplement,
 44 if possessed of paid-up capital stock of five hundred thousand dol-
 45 lars, may, in addition to transacting the business authorized by said
 46 subdivision two, transact the business of credit insurance as author-
 47 ized by subdivision eight of section five thousand six hundred twenty-
 48 seven of this supplement.

49 Providing always, that the charter or articles of incorporation
 50 of any such company authorizes the writing of such additional in-
 51 surance.

52 No company shall expose itself to loss on any one risk or hazard,
 53 to an amount exceeding ten per cent of its paid-up capital, except that
 54 fidelity and surety companies may be exposed on any one risk or
 55 hazard to an amount not exceeding ten per cent of their paid-up capi-
 56 tal and surplus, unless the excess shall be reinsured in some other
 57 good and reliable company licensed to do an insurance business in this
 58 state. But in no case shall such excess reinsurance exceed ten per
 59 cent of the capital of the reinsuring company, and that a certificate
 60 of such reinsurance shall be furnished to the insured.

61 But the restrictions as to the amount of risk a company may
 62 assume shall not be applicable to a company that receives on deposit
 63 and guarantees the safe-keeping of books, papers and moneys and
 64 other personal property.

[C., '73, § 1132; C., '97, § 1710; S., '13, § 1710; 37 G. A., ch.
 428, § 5; 38 G. A., ch. 348, § 3; 39 G. A., ch. 261, § 1;
 40 G. A. ch. 179, §§ 1, 2.]

SEC. 5632. Annual statement.

1 The president or the vice president and secretary of each com-
 2 pany organized or authorized to do business in the state shall annu-
 3 ally before the first day of March of each year prepare under oath
 4 and file with the commissioner of insurance a full, true and com-
 5 plete statement of the condition of such company on the last day
 6 of the preceding year, which shall exhibit the following items and
 7 facts:

8 First—The amount of capital stock of the company.

9 Second—The names of the officers.

10 Third—The name of the company and where located.

11 Fourth—The amount of its capital stock paid up.

12 Fifth—The property or assets held by the company, specifying:

13 1. The value of real estate owned by the company.

14 2. The amount of cash on hand and deposited in banks to the
 15 credit of the company, and in what bank deposited.

16 3. The amount of cash in the hands of agents and in the course
 17 of transmission.

18 4. The amount of loans secured by first mortgage on real estate,
 19 with the rate of interest thereon.

- 20 5. The amount of all other bonds and loans and how secured,
21 with the rate of interest thereon.
- 22 6. The amount due the company on which judgment has been
23 obtained.
- 24 7. The amount of bonds of the state, of the United States, of any
25 county or municipal corporation of the state, and of any other bonds
26 owned by the company, specifying the amount and number thereof,
27 and par and market value of each kind.
- 28 8. The amount of bonds, stock and other evidences of indebted-
29 ness held by such company as collateral security for loans, with amount
30 loaned on each kind, and its par and market value.
- 31 9. The amount of assessments on stock and premium notes, paid
32 and unpaid.
- 33 10. The amount of interest actually due and unpaid.
- 34 11. All other securities and their value.
- 35 12. The amount for which premium notes have been given on
36 which policies have been issued.
- 37 Sixth—Liabilities of such company, specifying:
- 38 1. Losses adjusted and due.
- 39 2. Losses adjusted and not due.
- 40 3. Losses unadjusted.
- 41 4. Losses in suspense and the cause thereof.
- 42 5. Losses resisted and in litigation.
- 43 6. Dividends in scrip or cash, specifying the amount of each, de-
44 clared but not due.
- 45 7. Dividends declared and due.
- 46 8. The amount required to reinsure all outstanding risks on the
47 basis of the unearned premium reserve as required by law.
- 48 9. The amount due banks or other creditors.
- 49 10. The amount of money borrowed and the security therefor.
- 50 11. All other claims against the company.
- 51 Seventh—The income of the company during the previous year,
52 specifying:
- 53 1. The amount received for premiums, exclusive of premium
54 notes.
- 55 2. The amount of premium notes received.
- 56 3. The amount received for interest.
- 57 4. The amount received for assessments or calls on stock notes,
58 or premium notes.
- 59 5. The amount received from all other sources.
- 60 Eighth—The expenditures during the preceding year, specifying:
- 61 1. The amount of losses paid during said term, stating how much
62 of the same accrued prior, and how much subsequent, to the date of
63 the preceding statement, and the amount at which such losses were
64 estimated in such statement.
- 65 2. The amount paid for dividends.
- 66 3. The amount paid for commissions, salaries, expenses and other
67 charges of agents, clerks and other employees.
- 68 4. The amount paid for salaries, fees and other charges of offi-
69 cers and directors.
- 70 5. The amount paid for local, state, national and other taxes and
71 duties.

72 6. The amount paid for all other expenses, including printing,
73 stationery, rents, furniture, or otherwise.

74 Ninth—The largest amount insured in any one risk.

75 Tenth—The amount of risks written during the year then ending.

76 Eleventh—The amount of risks in force having less than one year
77 to run.

78 Twelfth—The amount of risks in force having more than one and
79 not over three years to run.

80 Thirteenth—The amount of risks having more than three years
81 to run.

82 Fourteenth—The dividends, if any, declared on premiums re-
83 ceived for risks not terminated.

84 Fifteenth—Each accident insurance company, or company insur-
85 ing against accidents, shall keep a register of tickets sold or policies
86 issued by its officers or agents, which register shall show the name
87 and residence of the person insured, the amount of insurance, the
88 date of issue of such ticket or policy, and the time the same will re-
89 main in force; and the annual statement of each such company shall
90 show the number of tickets sold and policies issued by it during the
91 year, and the aggregate amount of insurance evidenced by such tick-
92 ets and policies, classified as to the length of time for which such in-
93 surance is given.

[C., '73, § 1141; C., '97, § 1714; 39 G. A., ch. 190, § 2; 40
G. A., ch. 176, § 1.]

SEC. 5640. Certificate.

1 When any foreign company has fully complied with the require-
2 ments of law and become entitled to do business, the commissioner of
3 insurance shall issue to such company a certificate of that fact, which
4 certificate shall be renewed annually on the first day of April, if the
5 commissioner is satisfied that the capital, securities, and investments
6 of such company remain unimpaired, and the company has complied
7 with the provisions of law applicable thereto.

[C., '73, § 1146; C., '97, § 1724; 40 G. A., ch. 176, § 2.]

SEC. 5662. Coinsurance.

1 Any provisions, contract or stipulation contained in any policy
2 of insurance, issued by any insurance company doing business in the
3 state under the provisions of this chapter, providing or stipulating
4 that the insured shall maintain insurance on any property covered
5 by such policy to any extent, or shall to any extent be an insurer of
6 the property insured in such policy, or shall bear any portion of the
7 loss on the property insured, shall be void; and the commissioner of
8 insurance shall refuse to authorize any such company to do business
9 or to renew the authority or the certificate of any such company when
10 the form of policy issued or proposed to be issued contains any such
11 provision, contract or stipulation; provided that upon the written re-
12 quest of any person desiring insurance, a rider providing for co-
13 insurance may be attached to and become a part of the policy, but in
14 no case shall such rider apply to dwellings or farm property.

15 The request for the application of the coinsurance clause or rider
16 to any policy of insurance shall be written or printed on a single
17 sheet of paper which shall contain nothing but the request herein-

18 after set out, and said request must be signed by the insured and a
19 copy thereof be left with him by the agent at the time the insurance
20 is applied for. No form of request for coinsurance except the follow-
21 ing shall be used by any company doing business within this state:

22 REQUEST FOR THE APPLICATION OF THE COINSURANCE CLAUSE.

23 In consideration of a reduction from the established rate of
24per cent to.....per cent in premiums to be paid to
25 the.....insurance company for insurance upon the
26 following described property

27
28 I hereby request that a coinsurance rider be attached to the policy
29 to be issued by said company, and hereby agree that during the life
30 of the policy I will maintain insurance of the character mentioned in
31 said policy upon said property, to the extent of at least.....
32 per cent of the actual cash value thereof at the time of loss, and
33 that failing to do so, I shall become a coinsurer to the extent of such
34 deficit.

35 Before signing this request or the coinsurance rider to be
36 attached to the policy to be issued, I carefully read each of them and
37 fully understand that in case I shall fail to maintain insurance of
38 the character mentioned in the policy on the previously described
39 property to the extent above provided, then in the event of loss or
40 damage this company shall not be liable for a greater per cent of
41 the loss or damage to said property than the total amount of insur-
42 ance maintained bears to.....per cent of the actual cash value
43 of the property insured at the time of loss.

44 Date.....Insured.

45 The coinsurance rider to be used shall be signed by both the
46 agent and the insured, and a copy thereof shall be left with the
47 insured at the time the application is made for insurance.

48 The rider shall be in form and restrictions as follows:

49 IOWA COINSURANCE AND REDUCED RATE CLAUSE.

50 (This clause must be signed by both the insured and the agent).

51 In consideration of the acceptance by the insured of a reduction
52 in premiums from the established rate of.....per cent to
53per cent, it is hereby agreed that the insured shall main-
54 tain insurance during the life of this policy upon the property insured,
55 to the extent of at least.....per cent of the actual cash value
56 thereof at the time of loss, and, that failing to do so, the insured shall
57 be a coinsurer to the extent of such deficit.

58 This clause, at the request of the insured, is attached to and
59 forms part of policy number.....of the.....
60 insurance company of.....and shall in no
61 case apply to dwellings or farm property.

62Insured

63 Date.....Agent

64 No condition or stipulation in a policy of insurance fixing the
65 amount of liability or recovery under such policy with reference to
66 prorating with other insurance on property insured shall be valid
67 except as to other valid and collectible insurance, any agreement to
68 the contrary notwithstanding.

69 The request and the rider hereinbefore referred to shall only be
70 permitted to be used in connection with insurance contracts issued

71 in this state against the hazards of fire, lightning, tornadoes, cyclones,
72 windstorms, and sprinkler leakage.

[C., '97, § 1746; S., '13, § 1746; 37 G. A., ch. 185, § 1; 40 G. A., ch. 180.]

SEC. 5674. Additions, riders and clauses permitted.

1 It shall be unlawful for any insurance company to issue any pol-
2 icy of fire insurance upon any property in this state except upon auto-
3 mobiles and marine risks other or different from the standard form
4 of fire insurance policy herein set forth, except,

5 I. It may print in its policy its name, location, date of incorpora-
6 tion, amount of its paid-up capital stock (if a stock company), names
7 of its officers and agents, the number and date of the policy, the amount
8 (under dollar mark) for which it is issued, and if issued through an
9 agent the words: "This policy shall not be valid until countersigned
10 by the duly authorized agent of this company at.....".

11 II. It may use in or upon its policy forms or slips of the descrip-
12 tion, location and specifications of the property insured, together with
13 permits upon such conditions not in conflict with the provisions of
14 law, as may be agreed upon, for the use or storage of electricity, gaso-
15 line, explosives, or other extra hazardous products or materials; for
16 repairs or improvements; for the operation or ceasing to operate; and
17 for the vacancy of the premises; and permits for hazards other than
18 those specifically mentioned above; also a mortgagee's or loss payable
19 clause, and other permits or riders, not in conflict with law.

20 III. It may also by written or printed clause upon such condi-
21 tions not in conflict with the provisions of law as may be agreed upon,
22 provide that a policy shall cover any loss or damage caused by light-
23 ning, tornadoes, cyclones, hail or windstorms not exceeding the sum
24 insured or the interest of the insured in the property; provided, if
25 there shall be other valid insurance on such property, whereby the
26 same is insured against loss by lightning, tornadoes, cyclones, hail or
27 windstorms, said company shall be liable only pro rate with such other
28 valid and collectible insurance for any such loss by lightning, tor-
29 nadoes, cyclones, hail or windstorms.

30 IV. Any company incorporated in this state, or authorized to do
31 business herein, shall print in its policy or attach thereto any pro-
32 vision which such company is required by law to insert in its policies
33 or attach thereto, not included in the provisions of this policy, but such
34 provisions shall be printed apart from the other conditions and agree-
35 ments of this policy and under a separate title as follows: "Pro-
36 visions required by law to be stated in the policy of insurance".

37 V. It shall print upon its policy issued in compliance with the
38 preceding provisions of this section, the words: **IOWA STANDARD FIRE**
39 **INSURANCE POLICY.**

[S., '13, § 1758-a.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to correct error in printing of compiled code.

CHAPTER 7-A

EMPLOYERS' LIABILITY INSURANCE

SECTION 5681-a1. Reserve required.

1 Every corporation, association, company or reciprocal exchange
2 writing any of the several classes of insurance authorized by para-
3 graph (d) of subsection five of section five thousand six hundred
4 twenty-seven of this supplement shall maintain reserves for outstand-
5 ing losses under insurance against loss or damage from accident to
6 or injuries suffered by an employee or other person and for which
7 the insured is liable computed as follows:

8 1. For all liability suits being defended under policies written
9 more than

10 (a) Ten years prior to the date as of which the statement is
11 made, one thousand five hundred dollars for each suit.

12 (b) Five and less than ten years prior to the date as of which
13 the statement is made, one thousand dollars for each suit.

14 (c) Three and less than five years prior to the date as of which
15 the statement is made, eight hundred fifty dollars for each suit.

16 2. For all liability policies written during the three years imme-
17 diately preceding the date as of which the statement is made, such
18 reserve shall be sixty per centum of the earned liability premiums of
19 each of such three years less all loss and loss expense payments made
20 under liability policies written in the corresponding years; but in
21 any event, such reserve shall, for the first of such three years, be
22 not less than seven hundred and fifty dollars for each outstanding
23 liability suit on said year's policies.

24 3. For all compensation claims under policies written more than
25 three years prior to the date as of which the statement is made, the
26 present values at four per centum interest of the determined and the
27 estimated future payments.

28 4. For all compensation claims under policies written in the three
29 years immediately preceding the date as of which the statement is
30 made, such reserve shall be sixty-five per centum of the earned com-
31 pensation premiums of each of such three years, less all loss and loss
32 expense payments in connection with such claims under policies writ-
33 ten in the corresponding years; but in any event, in the case of the
34 first year of any of such three-year period such reserve shall be not
35 less than the present value at four per centum interest of the deter-
36 mined and the estimated unpaid compensation claims under policies
37 written during such year.

[40 G. A., ch. 178, § 1.]

SEC. 5681-a2. Terms defined.

1 The term "earned premiums" as used herein shall include gross
2 premiums charged on all policies written, including all determined
3 excess and additional premiums, less return premiums, other than
4 premiums returned to policyholders as dividends, and less reinsurance
5 premiums and premiums on policies cancelled, and less unearned
6 premiums on policies in force.

7 Any participating company which has charged in its premiums
8 a loading solely for dividends shall not be required to include such

9 loading in its earned premiums, provided a statement of the amount
10 of such loading has been filed with and approved by the commissioner
11 of insurance.

12 The term "compensation" as used in this chapter shall relate
13 to all insurances affected by virtue of statutes providing compensa-
14 tion to employees for personal injuries irrespective of fault of the
15 employer.

16 The term "liability" shall relate to all insurance, except com-
17 pensation insurance, against loss or damage from accident to or in-
18 juries suffered by an employee or other person and for which the in-
19 sured is liable.

20 The terms "loss payments" and "loss expense payments" as used
21 herein shall include all payments to claimants, including payments
22 for medical and surgical attendance, legal expenses, salaries and ex-
23 penses of investigators, and field men, rents, stationery, telegraph
24 and telephone charges, postage, salaries and expenses of office em-
25 ployees, home office expenses, and all other payments made on ac-
26 count of claims, whether such payments shall be allocated to specific
27 claims or unallocated.

[40 G. A., ch. 178, § 2.]

SEC. 5681-a3. Distribution of unallocated payments.

1 All unallocated liability loss expense payments made in a given
2 calendar year subsequent to the first four years in which an insurer
3 has been issuing liability policies shall be distributed as follows:
4 Thirty-five per centum shall be charged to the policies written in that
5 year, forty per centum to the policies written in the preceding year,
6 ten per centum to the policies written in the second year preceding,
7 ten per centum to the policies written in the third year preceding, and
8 five per centum to the policies written in the fourth year preceding,
9 and such payments made in each of the first four calendar years in
10 which an insurer issues liability policies shall be distributed as fol-
11 lows: In the first calendar year one hundred per centum shall be
12 charged to the policies written in that year, in the second calendar
13 year fifty per centum shall be charged to the policies written in that
14 year and fifty per centum to the policies written in the preceding year,
15 in the third calendar year forty per centum shall be charged to the
16 policies written in that year, forty per centum to the policies written
17 in the preceding year, and twenty per centum to the policies written
18 in the second year preceding, and in the fourth calendar year thirty-
19 five per centum shall be charged to the policies written in that year,
20 forty per centum to the policies written in the preceding year, fifteen
21 per centum to the policies written in the second year preceding, and
22 ten per centum to the policies written in the third year preceding, and
23 a schedule showing such distribution shall be included in the annual
24 statement.

25 All unallocated compensation loss expense payments made in a
26 given calendar year subsequent to the first three years in which an
27 insurer has been issuing compensation policies shall be distributed as
28 follows:

29 Forty per centum shall be charged to the policies written in that
30 year, forty-five per centum to the policies written in the preceding
31 year, ten per centum to the policies written in the second year preced-
32 ing and five per centum to the policies written in the third year pre-

33 ceding, and such payments made in each of the first three calendar
 34 years in which an insurer issues compensation policies shall be dis-
 35 tributed as follows: In the first calendar year one hundred per cen-
 36 tum shall be charged to the policies written in that year, in the sec-
 37 ond calendar year fifty per centum shall be charged to the policies
 38 written in that year and fifty per centum to the policies written in
 39 the preceding year, in the third calendar year forty-five per centum
 40 shall be charged to the policies written in that year, forty-five per
 41 centum to the policies written in the preceding year and ten per
 42 centum to the policies written in the second year preceding, and a
 43 schedule showing such distribution shall be included in the annual
 44 statement.

45 Whenever, in the judgment of the commissioner of insurance, the
 46 liability or compensation loss reserves of any insurer under his su-
 47 pervision, calculated in accordance with the foregoing provisions, are
 48 inadequate, he may, in his discretion, require such insurer to main-
 49 tain additional reserves based upon estimated individual claims or
 50 otherwise.

[40 G. A., ch. 178, § 3.]

SEC. 5681-a4. Reports required.

1 Each insurer that writes liability or compensation policies shall
 2 include in the annual statement required by law a schedule of its
 3 experience thereunder in such form as the commissioner of insurance
 4 may prescribe.

[40 G. A., ch. 178, § 4.]

CHAPTER 8

**MUTUAL FIRE, TORNADO AND HAILSTORM ASSESSMENT INSURANCE
 ASSOCIATIONS**

SECTION 5682. Organization—purposes.

[Repealed by 39 G. A., ch. 120, § 16.]

SEC. 5683. County and state associations.

[Repealed by 39 G. A., ch. 120, § 16.]

SEC. 5684. Conditions of authorization.

[Repealed by 39 G. A., ch. 120, § 16.]

SEC. 5685. Annual report.

[Repealed by 39 G. A., ch. 120, § 16.]

SEC. 5686. Publication.

[Repealed by 39 G. A., ch. 120, § 16.]

SEC. 5687. Fees—certificates.

[Repealed by 39 G. A., ch. 120, § 16.]

SEC. 5688. Inquiries by commissioner of insurance.

[Repealed by 39 G. A., ch. 120, § 16.]

SEC. 5689. Fees and assessments.

[Repealed by 39 G. A., ch. 120, § 16.]

SEC. 5690. Reinsurance reserve—exceptions.

[Repealed by 39 G. A., ch. 120, § 16.]

SEC. 5691. Maximum liability of members.

[Repealed by 39 G. A., ch. 120, § 16.]

SEC. 5692. Assessments when assets are insufficient.

[Repealed by 39 G. A., ch. 120, § 16.]

SEC. 5693. Assessments when association is insolvent.

[Repealed by 39 G. A., ch. 120, § 16.]

SEC. 5694. Cancellation of policies.

[Repealed by 39 G. A., ch. 120, § 16.]

SEC. 5695. State associations—bonds of officers.

[Repealed by 39 G. A., ch. 120, § 16.]

SEC. 5696. Annual meetings.

[This and the fourteen preceding sections repealed by 39 G. A., ch. 120, § 16, and sections 5696-a1 to 5696-a15, inclusive, enacted in lieu thereof.]

SEC. 5696-a1. Organization—purpose and powers.

1 Any number of persons may by incorporating under chapter one,
 2 title seventeen, enter into contracts with each other for the following
 3 kinds of insurance from loss or damage by:

- 4 1. Fire and lightning;
- 5 2. Tornado, cyclone and windstorm;
- 6 3. Against any or all loss, expense and liability resulting from
 7 the ownership, maintenance or use of any automobile or other vehicle
 8 but shall not include, by county mutuals, insurance against bodily
 9 injury to the person;
- 10 4. Plate glass, against breakage of glass, local or in transit;
- 11 5. Hailstorms;
- 12 6. Theft of personal property.

13 For the purpose of this protection these contracts of insurance
 14 shall be subject only to such provisions as are contained in this chap-
 15 ter and shall consist of:

- 16 1. An application on blanks furnished by the association and
 17 signed by the insured or his representative, which may contain in
 18 addition to other provisions; the value of the property, the proper
 19 description thereof, the amount of other insurance and the incum-
 20 brance thereon, and agreement to be governed by the articles of in-
 21 corporation and by-laws in force at the time the policy is issued, a
 22 representation that the foregoing statements are true as far as the

23 same are known to the insured or material to the risk, and that the
24 insurance shall take effect when approved by the secretary.

25 2. A policy issued by the association in accordance with its
26 rules, and approved by the commissioner of insurance.

27 Such associations may insure risks of their members or may re-
28 insure risks of other associations or companies; or may organize
29 reinsurance associations for the reinsurance of risks.

30 The words "persons" and "members" as used in this chapter shall
31 be construed to mean trustees, administrators, and all other individ-
32 uals, public or private corporations or associations.

[C., '73, § 1160; C., '97, § 1759; S., '13, § 1759-a; 37 G. A.,
ch. 42, § 1; 37 G. A., ch. 412, § 1; 39 G. A., ch. 120, § 1;
40 G. A., ch. 182.]

SEC. 5696-a2. County and state mutual associations.

1 Any association incorporated under the laws of this state for the
2 purpose of furnishing insurance as provided for in this chapter, doing
3 business only within the county in which is situated the town or city
4 named in its articles of incorporation as its principal place of busi-
5 ness, or the counties contiguous thereto, shall for the purpose of this
6 chapter, be deemed a county mutual assessment association; all other
7 associations operating hereunder shall, for the purposes of this chap-
8 ter be deemed state mutual assessment associations, and such asso-
9 ciations may do business throughout the state and in other states
10 where they are legalized and authorized to do business. The words
11 "mutual" and "association" shall be incorporated in and become a
12 part of their name.

[C., '97, § 1760; S., '13, § 1759-b; 39 G. A., ch. 120, § 2.]

SEC. 5696-a3. Conditions of authorization to issue policies.

1 No state mutual assessment association shall issue policies until
2 at least one hundred twenty-five applications have been received in
3 any class as shown by the second preceding section, representing the
4 following amount of insurance: Classes one, two, three, and five,
5 two hundred fifty thousand dollars each, class four, one hundred thou-
6 sand dollars and no county mutual assessment association shall issue
7 policies until applications for insurance to the amount of fifty thou-
8 sand dollars representing at least fifty applicants have been received,
9 and no application for insurance during the period of organization
10 shall exceed two per cent of the amount required for organization,
11 nor after one year of organization one per cent of the total insurance
12 in force, any reinsurance taking effect simultaneously with the policy
13 being deducted in determining such maximum single risk. Neither
14 shall any association issue policies of insurance until its articles of
15 incorporation, by-laws and form of policy shall have been submitted
16 to the commissioner of insurance and if upon examination of same
17 he finds them to conform to the provisions of this chapter he shall at
18 once issue to the association a certificate authorizing it to transact an
19 insurance business.

[C., '97, § 1761; S., '13, § 1759-c; 39 G. A., ch. 120, § 3.]

SEC. 5696-a4. Assessments—loans—emergency fund—net assets required.

1 Such associations may collect a policy and contingent fee, and
2 such assessments, provided for in their articles of incorporation and
3 by-laws, as are required to pay losses and necessary expenses, and
4 for the creation and maintenance of an emergency fund for the pay-
5 ment of excess losses and no part of such emergency fund can be
6 claimed by any member whose policy expires or is surrendered for
7 cancellation.

8 Any association may collect assessments for losses and expenses
9 for one year in advance; or for more than one year in advance where
10 such advance assessment does not exceed five mills on each dollar of
11 insurance in force; and in case the funds of any association are not
12 sufficient to pay losses that have been reported or adjusted the asso-
13 ciation may borrow money for payment of losses until such time as
14 it is practical to make an assessment or until the regular assessment
15 period.

16 Funds raised by such associations which because of temporarily
17 low rate of losses are not needed to pay losses and expenses in any
18 year, may be passed to an emergency fund to be held for payment of
19 excess losses in a subsequent year or years; such fund may be depos-
20 ited in banks, or at the option of the board of directors may be in-
21 vested in the classes of securities permitted by section fifty-six hun-
22 dred twenty-two of this supplement; but under the direction of the
23 board of directors and with the consent of the commissioner of insur-
24 ance a part of such fund may be invested in a home office building.

25 When the emergency fund of any association reaches an amount
26 equal to one hundred per cent of the average cost per thousand on
27 all policies in force for the full term for which assessment is col-
28 lected and not less than one hundred thousand dollars or such amount
29 of capital stock as is required of domestic companies, such associa-
30 tions may issue policies of fixed premiums.

31 Associations using a basis rate whose risks consist principally
32 of store buildings and their contents, manufacturing establishments,
33 public garages, lumber yards, office buildings, hotels, theaters, moving
34 picture houses, stocks of implements or automobiles, shall maintain
35 at all times net assets equal to forty per cent of one annual assess-
36 ment at the basis rate charged for such insurance on all policies in
37 force, less deductions for reinsurance in authorized companies or
38 associations; and may provide in its by-laws and specify in its
39 policies the maximum liability of its members to the association; such
40 liability shall not be less than a sum equal to the basis rate charged
41 by the association for insurance nor greater than a sum equal three
42 times such basis rate.

43 Hail associations may provide in their by-laws and policies for a
44 limited assessment in any one year; and if the proceeds of such
45 assessment, and other funds on hand, do not equal the losses and
46 expenses for the year, such total funds, after payment of expenses,
47 shall be prorated among the holders of loss claims payable in such
48 year which shall be in full payment for such loss.

[C., '73, § 1160; C., '97, § 1765; S., '13, §§ 1759-h, 1759-i;
37 G. A., ch. 412, § 2; 38 G. A., ch. 348, § 4; 39 G. A.,
ch. 120, § 4; 40 G. A., ch. 183, § 1.]

SEC. 5696-a5. Annual report.

1 Each association doing business under the provisions of this
 2 chapter shall, annually, in the month of January report to the com-
 3 missioner of insurance, upon blanks furnished by him, such facts as
 4 are required of domestic insurance companies organizing under chap-
 5 ter seven of title eighteen, as are applicable to this chapter. These
 6 reports shall be tabulated and published by the commissioner of insur-
 7 ance in the annual report of insurance, one copy of which shall be
 8 sent to each association. The county associations, the state associa-
 9 tions, and those doing an exclusive tornado, an exclusive hailstorm,
 10 or an exclusive automobile insurance business shall be separately
 11 classified in said report.

[C., '73, § 1160; C., '97, §§ 1762, 1763; S., '13, §§ 1759-d,
 1759-e; 39 G. A., ch. 120, § 5.]

SEC. 5696-a6. Proof of loss—limitation of action.

1 In furnishing proofs of loss under any contract of insurance
 2 under this chapter for loss or damage it shall be necessary for the
 3 insured within sixty days from the time loss or damage occurs, to
 4 give notice in writing to the association issuing such contracts of in-
 5 surance accompanied by an affidavit stating the facts as to how the
 6 loss occurred so far as the same are within the knowledge of the in-
 7 sured, the property destroyed or damaged and the extent of the loss.
 8 In case of damage or loss to live stock by fire or lightning or loss or
 9 damage to automobiles by theft or fire, notice of such loss must be
 10 given the association by mailing written notice within five days from
 11 the time such loss or damage occurred, and in case of loss to growing
 12 crops by hail, notice of such loss must be given the association by
 13 mailing a registered letter within ten days from the time such loss
 14 or damage occurred. No action on any loss shall be begun until the
 15 date when such loss becomes due in accordance with the articles of
 16 incorporation or by-laws of such association and in no event sooner
 17 than forty days after such proof has been given to the association and
 18 no action can be started after one year from the date such cause of
 19 action accrues.

[39 G. A., ch. 120, § 6.]

SEC. 5696-a7. Presumption as to insurable value—rebuttal.

1 In any action brought in any court in this state on any policy of
 2 insurance for the loss of any building so insured, the amount stated
 3 in the policy shall be received as prima facie evidence of the insurable
 4 value of the building at the date of the policy: Provided, the asso-
 5 ciation issuing such policy may show the actual value of said property
 6 at date of policy, and any depreciation in the value thereof before the
 7 loss occurred; but the said association shall be liable for the actual
 8 value of the property insured at the date of the loss, unless such value
 9 exceeds the amount of insurance stated in the policy. And in any
 10 action on a policy to recover loss or damage on personal property, the
 11 association shall not be liable in excess of the amount of damage or
 12 loss at the time the loss or damage occurs; provided that the value of
 13 growing crops may be stated in the policy or contract.

[39 G. A., ch. 120, § 7.]

SEC. 5696-a8. Powers of commissioner—quo warranto—injunction—dissolution.

1 The commissioner of insurance may address inquiries to any as-
 2 sociation in relation to its doings and condition and any association
 3 so addressed shall promptly reply thereto in writing. If the commis-
 4 sioner of insurance is then satisfied that the association has failed to
 5 comply with any provisions of this law, or is exceeding its powers, or
 6 is not carrying out its contracts in good faith; or is transacting busi-
 7 ness fraudulently or soliciting insurance in territories where it is not
 8 legally admitted to do business, or is in such condition as to render
 9 the further transaction of business by it hazardous to the public or
 10 its policyholders, the business under his supervision and with the con-
 11 sent of the association may be reinsured in some mutual association,
 12 or he may present the facts relating thereto to the attorney general
 13 and if the circumstances warrant he may commence an action in quo
 14 warranto in a court of competent jurisdiction and such court shall
 15 thereupon notify the officers of such association of a hearing, and
 16 unless it shall then appear that some special and good reason exists
 17 why such association should not be closed, said association shall be
 18 enjoined from carrying on any further business, and some person
 19 shall be appointed receiver of such associations and shall proceed at
 20 once to take possession of the books, papers, moneys and other assets
 21 of the association and shall forthwith, under the direction of the court
 22 proceed to close the affairs of the association and to distribute its
 23 funds to those entitled thereto, or he may make an assessment pro
 24 rata on the membership liable to an assessment to pay the legitimate
 25 debts of the association.

[C., '97, § 1766; S., '13, § 1759-g; 39 G. A., ch. 120, § 8.]

SEC. 5696-a9. Cancellation of policy.

1 Any policy of insurance issued by any association operating under
 2 the provisions of this chapter may be canceled by the association
 3 giving five days' written notice thereof to the insured, or if the in-
 4 sured shall demand in writing or in person of the association the can-
 5 cellation of policy, the association shall immediately advise him by
 6 letter to last known address, the amount, if any, due, as his pro rata
 7 share of losses and in addition actual expenses incurred on said policy.
 8 Upon surrender of his policy and payment of all sums due, his mem-
 9 bership shall cease, provided, that during the months of June, July
 10 and August, hail insurance policies may be canceled only at the option
 11 of the officers of the association carrying the risk.

12 Upon the cancellation of any policy of insurance issued under the
 13 provisions of this chapter all obligations to the association having
 14 been paid, the unearned portion of any advance assessment paid, other
 15 than the emergency fund, shall be returned to the insured upon the
 16 surrender of his policy, the association retaining a pro rata share for
 17 losses and in addition actual expenses incurred on said policy. When
 18 the policy is canceled by the association by giving notice thereof it
 19 shall retain only the pro rata assessment.

[S., '13, § 1759-m; 39 G. A., ch. 120, § 9.]

SEC. 5696-a10. Bonds of officers.

1 Any state mutual assessment association contemplated by this
 2 chapter, before being authorized to do business in this state, shall
 3 require its secretary and treasurer to give bond, personal or surety,
 4 to the association in such sums as the directors shall deem sufficient,
 5 no less however, than ten thousand dollars for each office, which bond
 6 after being approved by the president of the association shall be de-
 7 posited with the commissioner of insurance as security for the faithful
 8 performance of the duties of the secretary and treasurer in handling
 9 the funds of the association.

10 Should the commissioner of insurance find the surety on said
 11 bonds, or the amount thereof, insufficient, he may require additional
 12 security, or an increase in the amount of the bond. If such addi-
 13 tional security or increase be not furnished within thirty days after
 14 notice thereof, the commissioner of insurance shall refer the matter
 15 to the attorney general the same as under the second preceding sec-
 16 tion, and shall be taken care of by him in accordance therewith.

[C., '97, § 1767; S., '13, § 1759-n; 39 G. A., ch. 120, § 10.]

SEC. 5696-a11. Meetings—powers—articles part of policy.

1 Unless the time and place of holding the annual meeting of the
 2 members of any association transacting business under the provisions
 3 of this chapter is plainly stated in their articles of incorporation or
 4 by-laws, twenty days' notice of the time and place of holding of said
 5 meetings shall be given to all members of the association.

6 Members of the association at such annual meetings shall have
 7 power to make or amend articles of incorporation or by-laws as they
 8 in their judgment may deem necessary, and when such articles of
 9 incorporation and by-laws are printed on the policy they become a
 10 part thereof and are binding upon the association and the insured
 11 alike. Officers or directors shall be elected in the manner and for
 12 the length of time prescribed in the articles of incorporation or by-
 13 laws. Annual meetings may adjourn from time to time.

[S., '13, § 1759-o; 39 G. A., ch. 120, § 11; 40 G. A., ch. 183,
 § 2.]

SEC. 5696-a12. Annual tax—examinations—expenses.

1 Every state mutual association doing business under this chapter
 2 shall on or before the first day of March, each year, pay to the treas-
 3 urer of state a sum equivalent to one per centum of the gross receipts
 4 from premiums, assessments, fees and promissory obligations for busi-
 5 ness done within the state, including all insurance upon property situ-
 6 ated in the state after deducting the amount actually paid for losses
 7 on property located within this state and the amount returned upon
 8 canceled policies and rejected applications covering property situated
 9 within the state and the amount paid for reinsurance on property
 10 situated within the state and dividends returned to policyholders on
 11 property situated within the state.

12 The commissioner of insurance shall at least once in each bien-
 13 nial period cause the books of each state mutual association doing
 14 business under this chapter to be examined and shall furnish a re-
 15 port of such examination to the association so examined. The ex-

16 pense of such examination shall be paid by the association as pro-
 17 vided for in section fifty-four hundred seventy of this supplement.
 18 County mutual associations shall be exempt from the examination and
 19 the payment of tax provided for in this section.

[39 G. A., ch. 120, § 12; 40 G. A., ch. 183, § 3.]

SEC. 5696-a13. Moneys and credits.

1 In assessing for taxation the moneys and credits of such mutual
 2 insurance corporations, the assessor shall ascertain the debts or lia-
 3 bilities, if any, of the corporation to its policyholders or other persons
 4 which liabilities shall be deducted as provided in section forty-five
 5 hundred five of the compiled code.

6 In ascertaining such corporate indebtedness, a debt shall be
 7 deemed to exist, on account of its liabilities on the policy certificates
 8 or contracts of insurance issued, by its equal to the amount of surplus
 9 or other funds accumulated by such corporation for the purpose of
 10 fulfilling its policy contracts of insurance and which can be used for
 11 no other purpose.

[39 G. A., ch. 120, § 13.]

SEC. 5696-a14. Annual fees.

1 Such associations shall pay the same fees for annual reports and
 2 annual certificates of authority as are required to be paid by domestic
 3 companies organized and doing business under chapter seven of this
 4 title, which certificates shall expire March first of the year following
 5 the date of its issue.

[C., '73, § 1160; C., '97, § 1764; S., '13, § 1759-f; 39 G. A.,
 ch. 120, § 14.]

SEC. 5696-a15. License—penalty—fee—revocation.

1 No person or corporation shall solicit any application for insur-
 2 ance for any association, other than county mutuals, in this state
 3 without having procured from the commissioner of insurance a license
 4 authorizing him to act as agent. Violation of this provision shall be
 5 punished by a fine not exceeding twenty-five dollars per day.

6 The commissioner of insurance shall upon the receipt of payment
 7 of fifty cents issue license to act as agent to any person for whom a
 8 license is requested by any association doing business under the pro-
 9 visions of this chapter. The commissioner of insurance may, for a
 10 just and reasonable cause, cancel the license of such agent after due
 11 notice and hearing.

[39 G. A., ch. 120, § 15.]

CHAPTER 9

LIABILITY INSURANCE—CERTAIN PROFESSIONS

SECTION 5705. Powers of commissioner of insurance.

1 Such a mutual insurance corporation shall pay the same fees for
 2 admission into the state, for annual reports and for annual certificates
 3 of authority as are required to be paid by domestic mutual companies

4 organized and doing business under chapter seven of title eighteen;
 5 such certificate shall expire March first of the year following the date
 6 of its issue. The commissioner of insurance shall have and exercise
 7 the same control over such corporations as he now has over mutual
 8 assessment insurance associations organized and doing business under
 9 the provisions of chapter eight of title eighteen. The provisions as
 10 to maximum liability of members to assessments when assets are
 11 insufficient and to assessments when the corporation is insolvent, found
 12 in sections fifty-six hundred ninety-one to fifty-six hundred ninety-
 13 three, inclusive,* shall apply to all mutual insurance corporations
 14 organized under the provisions of this chapter.

[38 G. A., ch. 286, § 6.]

*No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted here to call attention to the fact that chapter 8 of title XVIII of the compiled code, which contained the sections above referred to, was repealed by 39 G. A., ch. 120, § 16, and substitute therefor now embraced in sections 5696-a1 to 5696-a15, inclusive, of this supplement.

CHAPTER 10

RECIPROCAL OR INTERINSURANCE CONTRACTS

SECTION 5720. Fees in lieu of taxes.

1 In lieu of all other taxes, licenses, charges and fees whatsoever,
 2 such attorney shall pay annually on account of the transaction of such
 3 business in this state, the same fees as are paid by mutual companies
 4 transacting the same kind of business, and an annual tax of one per
 5 cent, if a domestic reciprocal organization, and two and one-half per
 6 cent, if a foreign reciprocal organization, calculated upon the gross
 7 premiums or deposits collected from subscribers in this state during
 8 the preceding calendar year, after deducting therefrom returns, or
 9 cancellations, considerations for reinsurances, and all amounts returned
 10 to subscribers or credited to their accounts as savings, and after
 11 deducting the amount actually paid for losses on property located
 12 within this state or on claims arising within this state, and the amount
 13 returned upon canceled policies and rejected applications covering
 14 property situated or on business done within this state.

[37 G. A., ch. 180, § 13; 40 G. A., ch. 184, §§ 1, 2.]

CHAPTER 12

INSURANCE AGENTS—VOTING BY PROXY

SECTION 5735. Who deemed agent for certain insurance.

1 The term "agent" used in chapter seven of this title shall include
 2 any other person who shall in any manner directly or indirectly trans-
 3 act the insurance business for any insurance company complying with
 4 the laws of this state. Any officer, agent or representative of an
 5 insurance company doing business in this state who may solicit insur-

6 ance, procure applications, issue policies, adjust losses or transact the
7 business generally of such companies, shall be held to be the agent of
8 such insurance company with authority to transact all business within
9 the scope of his employment, anything in the application, policy, con-
10 tract, by-laws or articles of incorporation of such company to the con-
11 trary notwithstanding, but members, of mutual assessment associa-
12 tions which pay no commission, reward or gratuity for the procuring
13 of applications for membership, the income of which associations is
14 derived solely from assessments, dues and fees collected from its mem-
15 bers for the sole purpose of meeting loss and expenses, shall not be
16 deemed to be agents under any section of this chapter.

[C., '97, § 1750; 39 G. A., ch. 123, § 1.]

TITLE XIX

BANKS

CHAPTER 1.

BANKING DEPARTMENT

SECTION 5744. Bond of superintendent.

1 Before entering upon the discharge of the duties of his office the
2 superintendent of banking shall give a corporate surety bond in the
3 penal sum of twenty thousand dollars, conditioned as provided for in
4 section six hundred twelve of the compiled code, same to be approved
5 by the executive council and filed in the office of the secretary of state.
[37 G. A., ch. 40, § 4; 39 G. A., ch. 209, § 60.]

SEC. 5746. Bond of bank examiners—qualifications.

1 Each examiner shall give a corporate surety bond to the state,
2 conditioned for the faithful discharge of his duties, for the sum of
3 three thousand dollars, which shall be filed with said superintendent
4 and approved by him. Said examiners shall have had at least three
5 years' experience in practical bank work or as bank examiners.
[37 G. A., ch. 40, § 5; 38 G. A., ch. 335, § 1; 39 G. A., ch. 209,
§ 61.]

SEC. 5747. Bond of deputy and assistants.

1 The deputy superintendent and all such clerks, stenographers, spe-
2 cial assistants and other employees shall give bond to the state in such
3 sum as shall be fixed by the executive council.
[37 G. A., ch. 40, § 5; 38 G. A., ch. 335, § 1; 39 G. A., ch.
209, § 61.]

SEC. 5754. Fees for examination of banks.

1 Every bank and trust company shall pay to the superintendent of
2 banking within ten days after the date of each examination a fee as
3 based on the assets of said bank or trust company, as of the date for
4 the close of business for which such examination is made, as follows:
5 At the rate of one dollar per one thousand dollars of assets on the
6 first twenty-five thousand dollars of assets, and at the rate of three
7 cents per one thousand dollars of assets on all assets over and above
8 twenty-five thousand dollars of assets, provided that no examination
9 shall be made for less than twenty dollars.
[C., '97, §§ 1875, 1876; S. S., '15, § 1875; 38 G. A., ch. 335,
§ 2; 40 G. A., ch. 185.]

SEC. 5757. Superintendent of banking may refuse certificate to new bank—when.

[Obsolete by reason of the terms of the original enactment. See 38 G. A., ch. 236, § 1, lines 50-52.]

SEC. 5758. Examination—payment costs of.

[Obsolete by reason of the terms of the original enactment. See 38 G. A., ch. 236, § 1, lines 50-52.]

SEC. 5759. Appeal.

[Obsolete by reason of the terms of the original enactment. See 38 G. A., ch. 236, § 1, lines 50-52.]

SEC. 5760. Procedure on appeal.

[Obsolete by reason of the terms of the original enactment. See 38 G. A., ch. 236, § 1, lines 50-52.]

SEC. 5761. Order of reversal—decision final.

[Obsolete by reason of the terms of the original enactment. See 38 G. A., ch. 236, § 1, lines 50-52.]

SEC. 5764. Exceptions.

1 Nothing in sections fifty-seven hundred sixty-two or fifty-seven
2 hundred sixty-three of the compiled code shall be construed as affect-
3 ing or in any wise interfering with any private bank or private banker
4 that may be engaged in lawful business previous to April sixteenth,
5 nineteen hundred nineteen.

[38 G. A., ch. 236, § 3.]

NOTE: No change made by the 39th G. A. or the 40th G. A. but reprinted to change the cross reference.

SEC. 5765. Construction.

1 If any part of sections fifty-seven hundred sixty-two or fifty-seven
2 hundred sixty-three of the compiled code, or fifty-seven hundred sixty-
3 four of this supplement shall be declared unconstitutional it shall not
4 affect any other part of said sections.

[38 G. A., ch. 236, § 4.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to change the cross reference.

CHAPTER 2
SAVINGS BANKS**SECTION 5776. Investment of funds.**

1 Each savings bank shall invest its funds or capital, all moneys
2 deposited therein and all its gains and profits, only as follows:

3 1. In bonds or interest bearing notes or certificates of the United
4 States.

5 2. In bonds or evidences of debt of this state, bearing interest.

6 3. In bonds or warrants of any city, town, county, school district,

7 or drainage district of this state, issued pursuant to the authority of
8 law; but not exceeding twenty-five per cent of the assets of the bank
9 shall consist of such bonds or warrants.

10 4. In notes or bonds secured by mortgage or deed of trust upon
11 unincumbered real estate located in Iowa or upon unincumbered farm
12 land in adjoining states, worth at least twice the amount loaned there-
13 on; provided, however, that no such loan shall be made upon any real
14 estate located west of the one-hundredth meridian line.

15 5. An amount not exceeding ten per cent of their capital stock
16 and surplus in the capital stock of corporations chartered or incor-
17 porated under the provisions of section twenty-five-a of the federal
18 reserve act, approved December twenty-fourth, nineteen hundred nine-
19 teen, and a like amount in the capital stock of corporations organized
20 under the laws of this state for the purpose of extending credit to
21 those engaged in agriculture and to agricultural organizations, sub-
22 ject however to the approval of the superintendent of banking; pro-
23 vided that said investments by savings banks shall in no event exceed
24 in the aggregate twenty per cent of the capital stock and surplus of
25 said bank.

26 6. It may discount, purchase, sell and make loans upon commer-
27 cial paper, notes, bills of exchange, drafts, or any other personal or
28 public security, but shall not purchase, hold or make loans upon the
29 shares of its capital stock.

30 7. In all cases of loans upon real estate, all the expenses of
31 searches, examination and certificates of title, or the inspection of
32 property, appraisals of value, and of drawing, perfecting and record-
33 ing papers, shall be paid by such borrowers; if buildings are included
34 in the valuation of real estate upon which a loan shall be made, they
35 shall be insured by the mortgagor for at least two-thirds of their
36 value, in some solvent company, and the loss, if any, under the policy
37 of insurance shall be made payable to the bank or its assigns, as its
38 interests may appear. When the mortgagor neglects to procure the
39 insurance as above provided, the mortgagee may procure the same in
40 the mortgagor's name for its benefit, and the premium so paid therefor
41 shall be added to the mortgage debt.

[C., '97, § 1850; S., '13, § 1850; 37 G. A., ch. 364, § 1; 39
G. A., ch. 161, § 1.]

SEC. 5777. Surplus fund—how invested.

1 The directors of any savings bank may set apart from its earn-
2 ings, over and above expenses, a surplus fund, to be maintained as
3 such, separate and apart from earnings usually carried and desig-
4 nated as undivided profits, and which surplus fund shall not be
5 drawn upon for the payment of expenses or dividends, except that
6 it may be made use of as a stock dividend for increasing the capital
7 of the bank. Such surplus shall be invested in the same manner as
8 the capital of the bank, as provided in section fifty-seven hundred
9 seventy-four'. The directors may transfer said surplus fund, or
10 any part of the same, back to the undivided profits account, and
11 make use of the same, when so transferred, for the payment
12 of expenses and dividends when the deposits of the bank shall
13 be less than ten times the capital, or capital and remaining surplus,
14 and not otherwise.

15 Before any dividend is declared, not less than one-tenth of the
 16 net profits of the bank for the preceding half year or for each period
 17 as is covered by the dividend shall be carried to a surplus fund until
 18 such surplus shall amount to twenty per cent of its capital stock,
 19 and no dividend in excess of eight per cent per annum for the period
 20 covered by said dividend shall be paid, unless said surplus fund is
 21 equal to twenty per cent of its capital.

[S., '13, § 1850-a; 40 G. A., ch. 186, § 1.]

¹This reference was manifestly intended to be section fifty-seven hundred seventy-six of this supplement.

CHAPTER 3

STATE BANKS

SECTION 5794. Directors.

1 The business and property of each state bank shall be managed
 2 by a board of directors of not less than five, all of whom shall be share-
 3 holders.

4 The articles of incorporation shall designate the maximum num-
 5 ber of directors, and the stockholders by a majority of all of the votes
 6 of the stockholders of such bank may change at any annual meeting
 7 by resolution, the number of its directors, as said stockholders may
 8 decide, to any number not less than five nor more than the maximum
 9 designated in the articles of incorporation or certificate of authoriza-
 10 tion, provided that said resolution of the stockholders shall after being
 11 duly adopted as aforesaid be filed in the office of the superintendent
 12 of banking within thirty days after such adoption. The maximum
 13 number of directors as fixed by the articles of incorporation may be
 14 changed in the manner prescribed by law for changing the said articles
 15 of incorporation.

16 No person shall be eligible as director of any state bank, nor shall
 17 he qualify or serve as such, unless he owns in his own right shares
 18 of stock in such bank, as follows: In those having a capital of
 19 twenty-five thousand dollars or over, but less than thirty thousand
 20 dollars, two shares; in those having a capital of thirty thousand dol-
 21 lars or over, but less than forty thousand dollars, three shares; in
 22 those having a capital of forty thousand dollars or over, but less than
 23 fifty thousand dollars, four shares; in those having a capital of fifty
 24 thousand dollars or over five shares.

25 Each director, before acting as such, shall take an oath that he
 26 is the bona fide owner in his own right of the number of shares of
 27 stock required in this chapter; that the same is not hypothecated nor
 28 in any manner pledged as security for any loan or debt; which oath
 29 shall be signed by each director and certified by the officer before
 30 whom it is taken, and filed with and preserved in the office of the
 31 superintendent of banking.

[C., '97, § 1866; 39 G. A., ch. 70, § 1.]

CHAPTER 4

GENERAL PROVISIONS RELATING TO BANKS AND TRUST COMPANIES

NOTE: Chapter heading changed from "Banks" to the above to avoid having a chapter heading the same as the title heading.

SECTION 5800-a1. Failure to furnish information—penalty.

1 Any bank or trust company subject to supervision by the super-
 2 intendent of banking which fails to furnish him the call statement
 3 within the time required by section fifty-eight hundred of the com-
 4 piled code, or fails to furnish him any report, or other information
 5 he is legally authorized to call for, within ten days of his call therefor,
 6 or within the time required by law, shall be subject to a penalty of
 7 ten dollars for each such day of delinquency, unless prior to such
 8 delinquency the superintendent has extended the time within which
 9 the same may be filed and same is filed within such extended time;
 10 such penalty to be paid to the state superintendent of banking, and
 11 collected and accounted for by him, pursuant to the provisions of sec-
 12 tion fifty-seven hundred fifty-five of the compiled code.

[39 G. A., ch. 69.]

**SEC. 5801. Examination by superintendent of banking—publica-
tion of statement.**

1 The superintendent of banking may, at any time he may see
 2 proper, make or cause to be made an examination of any savings or
 3 state bank, or he shall call upon it for a report of its condition upon
 4 any given day which has passed, as often as three times or more at
 5 his discretion each year, which report shall contain the information
 6 under section fifty-eight hundred of the compiled code, and the said
 7 superintendent shall cause it to be published, except as hereinafter
 8 provided, in one regular issue in some daily, semiweekly or weekly
 9 newspaper in the city or town where such bank is located, or if there
 10 be none in such city or town, then, in one regular issue of some daily,
 11 semiweekly, triweekly or weekly newspaper printed in said county,
 12 and the expense of such publication shall be paid by the bank. The
 13 statement published in the newspaper shall not contain the name
 14 of the bank or banks in which the bank making the statement, has
 15 on deposit, funds subject to be drawn at sight, nor shall said state-
 16 ment show the amount of liabilities due such bank on the part of the
 17 directors thereof, nor contain an itemized statement of reserve. The
 18 reserve with respect to the total amount of cash on hand and due
 19 from banks may be shown in one sum.

[R., '60, § 1637; C., '73, § 1571; C., '97, § 1873; S., '13, §
 1873; 39 G. A., ch. 71; 40 G. A., ch. 187.]

SEC. 5803. Proceedings against by state—receivers.

1 When it shall appear to the superintendent of banking that any
 2 savings or state bank has refused to pay its deposits in accordance
 3 with the terms on which such deposits were received, or has become
 4 insolvent, or that its capital has become impaired, or has violated the
 5 law, or is conducting its business in an unsafe manner, he shall, by
 6 an order addressed to such bank, direct a discontinuance of such
 7 illegal or unsafe practices, and require conformity with the law.

8 The said superintendent may appoint an examiner to investigate
9 the affairs of any savings or state bank, who shall have power to ad-
10 minister oaths to any person whose testimony may be required on
11 such examination, and to compel his attendance for the purpose there-
12 of, by subpoena or attachment, in the manner now authorized in
13 respect to witnesses in the courts of the state, and all books and
14 papers which it may be found necessary to inspect on the examina-
15 tion so ordered shall be produced, and their production may be com-
16 pelled in like manner; all expenses thereof shall be paid by the banks
17 examined, in such amount as the said superintendent shall certify
18 to be just and reasonable, but costs taxed as such shall not exceed
19 those allowed for like services in the district court.

20 If any such bank shall fail or refuse to comply with the demands
21 made by the said superintendent, or if the said superintendent shall
22 become satisfied that any such bank is in an insolvent or unsafe con-
23 dition, or that the interests of creditors require the closing of any such
24 bank, he may appoint an additional bank examiner to assist him in
25 the duty of liquidation and distribution, whereupon the right of levy,
26 or execution, or attachment against said bank or its assets shall be
27 suspended, and the superintendent of banking may apply to the dis-
28 trict court for that district in which said bank is located, or a judge
29 thereof, for the appointment of said superintendent as receiver for
30 such bank, and its affairs shall thereafter be under the direction of
31 the court, and the assets thereof after the payment of the expenses
32 of liquidation and distribution shall be ratably distributed among the
33 creditors thereof, giving preference in payment to depositors.

34 The attorney general of the state, or such assistants as may be
35 appointed by the court, shall represent the superintendent of banks
36 in all proceedings provided for hereunder. No general assignment
37 for the benefit of creditors shall be of any validity.

38 The superintendent of banking henceforth shall be the sole and
39 only receiver or liquidating officer for state incorporated banks and
40 trust companies and he shall serve without compensation other than
41 his stated compensation as superintendent of banking, but he shall
42 be allowed clerical and other expenses necessary in the conduct of
43 the receivership.

44 All expenses of supervision and liquidation shall be fixed by him,
45 subject to approval by the court or a judge thereof, and shall upon his
46 certificate be paid out of the funds of such bank in his hands.

[C., '73, § 1572; C., '97, § 1877; 40 G. A., ch. 189.]

SEC. 5803-a1. Examination as to assets.

1 The court having direction and control of any such receiver, or
2 any judge thereof, may require, upon the motion of said receiver,
3 any person suspected of having taken wrongful possession of any
4 of the effects of a state or savings bank for which said receiver has
5 been appointed, or of having had such effects under his control, or any
6 officer or agent of any such suspected person, to appear and submit to
7 an examination, under oath, touching such matters, and if, on such
8 examination it appears that the person examined has the wrongful
9 possession of any such property, the court or judge may order the
10 delivery thereof to the receiver.

[40 G. A., ch. 188, § 1.]

SEC. 5803-a2. Enforcement of orders.

1 If, on being served with the order of the court or judge requir-
 2 ing him to do so, any person fails to appear in accordance therewith,
 3 or if, having appeared, he refuses to answer any questions which the
 4 court or judge thinks proper to be put to him in the course of such
 5 examination, or if he fails to comply with the order of the court or
 6 judge requiring him to deliver any such property or effects to the
 7 receiver he may be committed to the jail of the county until he does.

[40 G. A., ch. 188, § 2.]

SEC. 5815-a1. Limitations on dividends.

1 Henceforth before any dividend is declared by any state bank,
 2 not less than one-tenth of the net profits of the bank for the preceding
 3 half year or for each period as is covered by the dividend shall be
 4 carried to a surplus fund, until such surplus shall amount to twenty
 5 per cent of its capital stock, and no dividend in excess of eight per
 6 cent per annum for the period covered by said dividend shall be paid,
 7 unless said surplus fund is equal to twenty per cent of its capital.

[40 G. A., ch. 186, § 3.]

CHAPTER 5
BANKS AND TRUST COMPANIES AS FIDUCIARIES**SECTION 5831. Dividends—surplus fund.**

1 After providing for all expenses, interest, and taxes accrued or
 2 due from any corporations exercising the powers herein conferred and
 3 deducting all losses and bad debts, the board of directors of said cor-
 4 poration may declare a dividend of so much of the profits of the cor-
 5 poration as they shall judge expedient; all debts past due to any
 6 corporation on which interest is past due and unpaid for a period of
 7 twelve months, unless the same are well secured and in process of col-
 8 lection, shall be considered bad debts within the meaning of this sec-
 9 tion; before any such dividend is declared, not less than one-tenth of
 10 the net profits of the corporation for the preceding half year, or for
 11 such period as is covered by the dividend, shall be carried to a fund
 12 to be designated the surplus fund, until such surplus fund shall
 13 amount to twenty per cent of its capital stock, and thereafter such
 14 surplus fund shall always be equal to at least twenty per cent of the
 15 capital stock of such corporation unless impaired by losses, and when-
 16 ever the same becomes so impaired it shall be reimbursed in the man-
 17 ner provided for its accumulation.

18 In no event shall any corporation exercising the powers herein
 19 conferred pay any dividend in excess of eight per cent per annum for
 20 the period covered by said dividend unless said surplus is equal to
 21 twenty per cent of its capital. Said surplus shall be invested the same
 22 as the original capital.

[S., '13, § 1889-1; 40 G. A., ch. 186, § 2.]

SEC. 5833-a1. Investments in federal reserve and farm loan bank stock.

1 State banks and trust companies are hereby authorized, subject
2 to the approval of the superintendent of banking, to invest an amount
3 not exceeding ten per cent of their capital stock and surplus in the
4 capital stock of corporations chartered or incorporated under the pro-
5 visions of section twenty-five-a of the federal reserve act, approved
6 December twenty-fourth, nineteen hundred nineteen, and a like amount
7 in the capital stock of corporations organized under the laws of this
8 state for the purpose of extending credit to those engaged in agri-
9 culture and to agricultural organizations; provided that the said in-
10 vestments by state banks and trust companies shall in no event exceed
11 in the aggregate twenty per cent of the capital stock and surplus of
12 said state bank or trust company.

[39 G. A., ch. 157, § 1.]

TITLE XX

BUILDING AND LOAN ASSOCIATIONS

CHAPTER 1

ORGANIZATION AND GENERAL REGULATIONS

NOTE: Chapter heading changed from "Building and Loan Associations" to the above to avoid having a chapter heading the same as the title heading.

SECTION 5844. Nature of business—statement.

1 All building and loan or savings and loan associations, upon re-
 2 ceiving the certificate from the auditor, shall have power, subject to
 3 the terms and conditions contained in their articles of incorporation
 4 and by-laws, to issue stock to members to be paid for in single, stated,
 5 or monthly payments, but not more than ten thousand dollars of stock,
 6 computed at par value, of any kind shall be issued to one person except
 7 that any association having assets in excess of one million dollars
 8 may issue to one person stock, computed at par value, not in excess
 9 of one per cent of its assets; to assess and collect from members such
 10 dues, membership fees, fines, premiums, and interest on loans as may
 11 in the articles of incorporation and by-laws have been provided, and
 12 the same shall not be held to be usurious; to permit members, other
 13 than holders of guarantee stock, to withdraw all or a part of their
 14 stock deposits upon such terms and at such times as the articles of
 15 incorporation and by-laws may provide; to acquire, hold, incumber
 16 and convey such real estate and personal property as may be neces-
 17 sary for the transaction of their business; to make loans to members
 18 on such terms, conditions and securities as the articles of incorpora-
 19 tion and by-laws provide; said loans to be made only on real estate
 20 security, or on the security of their own shares of stock, not to exceed
 21 ninety per cent of the withdrawal value thereof.

22 It shall be the duty of the secretary of every such association
 23 doing business in this state to prepare, on or before February fifteenth
 24 of each year, a duly verified statement, showing the book value and
 25 withdrawal value of a share of each class of stock in said association,
 26 for each monthly period up to January first preceding, and file the
 27 same with the auditor of state, which shall be preserved in his office.

28 The said association shall, on or before February fifteenth of each
 29 year, mail to each shareholder a written or printed copy of the same.

30 In case of foreclosure, the borrower shall be charged with the
 31 full amount of the loan made to him, together with the dues, interest,
 32 premium and fines for which he is delinquent, and he shall be credited
 33 with the same value of his pledged shares as if he had voluntarily
 34 withdrawn the same.

35 In event that judgment is obtained against a borrower from a
 36 building and loan association, no greater recovery shall be had than
 37 the net amount of principal actually received, with interest thereon
 38 at a rate not greater than twelve per centum per annum on the net
 39 amount of loan actually received by and paid to borrower, with statu-
 40 tory attorney fees; no evasion of this provision shall be had by means
 41 of any dues, membership fees, premiums, fines, forfeitures or other
 42 charges, any agreement to the contrary, notwithstanding.

[C., '73, §§ 1185, 1186; C., '97, § 1898; S., '13, § 1898; 39
 G. A., ch. 258, § 1.]

SEC. 5845. Forbidden stocks—rate of dividend.

1 No building and loan or savings and loan associations shall issue
 2 guarantee stock, fully paid stock, or single payment stock, or any stock
 3 of any other kind or name which shall receive fixed dividends, or is
 4 not subject to all the liabilities of all other classes of stock of said
 5 associations, except that it shall be lawful for such associations to
 6 issue fully paid stock upon the payment by the holder thereof of the
 7 par value of such stock upon which the dividends to be declared shall
 8 not exceed the sum named in said certificate of stock, but in no event
 9 shall the dividend exceed eight per cent per annum nor the rate of
 10 dividend declared upon the other stock of said association, which said
 11 stock shall be subject to be called in and redeemed by the said associa-
 12 tion by giving the holder thirty days' notice thereof.

[S., '13, § 1898-c; 39 G. A., ch. 258, § 2.]

SEC. 5850. Guardians—executors—trustees—minors.

1 Any guardian, executor, administrator or trustee shall have the
 2 right to vote, manage and control the shares held by him in his rep-
 3 resentative capacity.

4 Minors may become members and make withdrawals the same as
 5 other members, unless notice to the contrary is given in writing to
 6 said association by the parent or guardian of said minor.

[C., '97, § 1901; 39 G. A., ch. 258, § 3.]

SEC. 5852. Expenditures and expenses—compensation of officers and agents.

[Repealed by 39 G. A., ch. 269, and the two following sections enacted in lieu thereof.]

SEC. 5852-a1. Expenditures and expenses.

1 All expenditures and expenses for management and conducting
 2 the affairs of such associations, not including membership fees and
 3 charges for closing loans, shall be paid from the receipts of interest,
 4 premiums, and other sources of profit. Said associations may thus
 5 use for expenses in any one year a sum not in excess of the following
 6 percentages on their assets, as shown by the last annual report, to wit:

- 7 1. Associations with assets not in excess of one hundred thou-
 8 sand dollars, three per cent per annum.
- 9 2. Associations with assets in excess of one hundred thousand
 10 dollars but less than three hundred thousand dollars, two and one-
 11 half per cent.

- 12 3. Associations in excess of three hundred thousand dollars and
 13 less than five hundred thousand dollars, two and one-quarter per cent.
 14 4. Associations with assets in excess of five hundred thousand
 15 dollars and less than eight hundred thousand dollars, one and three-
 16 quarters per cent.
 17 5. Associations with assets in excess of eight hundred thousand
 18 dollars and less than one million dollars, one and one-half per cent.
 19 6. Associations with assets in excess of one million dollars, one
 20 per cent.

[S., '13, § 1902-a; 39 G. A., ch. 269, § 1.]

SEC. 5852-a2. Compensation of officers and agents.

1 No officer, employee or agent of any association shall receive di-
 2 rectly or indirectly any salary or other compensation, except for serv-
 3 ices actually rendered. Any compensation paid in violation of this
 4 section may be recovered by the association or by any shareholder or
 5 borrower, in the name and for the use of such association, within
 6 three years from the receipt of such illegal compensation, from the
 7 person accepting the same or from any officer knowingly consenting
 8 to the allowance thereof.

[S., '13, § 1902-a; 39 G. A., ch. 269, § 2.]

SEC. 5856. Examination.

1 At least once in each year the auditor of state shall, by himself
 2 or some competent person appointed by him, make an examination of
 3 all domestic and foreign building and loan and savings and loan as-
 4 sociations doing business in this state, and may examine under oath
 5 any officer, agent or employee of the association, or other person, and
 6 may compel the production of its books and papers, and for this pur-
 7 pose such examiner shall have the same power as the district court
 8 to secure the attendance of witnesses and the production of such books
 9 and papers, and to punish as for contempt. If the examination is
 10 made by the auditor in person, he shall receive his actual expenses.
 11 If by another, his actual expenses and the per diem fixed by law,
 12 which in either case shall be paid by the association examined. A
 13 record of such examination shall be kept in the auditor's office, show-
 14 ing in detail as to each association all matters connected with the
 15 conduct of the business, its financial standing and everything touch-
 16 ing its solvency, plan of business, and integrity. If the report is made
 17 by another than the auditor, it shall be under oath. Examinations
 18 may be made at such other times as the auditor may order. If any
 19 such association refuse to submit to such examination, the auditor
 20 shall revoke its certificate of authority.

[C., '97, § 1904; 39 G. A., ch. 209, § 57.]

TITLE XXI

TRADE AND COMMERCE

CHAPTER 1

MONEY AND INTEREST

SECTION 5893. Interest in excess of two per cent per month criminal—penalty.

1 Every person or persons, company, corporation or firm, and every
 2 agent of any person, persons, company, corporation or firm, who shall
 3 take or receive, or agree to take or receive directly or indirectly, by
 4 means of commissions or brokerage charges, or otherwise, for the for-
 5 bearance or use of money in the sum or amount of more than three
 6 hundred dollars a rate greater than two per cent per month, shall be
 7 deemed guilty of a misdemeanor, and, on conviction thereof, shall be
 8 punished by a fine of not less than twenty-five dollars, nor more than
 9 five hundred dollars, or by imprisonment in the county jail for a
 10 period of not less than thirty days nor more than ninety days. Noth-
 11 ing herein contained shall be construed as authorizing a higher rate
 12 of interest than is now provided by law.

[S. S., '15, § 3041-a; 39 G. A., ch. 35, § 20.]

CHAPTER 1-A

CHATTEL LOANS

NOTE: For law regulating loans in excess of \$300.00, see section 5893 of this supplement.

SECTION 5894-a1. License required to make certain loans.

1 No person, copartnership, or corporation shall engage in the
 2 business of making loans of money, credit, goods, or things in action
 3 in the amount, or to the value of three hundred dollars, or less, and
 4 charge, contract for, or receive a greater rate of interest than eight
 5 per centum per annum therefor, except as authorized by this chapter
 6 and without first obtaining a license from the superintendent of bank-
 7 ing, hereinafter called the licensing official.

[39 G. A., ch. 35, § 1.]

SEC. 5894-a2. Application—form—fee.

1 Application for such license shall be in writing and shall contain
 2 the full name and address, both of the residence and place of business,

3 of the applicant, and if the applicant is a copartnership, of every
 4 member thereof, or if a corporation, of each officer thereof; also the
 5 county and municipality, with street and number, if any, where the
 6 business is to be conducted. Every such applicant at the time of mak-
 7 ing such application, shall pay to the licensing official the sum of one
 8 hundred dollars as an annual license fee and in full payment of all
 9 expenses of examinations under, and administration of this chapter;
 10 provided that if the license is issued for a period of less than twelve
 11 months the license fee shall be prorated according to the number of
 12 months that said license shall run.

[39 G. A., ch. 35, § 2.]

SEC. 5894-a3. Bond—amount—conditions.

1 The applicant shall also, at the same time, file with the licensing
 2 official a bond in which the applicant shall be the obligor, in the sum
 3 of one thousand dollars with one or more sureties, (whose liability
 4 as such sureties, in the aggregate, shall not exceed one thousand dol-
 5 lars), to be approved by the licensing official which bond shall run
 6 to the state of Iowa for the use of the state and of any person, or
 7 persons who may have a cause of action against the obligor of said
 8 bond under the provisions of this chapter. Such bond shall be con-
 9 ditioned that said obligor will conform to and abide by each and every
 10 provision of this chapter and will pay to the state and to any such
 11 person or persons, any and all moneys that may become due or owing
 12 to the state and to such person, or persons, from said obligor, under
 13 and by virtue of the provisions of this chapter.

[39 G. A., ch. 35, § 3.]

SEC. 5894-a4. Issuance of license—expiration.

1 Upon the filing of such application and the approval of said bond
 2 and the payment of said fee, the licensing official shall issue a license
 3 to the applicant to make loans in accordance with the provisions of
 4 this chapter for a period which shall expire the first day of January
 5 next following the date of its issuance. Such license shall not be
 6 assignable.

[39 G. A., ch. 35, § 4.]

SEC. 5894-a5. Inadequate bond.

1 If in the opinion of the licensing official the bond shall at any
 2 time appear to be insecure, or exhausted, or otherwise doubtful, an
 3 additional bond in the sum of not more than one thousand dollars
 4 satisfactory to the licensing official shall be filed within ten days after
 5 notice to the licensee and upon failure of the obligor to file such addi-
 6 tional bond, the license shall be revoked by the licensing official.

[39 G. A., ch. 35, § 5.]

SEC. 5894-a6. Revocation of license.

1 The licensing official may, upon notice to the licensee and reason-
 2 able opportunity to be heard, revoke such license if the licensee has
 3 violated any provision of this chapter; and in case the licensee shall
 4 be convicted by a court a second time of a violation of section fifty-
 5 eight hundred ninety-four-a thirteen of this supplement the licensing

6 official shall revoke such license; provided that the second offense shall
7 have occurred after a prior conviction, in which case another license
8 shall not be issued to such licensee, nor to the husband or wife of the
9 licensee, nor to any copartnership or corporation of which he is a
10 member or officer.

[39 G. A., ch. 35, § 6.]

SEC. 5894-a7. Display of license.

1 The license shall be kept conspicuously posted in the place of busi-
2 ness of the licensee.

[39 G. A., ch. 35, § 7.]

SEC. 5894-a8. Manner of making loans—duplicate license.

1 No person, copartnership, or corporation so licensed shall make
2 any loan provided for by this chapter, under any other name, or at
3 any other place of business, than that named in the license. Not more
4 than one place of business shall be maintained under the same license,
5 but the licensing official shall issue more than one license to the same
6 licensee upon the payment of an additional license fee and the filing
7 of an additional bond for each license.

[39 G. A., ch. 35, § 8.]

SEC. 5894-a9. Notice of change of place of business.

1 Whenever the licensee shall change his place of business, he shall
2 at once give written notice thereof to the licensing official who shall
3 attach to the license his approval in writing of the change.

[39 G. A., ch. 35, § 9.]

SEC. 5894-a10. Examinations and inspections.

1 The licensing official for the purpose of discovering violations of
2 this chapter, may either personally, or by any person designated by
3 him, at any time and as often as he may desire, investigate the loans
4 and business of every licensee and of every person, copartnership, and
5 corporation by whom or which, any such loan shall be made, whether
6 such person, copartnership, or corporation shall act, or claim to act
7 as principal, agent, or broker, or under, or without the authority of
8 this chapter; and for that purpose he shall have free access to the
9 office or place of business, books, papers, records, safes and vaults of
10 all such persons, copartnerships and corporations; he shall also have
11 authority to examine, under oath, all persons whomsoever, whose testi-
12 mony he may require, relative to such loans, or business.

[39 G. A., ch. 35, § 10.]

SEC. 5894-a11. Books and records of licensee.

1 The licensee shall keep such books and records in his place of
2 business as in the opinion of the licensing official will enable the licens-
3 ing official to determine whether the provisions of this chapter are
4 being observed. Every such licensee shall preserve the records of
5 final entry used in such business, including cards used in the card
6 system, if any, for a period of at least two years after the making of
7 any loan recorded therein.

[39 G. A., ch. 35, § 11.]

SEC. 5894-a12. False advertisements.

1 No licensee, or other person, copartnership or corporation, shall
 2 print, publish, or distribute, or cause to be printed, published, or dis-
 3 tributed in any manner whatsoever, any written, or printed statement
 4 with regard to the rates, terms or conditions for the lending of money,
 5 credit, goods, or things in action, in amounts of three hundred dollars
 6 or less, which is false, or calculated to deceive.

[39 G. A., ch. 35, § 12.]

SEC. 5894-a13. Interest rate—additional charges—limitation on loan.

1 Every person, copartnership and corporation licensed hereunder
 2 may loan any sum of money not exceeding in amount the sum of three
 3 hundred dollars and may charge, contract for and receive thereon
 4 interest at a rate not to exceed three and one-half per centum per
 5 month.

6 Interest shall not be payable in advance, or compounded and shall
 7 be computed on unpaid balances. In addition to the interest herein
 8 provided for, no further or other charge, or amount whatsoever for
 9 any examination, service, brokerage, commission, or other thing, or
 10 otherwise, shall be directly, or indirectly charged, contracted for, or
 11 received, except the lawful fees, if any, actually and necessarily paid
 12 out by the licensee to any public officer, for filing, or recording in any
 13 public office, any instrument securing the loan, which fees may be
 14 collected when the loan is made, or at any time thereafter.

15 If interest, or charges in excess of those permitted by this chap-
 16 ter shall be charged, contracted for, or received, the contract of loan
 17 shall be void and the licensee shall have no right to collect, or receive
 18 any principal, interest or charges whatsoever.

19 No person shall owe any licensee, as such, at any time more than
 20 three hundred dollars for principal.

[39 G. A., ch. 35, § 13.]

SEC. 5894-a14. Duty of licensee as to borrower.

1 Every licensee shall:

2 1. Deliver to the borrower, at the time a loan is made, a statement
 3 in the English language showing in clear and distinct terms the amount
 4 and date of the loan and of its maturity, the nature of the security, if
 5 any, for the loan, the name and address of the borrower and of the
 6 licensee and the rate of interest charged. Upon such statement there
 7 shall be printed in English a copy of the preceding section.

8 2. Give to the borrower a plain and complete receipt for all pay-
 9 ments made on account of any such loan at the time such payments are
 10 made.

11 3. Upon repayment of the loan in full, mark indelibly every paper
 12 signed by the borrower with the word "paid" or "canceled", and re-
 13 lease any mortgage, restore any pledge, cancel and return any note and
 14 cancel and return any assignment given by the borrower as security.

[39 G. A., ch. 35, § 14.]

SEC. 5894-a15. Confession of judgment—amount of loan.

1 No licensee shall take any confession of judgment, or any power of
 2 attorney in relation to any such loan. Nor shall he take any note,

3 promise to pay, or security that does not state the actual amount of
4 the loan, the time for which it is made and the rate of interest charged,
5 nor shall he take any instrument in which blanks are left to be filled
6 after execution.

[39 G. A., ch. 35, § 15.]

SEC. 5894-a16. Assignments—exempt property.

1 No assignment of or order for the payment of any salary, wages,
2 commissions or other compensation for services, earned or to be
3 earned, given to secure any such loan shall be valid unless such loan is
4 contracted simultaneously with its execution; nor shall any such
5 assignment, or order, or any chattel mortgage or other lien on house-
6 hold furniture then in the possession and use of the borrower be valid
7 unless in writing signed and acknowledged in person by the borrower;
8 nor, if the borrower is married, unless signed and acknowledged in
9 person by both husband and wife.

10 Under any such assignment or order for the payment of future
11 salary, wages, commissions, or other compensation for services, given
12 as security for a loan made under this chapter, a sum not exceeding ten
13 per centum of the borrower's salary, wages, commissions, or other
14 compensation for services, shall be collectible therefrom by the licensee
15 at the time of each payment of salary, wages, commissions, or other
16 compensation for services, from the time that a copy of such assign-
17 ment, verified by the oath of the licensee, or his agent, together with a
18 verified statement of the amount unpaid upon such loan, is served upon
19 the employer.

[39 G. A., ch. 35, § 16.]

SEC. 5894-a17. Illegal rate of interest—evasions.

1 No person, copartnership, or corporation, except as authorized by
2 this chapter shall, directly, or indirectly, charge, contract for, or
3 receive any interest, or consideration greater than eight per centum
4 per annum upon the loan, use, or forbearance of money, goods, or
5 things in action, or upon the loan, use, or sale of credit, of the amount,
6 or value of three hundred dollars or less.

7 The foregoing prohibition shall apply to any person who, as
8 security for any such loan, use or forbearance of money, goods or
9 things in action or for any such loan, use or sale of credit, makes a
10 pretended purchase of property from any person and permits the
11 owner or pledgor to retain the possession thereof, or who, by any de-
12 vice or pretense of charging for his services, or otherwise, seeks to
13 obtain a greater compensation than is authorized by this chapter.

14 No loan for which a greater rate of interest or charge than is
15 allowed by this chapter has been contracted for or received, wherever
16 made, shall be enforced in this state, and any person in any wise parti-
17 cipating therein in this state shall be subject to the provisions of this
18 chapter.

[39 G. A., ch. 35, § 17.]

SEC. 5894-a18. Violations—penalty.

1 Any person, copartnership, or corporation and the several officers
2 and employees thereof who shall violate any of the provisions of sec-

3 tions fifty-eight hundred ninety-four-a one, fifty-eight hundred ninety-
 4 four-a eight, fifty-eight hundred ninety-four-a twelve, fifty-eight
 5 hundred ninety-four-a thirteen, or fifty-eight hundred ninety-four-a
 6 seventeen of this supplement shall be guilty of a misdemeanor and
 7 upon conviction thereof shall be punished by a fine of not more than
 8 five hundred dollars, or by imprisonment of not more than six months,
 9 or by both such fine and imprisonment, in the discretion of the court.

[39 G. A., ch. 35, § 18.]

SEC. 5894-a19. Scope of law—exceptions.

1 This chapter shall not apply to any existing private bank or bank-
 2 ers doing a general banking business or to any person, copartnership,
 3 or corporation doing business under any law of this state, or of the
 4 United States relating to banks, trust companies, building and loan
 5 associations, or licensed pawnbrokers, nor shall it apply to any domes-
 6 tic corporation entitled to the benefits of sections forty-five hundred
 7 six, forty-five hundred seven, and forty-five hundred eight of the com-
 8 piled code.

[39 G. A., ch. 35, § 19.]

CHAPTER 2

CONTRACTS

SECTION 5897. Failure of consideration.

1 The want or failure, in whole or in part, of the consideration of
 2 a written contract may be shown as a defense, total or partial, except
 3 as provided in the negotiable instruments law.

[C., '51, § 976; R., '60, § 1825; C., '73, § 2114; C., '97, § 3070;
 40 G. A., ch. 262.]

CHAPTER 6

NEGOTIABLE INSTRUMENTS

FORM AND INTERPRETATION

SECTION 5999. Holidays affecting presentation.

1 The first day of the week, called Sunday, the first day of January,
 2 the twelfth day of February, the twenty-second day of February, the
 3 thirtieth day of May, the fourth day of July, the first Monday in
 4 September, the eleventh day of November, the twenty-fifth day of
 5 December, the day of general election, and any day appointed or rec-
 6 ommended by the governor of this state or by the president of the
 7 United States as a day of fasting or thanksgiving, shall be regarded as
 8 holidays for all purposes relating to the presentation for payment or
 9 acceptance, and for the protesting and giving notice of the dishonor of
 10 bills of exchange, drafts, bank checks, orders and promissory notes,
 11 and any blank or mercantile paper falling due on any of the days above

12 named shall be considered as falling due on the succeeding business
13 day.

[C., '73, § 2094; C., '97, § 3053; S., '13, § 3053; 39 G. A.,
ch. 62.]

CHAPTER 8-A

BONDED WAREHOUSES FOR AGRICULTURAL PRODUCTS

SECTION 6179-a1. Terms defined.

1 The term "commissioners" as used in this chapter shall mean the
2 "board of railroad commissioners".

3 The term "warehouse" as used in this chapter shall be deemed to
4 mean every building, structure, or other protected inclosure in which
5 any agricultural product is or may be stored within the state.

6 The term "agricultural product" wherever used in this chapter
7 shall be deemed to mean cotton, wool, grains, tobacco, and flaxseed, or
8 any of them.

9 As used in this chapter:

10 1. "Person" includes a corporation or partnership of two or more
11 persons having a joint or common interest.

12 2. "Warehouseman" means a person lawfully engaged in the busi-
13 ness of storing agricultural products.

14 3. "Receipt" means a warehouse receipt.

[39 G. A., ch. 119, § 1.]

SEC. 6179-a2. Duties of commissioners.

1 The commissioners are authorized:

2 1. To investigate the storage, warehousing, classifying according
3 to grade and otherwise, weighing, and certification of agricultural
4 products.

5 2. Upon application to them by any person applying for license
6 to conduct a warehouse under this chapter, to inspect such warehouse
7 or cause it to be inspected.

8 3. At any time, with or without application to them, to inspect or
9 cause to be inspected all warehouses licensed under this chapter.

10 4. To determine whether warehouses for which licenses are
11 applied for or have been issued under this chapter are suitable for the
12 proper storage of any agricultural product or products.

13 5. To classify warehouses licensed or applying for a license in
14 accordance with their ownership, location, surroundings, capacity, con-
15 ditions, and other qualities, and as to the kinds of licenses issued or
16 that may be issued for them pursuant to this chapter.

17 6. To prescribe, within the limitations of this chapter, the duties
18 of the warehousemen conducting warehouses licensed under this
19 chapter with respect to their care of and responsibility for agricultural
20 products stored therein.

[39 G. A., ch. 119, § 2.]

SEC. 6179-a3. License—conditions.

1 The commissioners are authorized, upon application to them, to
 2 issue to any warehouseman a license for the conduct of a warehouse or
 3 warehouses in accordance with this chapter and such rules and regula-
 4 tions as may be made hereunder: Provided, that each such warehouse
 5 be found suitable for the proper storage of the particular agricultural
 6 product or products for which a license is applied for, and that such
 7 warehouseman agree, as a condition to the granting of the license, to
 8 comply with and abide by all the terms of this chapter and the rules
 9 and regulations prescribed hereunder.

[39 G. A., ch. 119, § 3.]

SEC. 6179-a4. Tenure of license—renewal.

1 Each license issued under the preceding section shall be issued
 2 for a period not exceeding one year, and shall specify the date upon
 3 which it is to terminate, and upon showing satisfactory to the commis-
 4 sioners may from time to time be renewed or extended by a written
 5 instrument, which shall specify the date of its termination.

[39 G. A., ch. 119, § 4.]

SEC. 6179-a5. Bond—conditions—suspension because of insufficiency.

1 Each warehouseman applying for a license to conduct a warehouse
 2 in accordance with this chapter shall, as a condition to the granting
 3 thereof, execute and file with the commissioners a good and sufficient
 4 bond other than personal security to the state of Iowa to secure the
 5 faithful performance of his obligations as a warehouseman under the
 6 terms of this chapter and the rules and regulations prescribed hereun-
 7 der, and of such additional obligations as a warehouseman as may be
 8 assumed by him under contracts with the respective depositors of agri-
 9 cultural products in such warehouse.

10 Said bond shall be in such form and amount, shall have such
 11 surety or sureties, subject to service of process in suits on the bond
 12 and shall contain such terms and conditions as the commissioners may
 13 prescribe to carry out the purposes of this chapter, including the re-
 14 quirements of fire insurance.

15 Whenever the commissioners shall determine that a bond approved
 16 by them is, or for any cause has become insufficient, they may require
 17 an additional bond or bonds to be given by the warehouseman con-
 18 cerned, conforming with the requirements of this section, and unless
 19 the same be given within the time fixed by a written demand therefor
 20 the license of such warehouseman may be suspended or revoked.

21 No bond shall be required of any warehouse licensed and bonded
 22 under the provisions of the United States warehouse act.

[39 G. A., ch. 119, § 5.]

SEC. 6179-a6. Action on bond.

1 Any person injured by the breach of any obligation to secure which
 2 a bond is given, under the provisions of sections sixty-one hundred
 3 seventy-nine-a five or sixty-one hundred seventy-nine-a eight of this
 4 supplement, shall be entitled to sue on the bond in his own name in
 5 any court of competent jurisdiction to recover the damages he may
 6 have sustained by such breach.

[39 G. A., ch. 119, § 6.]

SEC. 6179-a7. Use of term "bonded warehouse".

1 Upon the filing with the approval by the commissioners of a bond,
2 in compliance with this chapter, for the conduct of a warehouse, such
3 warehouse shall be designated as bonded hereunder; but no warehouse
4 shall be designated as bonded under this chapter, and no name or
5 description conveying the impression that it is so bonded, shall be used,
6 until a bond, such as provided for in section sixty-one hundred seventy-
7 nine-a five of this supplement, has been filed with and approved by the
8 commissioners, nor unless the license issued under this chapter for the
9 conduct of such warehouse remains unsuspended and unrevoked.

[39 G. A., ch. 119, § 7.]

SEC. 6179-a8. Fees.

1 The commissioners shall charge, assess, and cause to be collected a
2 reasonable fee for every examination or inspection of a warehouse un-
3 der this chapter when such examination or inspection is made upon ap-
4 plication of a warehouseman, and a fee not exceeding two dollars per
5 annum for each license or renewal thereof issued to a warehouseman
6 under this chapter. All such fees shall be deposited and covered into
7 the treasury as miscellaneous receipts.

[39 G. A., ch. 119, § 8.]

SEC. 6179-a9. License to classify, grade or weigh.

1 The commissioners may, upon presentation of satisfactory proof
2 of competency, issue to any person a license to classify any agricultural
3 product or products, stored or to be stored in a warehouse licensed un-
4 der this chapter, according to grade or otherwise and to certificate the
5 grade or other class thereof, or to weigh the same and certificate the
6 weight thereof, or both to classify and weigh the same and to certificate
7 the grade or other class and the weight thereof, upon condition that
8 such person agree to comply with and abide by the terms of this chapter
9 and of the rules and regulations prescribed hereunder so far as the
10 same relate to him.

[39 G. A., ch. 119, § 9.]

SEC. 6179-a10. Suspension or revocation of license.

1 Any license issued to any person to classify or to weigh any agri-
2 cultural product or products under this chapter may be suspended or
3 revoked by the commissioners whenever they are satisfied, after oppor-
4 tunity afforded to the licensee concerned for a hearing, that such
5 licensee has failed to classify or to weigh any agricultural product or
6 products correctly, or has violated any of the provisions of this chapter
7 or of the rules and regulations prescribed hereunder, so far as the
8 same may relate to him, or that he has used his license or allowed it to
9 be used for any improper purpose whatsoever. Pending investigation,
10 the commissioners whenever they deem necessary, may suspend a
11 license temporarily without hearing.

[39 G. A., ch. 119, § 10.]

SEC. 6179-a11. Duty of warehouseman—discrimination.

1 Every warehouseman conducting a warehouse licensed under this
2 chapter shall receive for storage therein, so far as its capacity permits,

3 any agricultural product of the kind customarily stored therein by him
 4 which may be tendered to him in a suitable condition for warehousing,
 5 in the usual manner in the ordinary and usual course of business, with-
 6 out making any discrimination between persons desiring to avail them-
 7 selves of warehouse facilities.

[39 G. A., ch. 119, § 11.]

SEC. 6179-a12. Presumption attending storage.

1 Any person who deposits agricultural products for storage in a
 2 warehouse licensed under this chapter shall be deemed to have de-
 3 posited the same subject to the terms of this chapter and the rules and
 4 regulations prescribed hereunder.

[39 G. A., ch. 119, § 12.]

SEC. 6179-a13. Fungible products to be inspected and graded.

1 Grain, flaxseed, or any other fungible agricultural product stored
 2 in a warehouse licensed under this chapter shall be inspected and
 3 graded by a person duly licensed to grade the same, provided that the
 4 commissioners may waive such inspection in the case of warehouse
 5 licensed under the provisions of the United States warehouse act.

[39 G. A., ch. 119, § 13.]

SEC. 6179-a14. Separate keeping of deposits — intermingling products.

1 Every warehouseman conducting a warehouse licensed under this
 2 chapter shall keep the agricultural products therein of one depositor
 3 so far separate from agricultural products of other depositors, and
 4 from other agricultural products of the same depositor for which a
 5 separate receipt has been issued, as to permit at all times the identifica-
 6 tion and redelivery of the agricultural products deposited; but if
 7 authorized by agreement or by custom, a warehouseman may mingle
 8 fungible agricultural products with other agricultural products of the
 9 same kind and grade, and shall be severally liable to each depositor for
 10 the care and redelivery of his share of such mass, to the same extent
 11 and under the same circumstances as if the agricultural products had
 12 been kept separate, but he shall at no time while they are in his custody
 13 mix fungible agricultural products of different grades.

[39 G. A., ch. 119, § 14.]

SEC. 6179-a15. Original receipts for actual storage only.

1 For all agricultural products stored in a warehouse licensed under
 2 this chapter original receipts shall be issued by the warehouseman
 3 conducting the same, but no receipts shall be issued except for agricul-
 4 tural products actually stored in the warehouse at the time of the issu-
 5 ance thereof.

[39 G. A., ch. 119, § 15.]

SEC. 6179-a16. Contents of receipt.

1 Every receipt issued for agricultural products stored in a ware-
 2 house licensed under this chapter shall embody within its written or
 3 printed terms:

4 1. The location of the warehouse in which the agricultural prod-
 5 ucts are stored.

- 6 2. The date of issue of the receipt.
7 3. The consecutive number of the receipt.
8 4. A statement whether the agricultural products received will
9 be delivered to the bearer, to a specified person or to a specified person
10 or his order.
11 5. The rate of storage charges.
12 6. A description of the agricultural products received, showing the
13 quantity thereof, or, in case of agricultural products customarily put
14 up in bales or packages, a description of such bales or packages by
15 marks, numbers, or other means of identification and the weight of
16 such bales or packages.
17 7. The grade or other class of the agricultural products received
18 and the standard or description in accordance with which such classi-
19 fication has been made: Provided, that such grade or other class shall
20 be stated according to the official standard of the United States applica-
21 ble to such agricultural products as the same may be fixed and promul-
22 gated: Provided further, that until such official standards of the
23 United States for any agricultural product or products have been fixed
24 and promulgated, the grade or other class thereof may be stated in
25 accordance with any recognized standard or in accordance with such
26 rules and regulations not inconsistent herewith as may be prescribed
27 by the secretary of agriculture of the United States.
28 8. A statement that the receipt is issued subject to the United
29 States warehouse act and the rules and regulations prescribed there-
30 under.
31 9. If the receipt be issued for agricultural products of which the
32 warehouseman is owner, either solely or jointly or in common with
33 others, the fact of such ownership.
34 10. A statement of the amount of advances made and of liabilities
35 incurred for which the warehouseman claims a lien: Provided, that if
36 the precise amount of such advances made or of such liabilities in-
37 curred be at the time of the issue of the receipt unknown to the ware-
38 houseman or his agent who issues it, a statement of the fact that ad-
39 vances have been made or liabilities incurred and the purpose thereof
40 shall be sufficient.
41 11. Such other terms and conditions as may be required by the
42 said secretary of agriculture.
43 12. The signature of the warehouseman, which may be made by
44 his authorized agent.
45 When requested by the depositor of other than fungible agricul-
46 tural products, a receipt omitting compliance with subdivision seven
47 of this section may be issued if it have plainly and conspicuously em-
48 bodied in its written or printed terms a provision that such receipt is
49 not negotiable.

[39 G. A., ch. 119, § 16.]

SEC. 6179-a17. Standards.

- 1 The commissioners [are] authorized from time to time, to estab-
2 lish and promulgate standards for agricultural products in this chapter
3 defined by which their quality or value may be judged or determined:
4 Provided, that the standards for any agricultural products which have
5 been or which in future may be established by or under authority of
6 any act of congress shall be, and are hereby, adopted for the purposes

7 of this chapter as the official standards for the agricultural products to
8 which they relate.

[39 G. A., ch. 119, § 17.]

SEC. 6179-a18. Duplicate receipts forbidden—lost receipts.

1 While an original receipt issued under this chapter is outstanding
2 and uncanceled by the warehouseman issuing the same no other or
3 further receipt shall be issued for the agricultural product covered
4 thereby or for any part thereof, except that in the case of a lost or
5 destroyed receipt a new receipt, upon the same terms and subject to
6 the same conditions and bearing on its face the number and date of
7 the receipt in lieu of which it is issued, may be issued upon compliance
8 with the statutes of the United States applicable thereto and with the
9 laws of this state.

[39 G. A., ch. 119, § 18.]

SEC. 6179-a19. Delivery of products on demand—conditions.

1 A warehouseman conducting a warehouse licensed under this
2 chapter in the absence of some lawful excuse, shall, without unneces-
3 sary delay, deliver the agricultural products stored therein upon a de-
4 mand made either by the holder of a receipt for such agricultural prod-
5 ucts or by the depositor thereof if such demand be accompanied with:
6 1. An offer to satisfy the warehouseman's lien.
7 2. An offer to surrender the receipt, if negotiable, with such in-
8 dorsements as would be necessary for the negotiation of the receipt.
9 3. A readiness and willingness to sign, when the products are
10 delivered, an acknowledgment that they have been delivered if such
11 signature is requested by the warehouseman.

[39 G. A., ch. 119, § 19.]

SEC. 6179-a20. Cancellation of receipt.

1 A warehouseman conducting a warehouse licensed under this
2 chapter shall plainly cancel upon the face thereof each receipt returned
3 to him upon the delivery by him of the agricultural products for which
4 the receipt was issued.

[39 G. A., ch. 119, § 20.]

SEC. 6179-a21. Records required—reports.

1 Every warehouseman conducting a warehouse licensed under this
2 chapter shall:
3 1. Keep in a place of safety complete and correct records of all
4 agricultural products stored therein and withdrawn therefrom, of all
5 warehouse receipts issued by him, and of the receipts returned to and
6 canceled by him.
7 2. Make reports to the commissioners concerning such warehouse
8 and the condition, contents, operation, and business thereof in such
9 form and at such times as commissioners may require.
10 3. Conduct said warehouse in all other respects in compliance with
11 this chapter and the rules and regulations made hereunder.

[39 G. A., ch. 119, § 21.]

SEC. 6179-a22. Examinations by commissioners—publication of findings.

1 The commissioners are authorized to cause examinations to be
2 made of any agricultural product stored in any warehouse licensed un-
3 der this chapter. Whenever, after opportunity for hearing is given to
4 the warehouseman conducting such warehouse, it is determined that he
5 is not performing fully the duties imposed on him by this chapter and
6 the rules and regulations made hereunder, the commissioners may
7 publish their findings.

[39 G. A., ch. 119, § 22.]

SEC. 6179-a23. Suspension or revocation of license.

1 The commissioners may, after opportunity for hearing has been
2 afforded to the licensee concerned, suspend or revoke any license issued
3 to any warehouseman conducting a warehouse under this chapter, for
4 any violation of or failure to comply with any provision of this chapter
5 or of the rules and regulations made hereunder or upon the ground that
6 unreasonable or exorbitant charges have been made for services ren-
7 dered. Pending investigation, the commissioners, whenever they deem
8 necessary, may suspend a license temporarily without hearing.

[39 G. A., ch. 119, § 23.]

SEC. 6179-a24. Publication of results of investigation and other data.

1 The commissioners from time to time may publish the results of
2 any investigations made under section sixty-one hundred seventy-
3 nine-a two of this supplement; and he shall publish the names and
4 locations of warehouses licensed and bonded and the names and ad-
5 dresses of persons licensed under this chapter and lists of all licenses
6 terminated under this chapter and the causes therefor.

[39 G. A., ch. 119, § 24.]

SEC. 6179-a25. Examination of books, records and accounts.

1 The commissioners are authorized through their officials, em-
2 ployees, or agents designated by them to examine all books, records,
3 papers, and accounts of warehouses licensed under this chapter and of
4 the warehousemen conducting such warehouses relating thereto.

[39 G. A., ch. 119, § 25.]

SEC. 6179-a26. Rules and regulations.

1 The commissioners shall from time to time make such rules and
2 regulations as they may deem necessary for the efficient execution of
3 the provisions of this chapter.

[39 G. A., ch. 119, § 26.]

SEC. 6179-a27. Cooperation with federal government.

1 The commissioners are hereby authorized to cooperate with the
2 secretary of agriculture of the United States and with officials desig-
3 nated by him for such duties in the enforcement of the provisions of
4 the United States warehouse act.

[39 G. A., ch. 119, § 27.]

SEC. 6179-a28. Penalties.

1 Every person who shall forge, alter, counterfeit, simulate, or
 2 falsely represent, or shall without proper authority use, any license
 3 issued under this chapter, or who shall violate or fail to comply with
 4 any provision of section sixty-one hundred seventy-nine-a seven of this
 5 supplement, or who shall issue or utter a false or fraudulent receipt or
 6 certificate, shall be deemed guilty of a misdemeanor, and upon conviction
 7 thereof shall be fined not more than five hundred dollars or imprisoned
 8 not more than six months, or both, in the discretion of the
 9 court.

[39 G. A., ch. 119, § 28.]

CHAPTER 8-B
UNBONDED AGRICULTURAL WAREHOUSES**SECTION 6179-a29. Definitions.**

1 Wherever the words "secretary of agriculture" shall appear in
 2 this chapter it shall refer to the secretary of agriculture of the state
 3 of Iowa in charge of that department.

4 The word "board" shall refer to any local supervisory board of
 5 individual producers appointed by the secretary of agriculture under
 6 the provisions of this chapter.

7 The word "sealer" shall refer to any person whose duty it shall
 8 be under the provisions of this chapter to seal any granary, crib, bin,
 9 or other receptacle for grain.

10 The word "certificate" shall refer to any certificate or receipt
 11 evidencing the storage of grain under the provisions of this chapter
 12 and any rules or regulations promulgated thereunder.

13 The word "owner" shall refer to and include any person or persons,
 14 (whether individuals, copartnerships or corporations) who shall
 15 either personally or as trustee have title to or the right of possession
 16 of any grain stored under the provisions of this chapter.

17 The words "grain in storage" shall refer to any grain stored under
 18 the provisions of this chapter.

19 Where the word "owner" is used in this chapter, it shall be construed
 20 to be used in the same connection as the word "warehouseman"
 21 is used in the uniform warehouse act.

22 Where the word "certificate" is used in this chapter, it shall be
 23 construed to be used in the same connection as the word "receipt"
 24 is used in the uniform warehouse act.

[40 G. A., ch. 191, §§ 1, 34.]

SEC. 6179-a30. Local supervisory board.

1 Local supervisory boards consisting of not less than three nor
 2 more than seven members shall be appointed by the secretary of
 3 agriculture in any community upon the application of one or more
 4 citizens as hereinafter provided for the purpose of supervising grain
 5 in storage and the issuing of certificates against such grain, and generally
 6 and under the direction of the secretary of agriculture for

7 carrying out the purposes and enforcing the provisions of this chap-
 8 ter. A suitable name and a number shall be given to such board by
 9 the secretary of agriculture. The members of such boards shall at
 10 the time of their appointment be producers of grain in the state and
 11 residents thereof. They shall continue in office until their successors
 12 are appointed by the secretary of agriculture. In the event of va-
 13 cancies arising by reason of the resignation or upon removal from
 14 the district or death of any member or members, such vacancies
 15 shall be filled in manner and form as in the case of original appoint-
 16 ments. Each board shall appoint one of its own members as its sec-
 17 retary. The secretary may also be the treasurer and each board
 18 shall also appoint a president and vice president from its own mem-
 19 bership, and their duties shall be those of similar officers in their or-
 20 ganization.

[40 G. A., ch. 191, § 2.]

SEC. 6179-a31. Qualification.

1 Members of such boards shall qualify by taking oath similar to
 2 that required of public officials.

[40 G. A., ch. 191, § 3.]

SEC. 6179-a32. License to local board.

1 Upon the appointment and qualification of the members of such
 2 board the secretary of agriculture shall immediately issue a license
 3 to it, and prescribe the duties of its officers and the records they shall
 4 keep. Each license shall be numbered, and specify the territory
 5 which shall be under the jurisdiction of the board and within which
 6 certificates may be issued, such certificates shall bear the names and
 7 the license number of the board. It shall also have printed thereon
 8 such other directions, rules, and regulations as the secretary of ag-
 9 riculture shall make or promulgate and deem necessary to set forth
 10 upon such license.

[40 G. A., ch. 191, § 4.]

SEC. 6179-a33. Application.

1 Any person may make application to the secretary of agriculture
 2 for the appointment of a board in and for the community in which
 3 he resides, or the secretary of agriculture may make such appoint-
 4 ments upon his own initiative. When any such application is made
 5 the secretary of agriculture shall as soon as practicable investigate
 6 the situation and determine upon the advisability or otherwise of
 7 making the appointments requested.

[40 G. A., ch. 191, § 5.]

SEC. 6179-a34. Local sealers.

1 The board shall submit to the secretary of agriculture the name
 2 of some person or persons who shall, subject to the approval of the
 3 secretary of agriculture, act as the local sealer or sealers, and every
 4 such sealer shall have the same authority with respect to the pro-
 5 visions of this chapter and the rules and regulations promulgated
 6 thereunder, and the enforcement thereof, as any officer of the peace.

[40 G. A., ch. 191, § 6.]

SEC. 6179-a35. Scope of chapter.

1 The privileges of this chapter shall be open to all owners upon
 2 the same conditions. Any owner desiring to place his grain in
 3 storage and have a certificate or certificates issued against it shall
 4 make application therefor to the board. Any owner aggrieved by
 5 any ruling or decision of the board may appeal to the secretary of
 6 agriculture whose decision shall be final.

[40 G. A., ch. 191, § 7.]

SEC. 6179-a36. Duty of sealers.

1 It shall be the duty of the sealer under the direction of the sec-
 2 retary of agriculture to supervise the storage of grain, to ascertain
 3 the amount stored by each owner who shall desire to avail himself
 4 of the provisions of this chapter, and to determine, so far as possible,
 5 the grade and quality thereof; and he shall, before delivering a cer-
 6 tificate to the owner, securely seal the granary, crib, bin, or other
 7 receptacle in which the grain so certified shall have been stored. He
 8 shall have authority at all times to enter upon any premises for the
 9 purpose of inspecting grain in storage or the granary, crib, bin, or
 10 other receptacle in which it shall have been stored, and the accept-
 11 ance of a certificate by the owner shall be deemed consent to entry
 12 and inspection by the sealer or any person duly authorized there-
 13 unto by the secretary of agriculture. Seals or locks, or other fasten-
 14 ings employed shall be in accordance with specifications furnished
 15 by the secretary of agriculture.

[40 G. A., ch. 191, § 8.]

SEC. 6179-a37. Bond of sealer—qualification.

1 The sealer shall furnish bond for the faithful performance of
 2 his duties in such an amount as shall be determined by the secretary
 3 of agriculture. Such bonds, and the sureties thereon, shall in every
 4 case be subject to the secretary's approval and be deposited with
 5 him, and in case it is not a personal bond the premium thereon shall
 6 be payable out of any funds in the hands of the board. He shall also
 7 qualify by taking an oath similar to that required of public officials.

[40 G. A., ch. 191, § 9.]

SEC. 6179-a38. Certificates.

1 Certificates shall be upon forms to be prepared by the secretary
 2 of agriculture, and every such certificate must embody within its
 3 written or printed terms:

- 4 1. The name and license number of the board under which such
 5 certificate is issued.
- 6 2. The consecutive number of the certificate.
- 7 3. The date of issue of the certificate.
- 8 4. A particular description of the granary, bin, crib, or other
 9 receptacle in which the grain is stored, and of the premises upon
 10 which it is located.
- 11 5. A description of the grain.
- 12 6. The name of the owner or owners, whether ownership is sole,
 13 joint, or in trust, and the conditions of such ownership, and (in the
 14 case of tenants) the date of termination of the lease.

15 7. A statement of any loans or other indebtedness made to or
 16 owing by the owner which in any manner constitutes a lien, whether
 17 statutory or contractual, including both mortgage and landlord's
 18 liens, upon the grain, which statement shall be signed by the owner
 19 or his agent.

20 8. A form of waiver of liens which may be signed by the lien-
 21 holder.

22 9. A statement whether the goods received will be delivered to
 23 the bearer, to a specified person, or to a specified person or his order,
 24 and at what place it will be delivered.

25 10. A facsimile signature of the secretary of agriculture, and
 26 the countersignature of the sealer.

27 11. If the owner is married, a waiver by the spouse of any claim
 28 of exemption and a consent to the instrument.

29 12. A statement as to whether any other certificate has been
 30 issued covering any grain in the same crib, granary, bin, or other
 31 receptacle; and the amount of such other certificate.

[40 G. A., ch. 191, § 10.]

SEC. 6179-a39. Prohibited terms.

1 No term or condition shall be inserted in any certificate, whether
 2 negotiable or otherwise, which shall in any manner purport to relieve¹
 3 the owner from exercising that degree of care in the safe-keeping of
 4 the grain in storage which a reasonably prudent man would exercise
 5 with regard to similar property of his own.

[40 G. A., ch. 191, § 11.]

¹"relive" in enrolled bill.

SEC. 6179-a40. Nonnegotiable certificates.

1 A certificate in which it is stated that the grain stored shall be
 2 released or delivered to the owner, or to any other specified person,
 3 is a nonnegotiable certificate.

[40 G. A., ch. 191, § 12.]

SEC. 6179-a41. Negotiable certificates.

1 A certificate in which it is stated that the grain stored will be
 2 delivered to the bearer, or to the order of any person named in such
 3 certificate, is a negotiable certificate. No provision shall be inserted
 4 in a negotiable certificate that is nonnegotiable. Such provisions, if
 5 inserted, shall be void. Provided, however, that in case the owner is
 6 a tenant, the certificate shall cease to be negotiable from and after the
 7 date of the termination of the lease as it appears thereon.

[40 G. A., ch. 191, § 13.]

SEC. 6179-a42. Limitation—suitability of receptacle.

1 The sealer shall issue to the owner one or more certificates as
 2 herein provided, but the aggregate amount of the grain represented
 3 by such certificate or certificates shall in no event exceed the amount
 4 of grain stored and sealed by the sealer. Before issuing any certificate
 5 he shall satisfy himself as to the suitability of the bin, crib, granary,
 6 or other receptacle in which the grain is stored and that such re-

7 ceptacle conforms with the regulations applicable thereto promul-
8 gated by the secretary of agriculture.

[40 G. A., ch. 191, § 14.]

SEC. 6179-a43. Duplicate certificates.

1 The sealer shall file with the secretary of the board a duplicate
2 of all certificates delivered by him, and the secretary shall keep an
3 accurate record thereof in a book provided by the secretary of agri-
4 culture for the purpose. Such duplicates shall have plainly printed
5 upon the face thereof, "board duplicate, no value."

[40 G. A., ch. 191, § 15.]

SEC. 6179-a44. Insurance.

1 All grain stored and sealed under the provisions of this chapter
2 shall be insured against fire and windstorm in some insurance asso-
3 ciation or company authorized to do business in this state and ap-
4 proved by the secretary of agriculture. Such policies of insurance
5 as are issued shall be deposited with the secretary of agriculture and
6 shall inure to the benefit of the holder or holders of the certificate or
7 certificates issued against the said stored grain and of the owner,
8 and any incumbrancers or lienholders thereof and thereon as their
9 interests shall appear.

[40 G. A., ch. 191, § 16.]

SEC. 6179-a45. Local board as trustee.

1 Whenever it shall appear that the interests of holders of certifi-
2 cates and other parties interested may be further conserved thereby,
3 the secretary of agriculture may authorize the board to act as trustee
4 for such certificates as may be assigned to it in that capacity and
5 the board may then exercise all the rights of an owner, subject to
6 the duties and responsibilities imposed and devolving upon trustees
7 under similar conditions. All certificates issued by the board as
8 trustee shall have that fact plainly set forth thereon, any other pro-
9 vision of this chapter to the contrary notwithstanding, but such
10 statement shall in no manner affect the negotiability or nonnegotiabil-
11 ity of such certificate.

[40 G. A., ch. 191, § 17.]

SEC. 6179-a46. Marking of certificates.

1 A nonnegotiable certificate shall have plainly printed or written
2 upon its face, "nonnegotiable" or "not negotiable".

[40 G. A., ch. 191, § 18.]

SEC. 6179-a47. Delivery—burden of proof.

1 The owner shall, in the absence of some lawful excuse provided
2 by this chapter, deliver the grain stored upon demand made by the
3 holder of a certificate for the grain, or for such part thereof as is
4 represented by the certificate if such demand is accompanied by:

5 1. A showing that all such liens as may appear upon the certifi-
6 cate and which shall subsist upon the date of the demand have been
7 satisfied;

8 2. An offer to surrender the certificate if negotiable, with such
9 endorsements as would be necessary for the negotiation of certifi-
10 cate; and,

11 3. A readiness and willingness to sign, when the goods are de-
12 livered, an acknowledgment that they have been delivered, if such
13 signature is requested by the owner. In case the owner refuses or
14 fails to deliver the goods in compliance with a demand by the holder
15 of a certificate so accompanied, the burden shall be upon the owner
16 to establish the existence of a lawful excuse for such refusal.

[40 G. A., ch. 191, § 19.]

SEC. 6179-a48. Pooling.

1 Owners may, for the purpose of pooling their grain and afford-
2 ing a higher degree of security, organize themselves into groups of
3 two or more owners of grain in storage, all of whom shall be jointly
4 and severally liable to holders of certificates in due course to the
5 extent of seventy-five per cent of the market price of the grain repre-
6 sented by certificates issued against it, and at the time of their sale,
7 pledge, assignment, or other lawful disposition, and all the grain in
8 storage and belonging to said pool shall be liable for the payment of
9 moneys advanced against or paid for such certificates.

[40 G. A., ch. 191, § 20.]

SEC. 6179-a49. "Group certificates".

1 Certificates issued by or on behalf of the members of such groups
2 shall have printed thereon the words "group certificates". They shall
3 embody the same terms as are required in the case of other certificates
4 issued under the provisions of this chapter in so far as they are
5 applicable, and in addition thereto shall have stated thereon the total
6 amount of grain belonging to the pool and the names of the members
7 constituting the group. All group certificates shall be negotiable, and
8 any provision thereon contrary thereto or inconsistent therewith or
9 in any manner purporting to relieve the members of the group of their
10 liability or any part thereof, as provided in the immediately preceding
11 section, shall be void.

[40 G. A., ch. 191, § 21.]

SEC. 6179-a50. Application for pool.

1 When any owners desire to organize themselves into a group
2 for the purposes described in the two immediately preceding sections,
3 they shall notify the secretary of the board upon forms provided for
4 that purpose. The secretary shall transmit a duplicate of such appli-
5 cation to the secretary of agriculture. Unless, for good cause shown,
6 the secretary of agriculture shall expressly disapprove of the organiza-
7 tion of such group or groups and the functioning thereof, the said
8 group or groups shall be permitted to issue group certificates as pro-
9 vided herein.

[40 G. A., ch. 191, § 22.]

SEC. 6179-a51. Statutes governing pools.

1 All provisions of this chapter with respect to sealing and super-
2 vision of grain in storage shall apply to the members of groups and
3 the certificates issued by them.

[40 G. A., ch. 191, § 23.]

SEC. 6179-a52. Duty of secretary.

1 The secretary of agriculture shall have general supervision of
 2 the administration of the provisions of this chapter. He shall make
 3 and promulgate such rules and regulations, not inconsistent herewith,
 4 as shall be necessary or desirable effectually to carry out the purposes
 5 hereof. He shall make such reasonable regulations with respect to
 6 the construction and maintenance of granaries, cribs, bins, or other
 7 receptacles as may be necessary to protect the grain to be stored
 8 therein under the provisions of this chapter. He shall prepare and
 9 have printed under the same conditions as other state printing the
 10 necessary blanks, forms, and other printed matter and shall make
 11 such charges to persons desiring such printed matter as shall meet
 12 the cost of production thereof.

[40 G. A., ch. 191, § 24.]

SEC. 6179-a53. Appeals—procedure.

1 If any person shall feel aggrieved by any action of the board or
 2 of the sealer or any other official, he may submit his complaint in
 3 writing to the secretary of agriculture and the secretary of agriculture
 4 shall, as soon thereafter as possible, set the matter down for hearing
 5 before himself or one of his deputies, at such place as shall be desir-
 6 able and proper, having regard to the character of the controversy
 7 and the locality of the grain and residence of the parties involved.
 8 Likewise, the board may present to the secretary of agriculture any
 9 proper complaint against any owner and the procedure shall be as
 10 nearly as practicable the same as that in the case of charges filed by
 11 owners.

[40 G. A., ch. 191, § 25.]

SEC. 6179-a54. Correction of abuses—costs.

1 The secretary of agriculture shall, upon final hearing, make and
 2 enter such orders as he shall deem proper for the correction of
 3 improper practices, and may suspend the license of the board offend-
 4 ing until such orders are obeyed. But such suspension shall in no
 5 manner relieve the board or the owners of any liability previously
 6 incurred under the provisions of this chapter. The costs and expenses
 7 of such hearings shall be defrayed by the parties thereto, and shall
 8 be apportioned by the secretary of agriculture in such manner as he
 9 shall deem just and equitable.

[40 G. A., ch. 191, § 26.]

SEC. 6179-a55. Funds—disbursements.

1 For the purposes of defraying the expenses of supervision, the
 2 owner shall pay to the board at the time of sealing, an amount which
 3 shall not exceed one cent per bushel of grain inspected and sealed by
 4 the sealer. Out of the fund thus created the compensation of the
 5 sealer, as fixed by the board, subject to the approval of the secretary
 6 of agriculture, and all other expenses, shall be paid. No compensa-
 7 tion shall be paid to members of the board except by the express
 8 authorization and approval of the secretary of agriculture, and then
 9 only in case such payments may be made without overdrawing upon
 10 or unduly depleting the funds in the hands of the board. In the exer-

11 cise of his powers and functions as an officer of the peace in connection
 12 with the provisions of this chapter, the sealer shall be entitled to the
 13 same fees as are provided by law for the performance of similar duties.
 [40 G. A., ch. 191, § 27.]

SEC. 6179-a56. Fees—deposit and disbursement.

1 The secretary of agriculture shall receive the following fees for
 2 services rendered under the provisions of this chapter:
 3 1. For issuing licenses in each case, three dollars.
 4 2. For approving applications for group organizations, one dollar.
 5 All moneys received by the secretary of agriculture from fees and
 6 other sources in connection with the administration of the provisions
 7 of this chapter shall be paid into the state treasury and may be drawn
 8 upon by him for the purposes thereof, subject to the provisions of the
 9 law applicable to disbursements by the secretary of agriculture.
 [40 G. A., ch. 191, § 28.]

SEC. 6179-a57. Unlawful breaking of seals.

1 Any person unlawfully removing, breaking, or in any manner
 2 interfering or tampering with any seal, lock, or other fastening placed
 3 upon any granary, crib, bin, or other receptacle for grain under the
 4 provisions of this chapter, except when such removal shall be rendered
 5 imperative to prevent the damage, loss, or destruction of grain stored
 6 therein, shall be guilty of a misdemeanor, and shall be punished by a
 7 fine of not less than one hundred dollars nor more than five hundred
 8 dollars, or by imprisonment in the county jail for not more than six
 9 months, or by both such fine and imprisonment.
 [40 G. A., ch. 191, § 29.]

SEC. 6179-a58. Fraudulent issuance of certificates.

1 An owner, the agent or servant of an owner, or any member of
 2 any board, or any sealer, who fraudulently issues or aids in fraudu-
 3 lently issuing a certificate for grain, knowing that it contains any
 4 false statement, shall be guilty of a misdemeanor, and upon conviction
 5 shall be punished for each offense by imprisonment in the county jail
 6 not exceeding one year, or by a fine not exceeding one thousand dol-
 7 lars, or by both.
 [40 G. A., ch. 191, § 30.]

SEC. 6179-a59. Issuance of duplicate certificates.

1 An owner, or any officer, agent or servant of any owner, who
 2 issues or aids in issuing a duplicate or additional negotiable certificate
 3 for grain, knowing that a former negotiable certificate for the same
 4 grain, or any part of it, is outstanding and uncanceled, without plainly
 5 placing upon the face thereof the word "duplicate", except in the case
 6 of a lost or destroyed certificate after proceedings as provided for in
 7 section sixty-one hundred seventy-nine-a fifty-three of this supple-
 8 ment, shall be guilty of a felony, and upon conviction shall be punished
 9 for each offense by imprisonment in the penitentiary not exceeding
 10 two years, or by a fine not exceeding one thousand dollars, or by both
 11 such imprisonment and fine.
 [40 G. A., ch. 191, § 31.]

SEC. 6179-a60. Delivery without obtaining certificates.

1 An owner, or any officer, agent or servant of an owner, who deliv-
 2 ers grain out of the possession of such owner, knowing that a nego-
 3 tiable certificate, the negotiating of which would transfer the right to
 4 the possession of such grain, is outstanding and uncanceled, without
 5 obtaining the possession of such certificate at or before the time of
 6 such delivery, shall, except when ordered by the court, as hereinbefore
 7 provided, be found guilty of a misdemeanor, and on conviction shall
 8 be punished for each offense by imprisonment in the county jail not
 9 exceeding one year, or by a fine not exceeding one thousand dollars,
 10 or by both such imprisonment and fine.

[40 G. A., ch. 191, § 32.]

SEC. 6179-a61. Unlawful sale, mortgage, etc.

1 Any owner who shall, after the issuance of a certificate for grain
 2 in storage, take, sell, mortgage, pledge, hypothecate, or otherwise
 3 incumber, or attempt to take, sell, mortgage, pledge, or otherwise
 4 incumber the said grain, or who shall take or remove it from the
 5 receptacle where standing, shall be guilty of a misdemeanor and upon
 6 conviction thereof shall be subject to a fine of not less than one hun-
 7 dred dollars nor more than one thousand dollars, or by imprisonment
 8 in the county jail for not more than one year, or by both such fine
 9 and imprisonment.

[40 G. A., ch. 191, § 33.]

SEC. 6179-a62. Uniform warehouse act.

1 All the provisions in the uniform warehouse act as found in chap-
 2 ter eight of title twenty-one of the compiled code, and as set forth in
 3 section sixty-one hundred thirty up to and including section sixty-one
 4 hundred sixty-nine of the compiled code, relative to the negotiation,
 5 transfer, sale, or endorsement of warehouse receipts shall, so far as
 6 possible, apply to the negotiation, transfer, sale, or endorsement of
 7 the certificates provided for herein.

[40 G. A., ch. 191, § 34.]

CHAPTER 10-A

REGISTRATION OF TRADEMARKS, LABELS, AND ADVERTISEMENTS

NOTE: The sections of this chapter were enacted by 39 G. A., ch. 29, as a substitute for sections 8701 to 8703, inclusive, of the compiled code. Said sections of the compiled code appeared in the title on "Criminal Law". The substitute is largely regulatory in its character, the criminal feature being only incidental. For that reason the substitute is placed as a chapter in this title instead of being carried in the title on "Criminal Law".

SECTION 6198-a1. Labels, trademarks or form of advertising—form—filing.

1 Every person, firm, association or corporation that has heretofore
 2 adopted or shall hereafter adopt for their protection any label, trade-
 3 mark or form of advertisement, may file the same for record in the
 4 office of the secretary of state by leaving two copies, counterparts or

5 facsimiles thereof with the secretary of state. Said label, trademark
6 or form of advertisement shall be of a distinctive character and not of
7 the identical form or in any near resemblance to any label, trademark
8 or form of advertisement previously filed for record in the office of the
9 secretary of state.

[C., '97, § 5049; 39 G. A., ch. 29.]

SEC. 6198-a2. Certification of registration—fees.

1 When the said secretary of state is satisfied that the facsimile
2 copies or counterparts filed are true and correct, and that they are not
3 in any manner an infringement or are calculated to deceive, he shall
4 deliver to such person, firm, association or corporation so filing the
5 same, a duly attested certificate of registration of the same for which
6 he shall receive a fee of one dollar for filing and an additional fee of
7 one dollar for a certificate of registration.

[C., '97, § 5049; 39 G. A., ch. 29.]

SEC. 6198-a3. Prima facie proof.

1 Such certificate of registration shall in all actions and prosecutions
2 be sufficient proof of the adoption of such label, trademark or form of
3 advertisement, and of the right of such person, firm, association or
4 corporation to adopt and use the same.

[C., '97, § 5049; 39 G. A., ch. 29.]

SEC. 6198-a4. Alterations—registration.

1 Should there be at any time any change, alteration or modifica-
2 tion in such label, trademark or form of advertisement so registered,
3 the same shall be registered in the office of the secretary of state in the
4 same manner and upon the payment in amount of the same fees as in
5 the case of the original registration.

[39 G. A., ch. 29.]

SEC. 6198-a5. Injunction—damages and general relief.

1 Every person, firm, association or corporation adopting a label,
2 trademark or form of advertisement as specified in this chapter, may
3 proceed by action to enjoin the manufacture, use, display or sale of any
4 counterfeits or imitations thereof; and all courts having jurisdiction of
5 such actions shall grant injunctions to restrain such manufacture, use,
6 display or sale, and shall award the complainant therein such damages
7 resulting from such wrongful manufacture, use, display or sale, and a
8 reasonable attorney's fee to be fixed by the court, and said court shall
9 also order that all such counterfeits or imitations in the possession or
10 under the control of any defendant in such case be delivered to an of-
11 ficer of the court to be destroyed. Such actions may be prosecuted for
12 the benefit of any firm, association or corporation by any officer or
13 member thereof.

[C., '97, § 5050; 39 G. A., ch. 29.]

SEC. 6198-a6. Violations—penalty.

1 It shall be unlawful for any person, firm, association or corpora-
2 tion to imitate any label, trademark or form of advertisement adopted
3 as provided in this chapter, or to knowingly use any counterfeit or

4 imitation thereof, or to use or display such genuine label, trademark or
5 form of advertisement of such persons, firm, association or corporation
6 unless authorized by him or it. Any person violating any provision of
7 this section shall be imprisoned in the county jail not more than thirty
8 days, or be fined not less than twenty-five nor more than one hundred
9 dollars.

[C., '97, § 5051; 39 G. A., ch. 29.]

CHAPTER 14

COMBINATIONS, POOLS, AND TRUSTS

SECTION 6238. Witnesses not privileged from testifying—immunity.

[This section and sections 5375 and 7319 of the compiled code repealed by 40 G. A., ch. 236, and substitute embraced in sections 7319-a1 to 7319-a3, inclusive, of this supplement.]

SEC. 6238-a1. "Pittsburgh plus."

1 There is hereby created a committee consisting of the governor
2 and attorney general, which committee shall have full power and
3 authority to protect and shall be charged with the duty of protecting
4 the state of Iowa and the people thereof against the steel trade prac-
5 tice commonly known as "Pittsburgh plus" and other similar trade
6 practices, and said committee is hereby authorized to use all lawful
7 means for the accomplishment of said purposes.

[40 G. A., ch. 163, § 1.]

TITLE XXII

PERSONAL PROPERTY

CHAPTER 1-A

SALES IN BULK

NOTE: This chapter appears in the compiled code as sections 6333, 6334 and 6335. Said section numbers have been dropped in this supplement and the matters therein contained reprinted as a distinct chapter in order that related matters may stand in consecutive order.

SECTION 6316-a1. Sales in bulk.

1 The sale, transfer, or assignment, in bulk, of any part or the whole
 2 of a stock of merchandise and the fixtures pertaining to the conduct-
 3 ing of said business, otherwise than in the ordinary course of trade
 4 and in the regular prosecution of the business of the seller, trans-
 5 feror or assignor, shall be void as against the creditors of the seller,
 6 transferor, assignor:

7 1. *Inventory.* Unless the seller, transferor, assignor and pur-
 8 chaser, transferee and assignee, shall, at least seven days before the
 9 sale, make a full detailed inventory, showing the quantity and, so far
 10 as possible with the exercise of reasonable diligence, the cost price to
 11 the seller, transferor and assignor of each article to be included in
 12 the sale; and

13 2. *Creditors.* Unless the purchaser, transferee and assignee
 14 demand and receive from the seller, transferor and assignor a written
 15 list of names and addresses of the creditors of the seller, transferor
 16 and assignor, with the amount of the indebtedness due or owing to
 17 each and certified by the seller, transferor and assignor under oath,
 18 to be a full, accurate and complete list of his creditors, and of his
 19 indebtedness; and

20 3. *Notice.* Unless the purchaser, transferee and assignee shall,
 21 at least seven days before taking possession of such merchandise, or
 22 merchandise and fixtures, or paying therefor, notify personally or by
 23 registered mail, every creditor whose name and address are stated in
 24 said list, or of which he has knowledge of the proposed sale and of the
 25 price, terms and conditions thereof.

[S. S., '15, §§ 2911-a, 2911-b; 37 G. A., ch. 64, § 1.]

SEC. 6316-a2. Meaning of terms.

1 Sellers, transferors and assignors, purchasers, transferees and
 2 assignees, under this chapter, shall include corporations, associations,
 3 copartnerships, and individuals.

[S., '13, § 2911-c; 37 G. A., ch. 64, § 2.]

SEC. 6316-a3. Exceptions.

1 Nothing contained in this chapter shall apply to sales by execu-
 2 tors, administrators, receivers, trustees in bankruptcy, or any public
 3 officer under judicial process.

[S., '13, § 2911-c; 37 G. A., ch. 64, § 2.]

SEC. 6316-a4. When purchaser a trustee or receiver.

1 Any purchaser, transferee or assignee, who shall not conform to
 2 the provisions of this chapter, shall, upon application of any of the
 3 creditors of the seller, transferor or assignor, become a receiver and
 4 be held accountable to such creditors for all the goods, wares, mer-
 5 chandise, and fixtures that have come into his possession by virtue of
 6 such sale, transfer or assignment.

[37 G. A., ch. 64, § 3.]

SEC. 6316-a5. When purchaser protected.

1 Any purchaser, transferee or assignee, who shall conform to the
 2 provisions of this chapter shall not be held in any way accountable to
 3 any creditor of the seller, transferor or assignor, or to the seller, trans-
 4 feror or assignor for any of the goods, wares, merchandise or fixtures
 5 that have come into the possession of said purchaser, transferee or
 6 assignee by virtue of such sale, transfer or assignment.

[37 G. A., ch. 64, § 3.]

CHAPTER 2
CONDITIONAL SALES AND CHATTEL MORTGAGES**SECTION 6327-a1. Real estate mortgage with chattel mortgage clause.**

1 Where in a real estate mortgage there is any provision creating an
 2 incumbrance upon personal property or providing for a receivership
 3 in the event of foreclosure, the person, firm or corporation offering the
 4 same for record, may have the same recorded at length, and also in-
 5 dexed in the chattel mortgage index book provided for herein. In said
 6 index book the recorder shall show the book and page where said real
 7 estate mortgage is recorded and such recording shall have the same
 8 force and effect as though said real estate mortgages were retained by
 9 the county recorder in the manner provided for herein and such real
 10 estate mortgages shall not be required to be filed and kept in the office
 11 of the county recorder. When such real estate mortgage is released of
 12 record, the county recorder shall make entry thereof on the chattel
 13 mortgage index book.

[39 G. A., ch. 246.]

SEC. 6333. Sales in bulk—inventory—creditors—notice.

NOTE: This section is omitted at this point and reprinted in this supplement as section 6316-a1 in order to improve the location of the section.

SEC. 6334. Meaning of terms—exceptions.

NOTE: This section is omitted at this point and reprinted in this supplement as sections 6316-a2 and 6316-a3, in order to improve the location of the section.

SEC. 6335. When purchaser a trustee or receiver.

NOTE: This section is omitted at this point and reprinted in this supplement as sections 6316-a4 and 6316-a5, in order to improve the location of the section.

TITLE XXIII

REAL PROPERTY

CHAPTER 1

REAL PROPERTY

SECTION 6347. Tenancy in common—right of tenant not in possession in case of partition.

NOTE: This section is omitted at this point and divided, without change of words, into the two following sections in order to separate the different subject matters.

SEC. 6347-a1. Tenancy in common.

1 Conveyances to two or more in their own right create a tenancy
2 in common, unless a contrary intent is expressed.

[C., '51, § 1206; R., '60, § 2214; C., '73, § 1939; C., '97, § 2923.]

SEC. 6347-a2. Cotenant liable for rent.

1 In all cases in which any real estate is now or shall be here-
2 after held by two or more persons as tenants in common, and one
3 or more of said tenants shall have been or shall hereafter be in pos-
4 session of said real estate, it shall be lawful for any one or more of
5 said tenants in common, not in possession, to sue for and recover
6 from such tenants in possession his or their proportionate part of
7 the rental value of said real estate for the time, not exceeding a
8 period of five years, such real estate shall have been in possession as
9 aforesaid; and in case of partition of such real estate held in common
10 as aforesaid, the parties in possession shall have deducted from their
11 distributive shares of said real estate the rental value thereof to which
12 their cotenants are entitled.

[37 G. A., ch. 27, § 1.]

SEC. 6348-a1. Junior liens—protection.

1 The holder of a sheriff's sale certificate or junior lien upon any
2 real estate after the delinquency of any taxes or special assessment
3 or of interest on any senior lien, or breach of any condition of a senior
4 incumbrance, upon payment by him, or performance of the condition
5 broken, shall have a lien upon said real estate for such expenditures
6 and interest thereon of equal priority with the lien so held by him
7 upon his filing with the clerk of the district court in the county in
8 which the land is situated, of a verified statement of said expenditures
9 and the dates thereof, together with a description of the real estate,
10 the name of the record owner and a reference to the lien which he
11 holds and may recover the same in any action brought for the fore-

12 closure of the junior lien referred to in said verified statement. When
 13 such advancements have been made by the holder of a sheriff's sale
 14 certificate the sum so advanced shall be a part of the amount re-
 15 quired to redeem from said sheriff's sale.

[40 G. A., ch. 192, § 1.]

SEC. 6348-a2. Record of lien.

1 It shall be the duty of the clerk of the district court to record
 2 the statements so filed in the incumbrance book and to enter the
 3 same in the lien index.

[40 G. A., ch. 192, § 2.]

CHAPTER 2

CONVEYANCES

SECTION 6399. Sheriffs' deeds legalized.

1 No foreclosure proceeding or sale of real estate on execution
 2 prior to January first, nineteen hundred, wherein a sheriff's deed was
 3 executed and which purports to sustain the record title shall be held
 4 ineffectual on account of the failure of the record to show that any
 5 of the steps in obtaining said judgment or in the sale of said prop-
 6 erty were complied with. Such proceedings are hereby legalized and
 7 made valid as if the record showed that all the provisions of the law
 8 had been complied with.

[S., '13, § 2963-h; 40 G. A., ch. 240, § 2.]

CHAPTER 4

HOMESTEAD

SECTION 6414. Exempt.

[Repealed by 40 G. A., ch. 237.]

SEC. 6415. Family defined.

[Repealed by 40 G. A., ch. 237.]

SEC. 6416. Conveyance or incumbrance.

[Repealed by 40 G. A., ch. 237.]

SEC. 6417. Subject to mechanics' liens.

[Repealed by 40 G. A., ch. 237.]

SEC. 6418. Liable for debts antedating purchase—by written contract.

[Repealed by 40 G. A., ch. 237.]

SEC. 6419. What constitutes.

[Repealed by 40 G. A., ch. 237.]

SEC. 6420. Extent—dwelling—appurtenances—value.

[Repealed by 40 G. A., ch. 237.]

SEC. 6421. Selecting—platting—notice to plat and record.

[Repealed by 40 G. A., ch. 237.]

SEC. 6422. By court.

[Repealed by 40 G. A., ch. 237.]

SEC. 6423. Changes.

[Repealed by 40 G. A., ch. 237.]

SEC. 6424. Referees to determine exemption.

[Repealed by 40 G. A., ch. 237.]

SEC. 6425. Referring back—marking off—costs.

[Repealed by 40 G. A., ch. 237.]

SEC. 6426. Change of circumstances.

[Repealed by 40 G. A., ch. 237.]

SEC. 6427. Occupancy by surviving spouse—descent.

[Repealed by 40 G. A., ch. 237.]

SEC. 6428. Sale for debts.

[Repealed by 40 G. A., ch. 237.]

SEC. 6429. Devise.

[Repealed by 40 G. A., ch. 237.]

SEC. 6430. Removal from homestead.

[This and the sixteen preceding sections repealed by 40 G. A., ch. 237, and the nineteen following sections enacted in lieu thereof.]

SEC. 6430-a1. Homestead defined.

1 The homestead must embrace the house used as a home by the
 2 owner, and, if he has two or more houses thus used, he may select
 3 which he will retain. It may contain one or more contiguous lots or
 4 tracts of land, with the building and other appurtenances thereon,
 5 habitually and in good faith used as part of the same homestead.

[C., '51, §§ 1250, 1251; R., '60, §§ 2282, 2283; C., '73, §§ 1994,
 1995; C., '97, § 2977; 40 G. A., ch. 237, § 1.]

SEC. 6430-a2. Extent—dwelling—appurtenances—value.

1 If within a city or town plat, it must not exceed one-half acre
 2 in extent, otherwise it must not contain in the aggregate more than
 3 forty acres, but if, in either case, its value is less than five hundred
 4 dollars, it may be enlarged until it reaches that amount. It must not
 5 embrace more than one dwelling house, or any other buildings except
 6 such as are properly appurtenant thereto, but a shop or other build-
 7 ing situated thereon, actually used and occupied by the owner in the

8 prosecution of his ordinary business, and not exceeding three hundred
9 dollars in value, is appurtenant thereto.

[C., '51, §§ 1252, 1253; R., '60, §§ 2284, 2285; C., '73, §§
1996, 1997; C., '97, § 2978; S., '13, § 2978; 40 G. A., ch.
237, § 2.]

SEC. 6430-a3. Selecting—platting.

1 The owner, husband or wife, may select the homestead and
2 cause it to be platted, but a failure to do so shall not render the same
3 liable when it otherwise would not be, and a selection by the owner
4 shall control. When selected, it shall be marked off by permanent,
5 visible monuments, and the description thereof shall give the direc-
6 tion and distance of the starting point from some corner of the dwell-
7 ing, which description, with the plat, shall be filed and recorded by the
8 recorder of the proper county in the homestead book, which shall be,
9 as nearly as may be, in the form of the record books for deeds, with
10 an index kept in the same manner.

[C., '51, §§ 1254, 1255; R., '60, §§ 2286, 2287; C., '73, §§
1998, 1999; C., '97, § 2979; S., '13, § 2979; 40 G. A., ch.
237, § 3.]

SEC. 6430-a4. Platted by officer having execution.

1 Should the homestead not be platted and recorded at the time
2 levy is made upon real property in which a homestead is included,
3 the officer having the execution shall give notice in writing to said
4 owner, and the husband or wife of such owner, if found within the
5 county, to plat and record the same within ten days after service
6 thereof; after which time said officer shall cause said homestead to
7 be platted and recorded as above, and the expense thereof shall be
8 added to the costs in the case.

[C., '51, § 1254; R., '60, § 2286; C., '73, § 1998; S., '13, §
2979; 40 G. A., ch. 237, § 4.]

SEC. 6430-a5. Boundaries fixed by court.

1 Upon application made to the district court by any creditor of
2 the owner of the homestead, or other person interested therein, such
3 court shall hear the cause upon the proof offered, and fix and estab-
4 lish the boundaries thereof, and the judgment therein shall be filed
5 and recorded in the manner provided in the preceding section.

[C., '97, § 2980; 40 G. A., ch. 237, § 5.]

SEC. 6430-a6. Changes.

1 The owner may, from time to time, change the limits of the
2 homestead by changing the metes and bounds, as well as the record
3 of the plat and description, or vacate it, but such changes shall not
4 prejudice conveyances or liens made or created previously thereto,
5 and no such change of the entire homestead, made without the con-
6 currence of the husband or wife, shall affect his or her rights, or
7 those of the children.

[C., '51, §§ 1256, 1257; R., '60, §§ 2288, 2289; C., '73, §§
2000, 2001; C., '97, § 2981; 40 G. A., ch. 237, § 6.]

SEC. 6430-a7. Referees to determine exemption.

1 When a disagreement takes place between the owner and any
 2 person adversely interested, as to whether any land or buildings are
 3 properly a part of the homestead, the sheriff shall, at the request of
 4 either party, summon nine disinterested persons having the qualifi-
 5 cations of jurors. The parties then, commencing with the owner,
 6 shall in turn strike off one person each, until three remain. Should
 7 either party fail to do so, the sheriff may act for him, and the three
 8 as referees shall proceed to examine and ascertain all the facts of the
 9 case, and report the same, with their opinion thereon, to the next term
 10 of court from which the execution or other process may have issued.

[C., '51, §§ 1258, 1259; R., '60, §§ 2290, 2291; C., '73, §§
 2002, 2003; C., '97, § 2982; 40 G. A., ch. 237, § 7.]

SEC. 6430-a8. Referring back—marking off—costs.

1 The court in its discretion may refer the whole or any part of
 2 the matter back to the same or other referees, to be selected in the
 3 same manner, or as the parties agree, giving them directions as to the
 4 report required of them. When the court is sufficiently advised in
 5 the case, it shall make its decision, and may direct the homestead to
 6 be marked off anew, or a new plat and description to be made and
 7 recorded, and take such other steps as shall be lawful and expedient
 8 in attaining the purpose of this chapter. It shall also award costs in
 9 accordance with the practice in other cases, as nearly as may be.

[C., '51, §§ 1260, 1261; R., '60, §§ 2292, 2293; C., '73, §§
 2004, 2005; C., '97, § 2983; 40 G. A., ch. 237, § 8.]

SEC. 6430-a9. Change of circumstances.

1 The extent or appurtenances of the homestead thus established
 2 may be called in question in like manner, whenever a change in value
 3 or circumstances will justify such new proceedings.

[C., '51, § 1262; R., '60, § 2294; C., '73, § 2006; C., '97, §
 2984; 40 G. A., ch. 237, § 9.]

SEC. 6430-a10. Occupancy by surviving spouse.

1 Upon the death of either husband or wife, the survivor may con-
 2 tinue to possess and occupy the whole homestead until it is otherwise
 3 disposed of according to law, but the setting off of the distributive
 4 share of the husband or wife in the real estate of the deceased shall
 5 be such a disposal of the homestead as is herein contemplated.

[C., '51, § 1263; R., '60, § 2295; C., '73, §§ 2007, 2008; C., '97,
 § 2985; 40 G. A., ch. 237, § 10.]

SEC. 6430-a11. Survivor may take homestead—descent to issue.

1 The survivor may elect to retain the homestead for life in lieu
 2 of such share in the real estate of the deceased; but if there be no
 3 survivor, the homestead descends to the issue of either husband or
 4 wife according to the rules of descent, unless otherwise directed by
 5 will.

[C., '51, § 1264; R., '60, § 2296; C., '73, § 2008; C., '97, §
 2985; 40 G. A., ch. 237, § 11.]

SEC. 6430-a12. Conveyance or incumbrance of homestead.

1 No conveyance or incumbrance of or contract to convey or in-
 2 cumber the homestead, if the owner is married, is valid, unless the
 3 husband and wife join in the execution of the same joint instrument,
 4 whether the homestead is exclusively the subject of the contract or
 5 not, but such contracts may be enforced as to real estate other than
 6 the homestead at the option of the purchaser or incumbrancer.

[C., '51, § 1247; R., '60, § 2279; C., '73, § 1990; C., '97, §
 2974; 40 G. A., ch. 237, § 12.]

SEC. 6430-a13. Devise of homestead.

1 Subject to the rights of the surviving husband or wife, the home-
 2 stead may be devised like other real estate of the testator.

[C., '51, § 1266; R., '60, § 2298; C., '73, § 2010; C., '97, §
 2987; 40 G. A., ch. 237, § 13.]

SEC. 6430-a14. Removal of spouse or children from homestead.

1 Neither husband nor wife can remove the other nor the children
 2 from the homestead without the consent of the other.

[C., '51, § 1462; R., '60, § 2514; C., '73, § 2215; C., '97, §
 3166; 40 G. A., ch. 237, § 14.]

SEC. 6430-a15. Homestead exempt to family and divorced spouse.

1 The homestead of every family, whether owned by the husband
 2 or wife, is exempt from judicial sale, where there is no special declar-
 3 ation of statute to the contrary, and such right shall continue in
 4 favor of the party to whom it is adjudged by divorce decree during
 5 continued personal occupancy by such party.

[C., '51, § 1245; R., '60, § 2277; C., '73, § 1988; C., '97, §§
 2972, 2973; 40 G. A., ch. 237, § 15.]

SEC. 6430-a16. Family defined.

1 A widow or widower, though without children, shall be deemed
 2 a family within the meaning of this chapter, while continuing to oc-
 3 cupy the real estate used as a homestead at the death of the husband
 4 or wife.

[C., '51, § 1246; R., '60, § 2278; C., '73, § 1989; C., '97, §
 2973; 40 G. A., ch. 237, § 16.]

SEC. 6430-a17. Exemption in hands of issue.

1 Where the homestead descends to the issue of either husband or
 2 wife the same shall be held by such issue exempt from any antece-
 3 dent debts of their parents or their own, except those of the owner
 4 thereof contracted prior to its acquisition.

[C., '51, § 1264; R., '60, § 2296; C., '73, § 2008; C., '97, §
 2985; 40 G. A., ch., 237 § 17.]

SEC. 6430-a18. New homestead exempt.

1 Where there has been a change in the limits of the homestead,
 2 or a new homestead has been acquired with the proceeds of the old,

3 the new homestead, to the extent in value of the old, is exempt from
4 execution in all cases where the old or former one would have been.

[C., '51, § 1257; R., '60, § 2289; C., '73, § 2001; C., '97, § 2981; 40 G. A., ch. 237, § 18.]

SEC. 6430-a19. For what debts homestead liable.

1 The homestead may be sold to satisfy debts of each of the fol-
2 lowing classes:

3 1. Those contracted prior to its acquisition, but then only to
4 satisfy a deficiency remaining after exhausting the other property of
5 the debtor, liable to execution.

6 2. Those created by written contract by persons having the
7 power to convey, expressly stipulating that it shall be liable, but then
8 only for a deficiency remaining after exhausting all other property
9 pledged by the same contract for the payment of the debt.

10 3. Those incurred for work done or material furnished exclusive-
11 ly for the improvement of the homestead.

12 4. If there is no survivor or issue, for the payment of any debts
13 to which it might at that time be subjected if it had never been held
14 as a homestead.

[C., '51, §§ 1248, 1249, 1265; R., '60, §§ 2280, 2281, 2297; C., '73 §§ 1991-1993, 2009; C., '97, §§ 2975, 2976, 2986; 40 G. A., ch. 237, § 19.]

CHAPTER 5

LANDLORD AND TENANT

SECTION 6431. Apportionment of rent.

[Repealed by 40 G. A., ch. 238.]

SEC. 6432. Tenant holding over.

[Repealed by 40 G. A., ch. 238.]

SEC. 6433. Attornment to stranger.

[Repealed by 40 G. A., ch. 238.]

SEC. 6434. Tenant at will—notice to quit.

[This and the three preceding sections repealed by 40 G. A., ch. 238, and the seven following sections enacted in lieu thereof.]

SEC. 6434-a1. Apportionment of rent.

1 The executor of a tenant for life who leases real estate so held
2 and dies on or before the day on which the rent is payable, and a per-
3 son entitled to rent dependent on the life of another may recover
4 the proportion of rent which had accrued at the time of the death
5 of such life tenant.

[C., '51, § 1267; R., '60 § 2299; C., '73, § 2011; C., '97, § 2988; 40 G. A., ch. 238, § 1.]

SEC. 6434-a2. Tenant holding over.

1 A tenant giving notice of his intention to quit leased premises
 2 at a time named, and holding over after such time, and a tenant or
 3 his assignee wilfully holding over after the term, and after notice
 4 to quit, shall pay double the rental value thereof during the time he
 5 holds over to the person entitled thereto.

[C., '51, § 1268; R., '60, § 2300; C., '73, § 2012; C., '97, § 2989; 40 G. A., ch. 238, § 2.]

SEC. 6434-a3. Attornment to stranger.

1 The payment of rent, or delivery of possession of leased premises,
 2 to one not the lessor, is void, and shall not affect the rights of such
 3 lessor, unless made with his consent, or in pursuance of a judgment
 4 or decree of court or judicial sale to which the lessor was a party.

[C., '51, § 1269; R., '60, § 2301; C., '73, § 2013; C., '97, § 2990; 40 G. A., ch. 238, § 3.]

SEC. 6434-a4. Tenant at will—notice to quit.

1 Any person in the possession of real estate, with the assent of
 2 the owner, is presumed to be a tenant at will until the contrary is
 3 shown, and thirty days' notice in writing must be given by either
 4 party before he can terminate such a tenancy; but when in any case,
 5 a rent is reserved payable at intervals of less than thirty days, the
 6 length of notice need not be greater than such interval.

[C., '51, §§ 1208, 1209; R., '60, §§ 2216, 2218; C., '73, §§ 2014, 2015; C., '97, § 2991; 40 G. A., ch. 238, § 4.]

SEC. 6434-a5. Time for termination of farm tenancies.

1 In case of tenants occupying and cultivating farms, the notice
 2 must fix the termination of the tenancy to take place on the first day
 3 of March, except in cases of mere croppers, whose leases shall be
 4 held to expire when the crop is harvested; if the crop is corn, it shall
 5 not be later than the first day of December, unless otherwise agreed
 6 upon.

[R., '60, § 2218; C., '73, § 2015; C., '97, § 2991; 40 G. A., ch. 238, § 5.]

SEC. 6434-a6. Agreement for termination—effect.

1 Where an agreement is made fixing the time of the termination
 2 of the tenancy, whether in writing or not, it shall cease at the time
 3 agreed upon, without notice.

[R., '60, § 2218; C., '73, § 2015; C., '97, § 2991; 40 G. A., ch. 238, § 6.]

SEC. 6434-a7. Notice—how served.

1 When a tenant cannot be found in the county, the notice above
 2 required may be given to any subtenant or other person in possession
 3 of the premises, or, if the premises be vacant, by affixing the notice to
 4 any outside door of the dwelling house thereon, or other building, if
 5 there be no dwelling house, or in some conspicuous position on the
 6 premises, if there be no building.

[C., '73, § 2016; C., '97, § 2991; 40 G. A., ch. 238, § 7.]

CHAPTER 8

PERPETUITIES AND GIFTS

SECTION 6452. Property in trust.

[Repealed by 40 G. A., ch. 239.]

SEC. 6453. Acceptance.

[Repealed by 40 G. A., ch. 239.]

SEC. 6454. Acceptance of gifts, devises, or bequests authorized.

[This and the two preceding sections repealed by 40 G. A., ch. 239, and the ten following sections enacted in lieu thereof.]

SEC. 6454-a1. State as trustee.

1 A gift, devise, or bequest of property, real or personal, may be
2 made to the state, to be held in trust for and applied to any specified
3 purpose within the scope of its authority, but the same shall not
4 become effectual to pass the title in such property unless accepted by
5 the executive council in behalf of the state.

[C., '73, § 1387; C., '97, § 2903; 40 G. A., ch. 239, § 1.]

SEC. 6454-a2. Management of property.

1 If gifts are made to the state in accordance with the preceding
2 section, for the benefit of an institution thereof, the property, if
3 accepted, shall be held and managed in the same way as other prop-
4 erty of the state, acquired for or devoted to the use of such institu-
5 tion; and any conditions attached to such gift shall become binding
6 upon the state, upon the acceptance thereof.

[C., '97, § 2904; 40 G. A., ch. 239, § 2.]

SEC. 6454-a3. Acceptance authorized.

1 Gifts, devises, or bequests of property, real or personal, made to
2 any state institution for purposes not inconsistent with the objects
3 of such institution, may be accepted by its governing board, and such
4 board may exercise such powers with reference to the management,
5 sale, disposition, investment, or control of property so given, devised,
6 or bequeathed, as may be deemed essential to its preservation and the
7 purposes for which the gift, devise, or bequest was made.

[S., '13, § 2904-a; 40 G. A., ch. 239, § 3.]

SEC. 6454-a4. Municipal corporations as trustees.

1 Counties, cities, towns, and civil townships wholly outside of any
2 city or town, and school corporations, are authorized to take and hold
3 property, real and personal, by gift and bequest; and to administer
4 the same through the proper officer in pursuance of the terms of the
5 gift or bequest. No title shall pass unless accepted by the governing
6 board of the corporation or township. Conditions attached to such
7 gifts or bequests become binding upon the corporation or township
8 upon acceptance thereof.

[C., '97, §§ 740, 2903, 2904; S., '13, § 740; 40 G. A., ch. 239,
§ 4.]

SEC. 6454-a5. Trustees appointed by court—bond.

1 When made for the establishing of institutions of learning or
 2 benevolence, and no provision is made in the gift or bequest for the
 3 execution of the trust, the judge of the district court having charge
 4 of the probate proceedings in the county shall appoint three trustees,
 5 residents of said county, who shall have charge and control of the
 6 same, and who shall continue to act until removed by the court. They
 7 shall give bond as required in case of executors, and be subject to the
 8 orders of said court.

[C., '97, § 740; S., '13, § 740; 40 G. A., ch. 239, § 5.]

SEC. 6454-a6. Tax voted to maintain—when no endowment.

1 When any county, city, or town shall receive by gift or devise,
 2 property, real or personal, for the purpose of establishing any insti-
 3 tution of benevolence including hospitals, and no sufficient fund or
 4 endowment is provided for its maintenance, or is received upon condi-
 5 tion that the donee or devisee provide for aiding the maintenance of
 6 such institution by a tax levy upon the assessed property of such
 7 municipality, it shall be the duty of the governing board of such
 8 municipality to submit by resolution to the qualified electors thereof
 9 at a regular or special election the question whether there shall be
 10 levied upon the assessed property of such municipality an annual tax
 11 not exceeding three mills on the dollar for the purpose of aiding the
 12 maintenance of such institution. The said proposition shall be sub-
 13 mitted in the manner provided for similar propositions in the title on
 14 elections.

[S., '13, § 740; 40 G. A., ch. 239, § 6.]

SEC. 6454-a7. Board to determine amount of levy.

1 If a majority of the votes cast at such election on the proposition
 2 so submitted shall be in favor of the proposition, the governing board
 3 of such municipality shall determine the amount to be levied for such
 4 purpose, not exceeding three mills on the dollar, and the amount so
 5 fixed shall be levied upon the assessed property of such municipality
 6 and collected in the same manner as other taxes of such municipality
 7 are levied and collected.

[S., '13, § 740; 40 G. A., ch. 239, § 7.]

SEC. 6454-a8. Disbursements of tax.

1 When collected by the county treasurer said tax shall be paid
 2 over to the treasurer of the institution authorized to receive the same
 3 and shall be paid out on the order of the trustees of such institution
 4 who are authorized to manage and control the same, for the purposes
 5 for which it was authorized.

[S., '13, § 740; 40 G. A., ch. 239, § 8.]

SEC. 6454-a9. Tax discontinued.

1 The governing board of such municipality may discontinue such
 2 levy of tax in the event the institution to be aided thereby is destroyed
 3 by the elements and no fund is provided or available for its rebuild-
 4 ing; or after five years of continuance of such tax aid the governing
 5 board may, and upon the petition of twenty-five per cent of the quali-
 6 fied electors of such municipality as shown by the poll books of the

7 last preceding general election, shall, by resolution, resubmit to the
 8 qualified electors of such municipality, at a regular or special election,
 9 in the same manner hereinbefore specified, the question whether tax
 10 aid for such institution shall be discontinued, and if sixty-five per
 11 cent of the votes cast at such election on the proposition so submitted
 12 be in favor of discontinuing tax aid, no further levy of tax shall be
 13 made for such purpose.

[S., '13, § 740; 40 G. A., ch. 239, § 9.]

**SEC. 6454-a10. Gift conditional upon payment of annuity—
 agreement—tax.**

1 When a gift or bequest is conditioned upon the payment of an
 2 annuity to the donor, or any other person, the governing board of such
 3 municipality may, upon acceptance of such gift or bequest, agree to
 4 pay such annuity providing the amount thereof does not exceed five
 5 per cent of the amount of the gift or bequest and does not exceed the
 6 amount realized from a three mill tax levy upon the taxable property
 7 of said municipality; and to provide for the payment of such annuity,
 8 said municipality, through its proper officers, shall annually there-
 9 after levy a tax, not exceeding three mills, sufficient to pay such
 10 annuity. No agreement shall be made unless the annuity provided
 11 for therein, and all annuities provided for under prior agreements,
 12 may be paid from the proceeds of one annual tax levy of three mills.

13 Any amount collected by a tax so levied and which is not required
 14 for the payment of such annuity shall be used for the purposes for
 15 which such gift or bequest is made and may be transferred to such
 16 fund as will enable it to be used for such purpose.

[39 G. A., ch. 167, § 1; 40 G. A., ch. 239, § 10; 40 G. A., ch.
 193.]

CHAPTER 9

THE RIGHTS OF ALIENS

SECTION 6457. Bona fide contract.

1 A bona fide contract for the sale of any such lands owned by any
 2 such corporation shall be held and considered as a sale within the pro-
 3 visions of section sixty-four hundred fifty-six of the compiled code, and
 4 a good and valid deed of conveyance may be made by such corporation
 5 at any time upon the fulfillment of such contract by the purchaser of
 6 any such lands.

[S., '13, § 2889-b.]

NOTE: No change made in the above section by the 39th G. A. or the 40th
 G. A. but reprinted to correct error in historical reference.

CHAPTER 10

ISLANDS AND ABANDONED RIVER CHANNELS.

SECTION 6480. Sale or lease authorized.

1 The executive council of the state is hereby authorized and em-
 2 powered to sell, convey, lease or demise any of the islands belonging
 3 to the state which are within the meandered banks of rivers in the
 4 state, and to execute and deliver a patent or lease thereof. Nothing
 5 in this section, and the four following sections of this chapter of the
 6 compiled code shall be construed to apply to islands in the Mississippi
 7 or Missouri rivers.

[S., '13, § 2900-a28.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to correct error in printing of compiled code.

CHAPTER 12

TRUSTEES TO MANAGE CEMETERY FUNDS

SECTION 6492. Trustee—appointment—trust funds.

1 Any owner or owners of any cemetery, or any party or parties
 2 interested therein, may by petition presented to the district court of
 3 the county where the cemetery is situated, have appointed a trustee
 4 with authority to receive any and all moneys that may be donated for
 5 and on account of said cemetery or any part thereof and to invest,
 6 manage and control same under the direction of the court; but he shall
 7 not be authorized to receive any gift, except with the understanding
 8 that the principal sum is to remain and be a permanent fund, and
 9 only the net proceeds therefrom to be used in carrying out the pur-
 10 pose of the trust created, and all such funds shall be exempt from
 11 taxation so far as consistent with the regulations governing the asso-
 12 ciation owning or controlling the ground where the lot is located.

13 Such petition may state the amount proposed to be placed in such
 14 trust fund, the manner of investment thereof, and may make provi-
 15 sions for disposition of any surplus of income not required for the cur-
 16 rent care and upkeep of the property described in said petition, and
 17 for reasonable compensation of the trustee, all of which provisions
 18 must be approved by said court, and such fund and the trustee shall at
 19 all times be subject to the order and control of said court, and such
 20 surplus shall not be used except for charitable, eleemosynary or public
 21 purposes.

[S., '13, § 254-a4; 39 G. A., ch. 276.]

SEC. 6501. Municipalities as trustees of cemetery bequests.

1 Cities, including cities under commission form of government and
 2 cities under special charter, incorporated towns and civil townships
 3 wholly outside of any city or incorporated town shall for the purposes
 4 of this section be and they are hereby created trustees in perpetuity,
 5 and are authorized and required to accept, receive and expend all

6 moneys and property donated or left to it by bequest, to be used in
7 caring for the property of the donor in any cemetery, or in accordance
8 with the terms of such donation or bequest, and the money or prop-
9 erty thus received shall be used for no other purpose whatever.

10 The mayor and council of such cities and towns, and the township
11 trustees of civil townships wholly outside of any city or incorporated
12 town shall have authority to receive and invest all moneys and prop-
13 erty, so donated or bequeathed, in bonds of the United States, or munic-
14 ipal bonds, or certificates, or other evidence of indebtedness issued by
15 authority of and in accordance with the laws of this or any state, when
16 same are at or above par, and shall use the income from such invest-
17 ment in caring for the property of the donor in any cemetery, or as
18 shall be provided in the terms of such gift or donation; but before any
19 part of the principal may be so invested or used, the said city, incor-
20 porated town or civil township shall, by resolution, in accordance with
21 the law as now provided, accept said donation or bequest, and shall, by
22 said resolution, duly provide for the payment of interest thereon at
23 the rate of not less than two per centum per annum, payable annually,
24 to the cemetery fund or to the cemetery association, or to the person
25 having charge of said cemetery, to be used in caring for or maintain-
26 ing the individual property of the donor in said cemetery, all to be in
27 accordance with the terms of the donation or bequest.

[C., '97, § 740; S., '13, § 740; 39 G. A., ch. 167, § 1.]

NOTE: The above section embraces what was formerly lines 65 to 91, inclusive, of section 6501 of the 1921 supplement. Lines 1 to 64, inclusive, of said section have been omitted from this supplement (1923) because impliedly repealed by the enactment of sections 6454-a4 to 6454-a10, inclusive, which are a literal duplication of said lines 1 to 64.

TITLE XXIV

CERTAIN SPECIAL LIENS

CHAPTER 2

MECHANIC'S LIEN

SECTION 6522. Limitation on action.

1 Actions to enforce a mechanic's lien may be brought within two
2 years from the expiration of the sixty or ninety days, as the case may
3 be, for filing the claim as provided in the law relative to mechanics'
4 liens and not afterwards.

[C., '51, § 984; R., '60, § 1865; C., '73, § 2529; C., '97, § 3447;
S., '13, § 3447; 39 G. A., ch. 27.]

CHAPTER 4

HOTEL AND INN KEEPER'S LIEN

SECTION 6525. Hotel and inn keepers—liability—lien—satisfaction by sale—proceeds—deposit of surplus.

1 Keepers of hotels, inns, eating houses and steamboat owners, who
2 constantly have in their hotel, inn, eating house or steamboat, a metal
3 safe, or vault in good order and fit for the custody of money, jewelry,
4 articles of gold or silver manufacture, precious stones, personal orna-
5 ments, documents of all kinds, and other similar property, and who
6 keeps on the door of the sleeping rooms used by guests suitable locks
7 or bolts and proper fastenings on the transoms and windows of said
8 rooms, and keeps posted up in a conspicuous place in the office or other
9 public room in the guest's apartment therein, printed notices, stating
10 that such places for safe deposit are provided for the use and accom-
11 modation of the inmates thereof, shall not be liable for the loss or in-
12 jury suffered by any guest, in an amount to exceed one hundred dollars,
13 unless said guest has offered to deliver such valuables to said hotel, inn,
14 eating house, or steamboat keeper for custody in such metal safe or
15 vault, and said hotel, inn, eating house, or steamboat keeper has
16 omitted or refused to take and deposit same in such safe or vault and
17 give such guest a receipt therefor. Provided, however, that the keeper
18 of any hotel, inn, eating house, or steamboat shall not be required to
19 receive from any one guest for deposit in such safe or vault any prop-
20 erty exceeding the market value of five hundred dollars.

21 The liability of the keeper of any hotel, inn, eating house or steam-
22 boat, for loss of or injury to personal property placed by his guests

23 under his care, other than that described in the preceding paragraph,
24 shall be that of a depository for hire; and in no event shall liability ex-
25 ceed two hundred fifty dollars for each trunk and its contents, one hun-
26 dred fifty dollars for each valise and its contents, fifty dollars for each
27 box, bundle or package and its contents and not exceeding one hundred
28 dollars for any and all other miscellaneous effects of each guest; and
29 provided further, that in case baggage or other personal property of a
30 guest has remained in any hotel, inn, eating house or steamboat forty-
31 eight hours after the guest has paid his bill and registered off and the
32 relation of keeper and guest has ceased the keeper may hold such bag-
33 gage or property at the risk of the owner, and in case baggage or other
34 property has been forwarded to any hotel, inn, eating house or steam-
35 boat and the owner of such baggage or property does not within forty-
36 eight hours become a guest, the keeper of such hotel, inn, eating house
37 or steamboat after such time may hold such baggage or property at
38 the risk of the owner.

39 Hotel, inn, rooming house or eating house keepers shall have a
40 lien upon, and may take and retain possession of, all baggage and
41 other property belonging to or under the control of their guests or
42 patrons, which may be in such hotel, inn, rooming house or eating
43 house, for the value of their accommodations and keep, and for all
44 money paid for or advanced to, and for such extras and other things
45 as shall be furnished such guest or patron, and such property so
46 retained shall not be exempt from attachment or execution to the
47 amount of the reasonable charges of such hotel, inn, rooming house
48 or eating house keeper, against such guest or patron, and the costs of
49 enforcing the lien thereon. The innkeeper or hotel keeper shall retain
50 such baggage and other property upon which he has a lien for a period
51 of ninety days, at the expiration of which time, if such lien is not
52 satisfied, he may sell such baggage and other property at public auc-
53 tion after giving ten days' notice of the time and place of sale in a
54 newspaper of general circulation in the county where the inn or hotel
55 is situated, and also by mailing a copy of such notice addressed to said
56 guest or boarder at the place of residence registered by him in the
57 register of such inn or hotel. After satisfying the lien and any costs
58 that may accrue, any residue remaining shall, on demand within six
59 months, be paid to such guest or boarder, and if not so demanded
60 within six months from date of such sale, such residue shall be depos-
61 ited by such innkeeper or hotel keeper with the treasurer of the county
62 in which the inn or hotel is situated, together with a statement of the
63 innkeeper's claim and the costs of enforcing same, a copy of the pub-
64 lished notice, and the amounts received for the goods sold at said sale;
65 said residue shall by said county treasurer be credited to the general
66 revenue fund of said county, subject to a right of said guest or board-
67 er, or his representative, to reclaim at any time within three years of
68 the date of deposit with the said treasurer.

[C., '97, § 3138; S., '13, § 3138; 39 G. A., ch. 100.]

TITLE XXV

LEGALIZING ACTS

NOTE: The date following the historical reference, which indicates the time of taking effect of an act by publication, has been computed on the theory that such acts take effect on the first day following the last publication. (Arnold vs. Board, 151 Iowa, 155.)

In those instances in which the historical reference shows that the source of the section consists of more than one legislative enactment, the date indicates the time when the last legislative act took effect.

CHAPTER ONE-HALF

PUBLICATION OF PROPOSED LEGALIZING ACTS

NOTE: This chapter has been given the number "one-half" in order to place it as the first chapter in the title. In order to secure a logical arrangement it seems necessary that this subject matter should be the first thing in the title on "Legalizing Acts".

SECTION 6534-a1. Publication prior to passage—place of publication.

1 No bill which seeks to legalize the official proceedings of any
 2 board of supervisors, board of school directors, or city or town council,
 3 or which seeks to legalize any warrant or bond issued by any of said
 4 official bodies, shall be placed on passage in either house or senate until
 5 such bill as introduced shall have been published in full in some news-
 6 paper published within the territorial limits of the public corporation
 7 whose proceedings, warrants or bonds are proposed to be legalized, nor
 8 until proof of such publication shall have been filed with the chief
 9 clerk of the house and with the secretary of the senate, and a brief
 10 minute of such filing entered on the respective journals.

[39 G. A., ch. 228, § 1; 40 G. A., ch. 194.]

SEC. 6534-a2. Place of publication in certain cases.

1 In case no newspaper is published within such territorial limits,
 2 the publication required by this chapter shall be made in one news-
 3 paper of general circulation published within the county.

[39 G. A., ch. 228, § 2.]

SEC. 6534-a3. Caption of publication.

1 The publication required by this chapter shall be made under the
 2 following caption or heading, to wit:

3 "Proposed bill for the legalization of the proceedings of (name of
 4 official body)".

5 If the proposed bill be for the legalization of the bonds or warrants
 6 of the public corporation, the caption shall be modified accordingly.

[39 G. A., ch. 228, § 3.]

SEC. 6534-a4. Cost of publication.

1 If the bill be introduced at the instance of the public body whose
 2 proceedings, bonds or warrants are sought to be legalized, the cost of
 3 the aforesaid publication may be paid from the general fund of the
 4 public corporation.

[39 G. A., ch. 228, § 4.]

SEC. 6534-a5. Subsequent amendment—effect.

1 The amendment of the proposed bill after its publication as afore-
 2 said shall not affect its legality, provided the subject matter of the
 3 bill is not substantially changed.

[39 G. A., ch. 228, § 5.]

CHAPTER 1
NOTARIES PUBLIC AND ACKNOWLEDGMENTS**SECTION 6537-a1. Acknowledgments by notaries outside jurisdiction.**

1 Acknowledgments heretofore taken by notaries public outside
 2 their jurisdiction are hereby declared valid and legal. Nothing in this
 3 act [39 G. A., ch. 151], shall affect pending litigation.

[39 G. A., ch. 151, §§ 1, 2. (Took effect July 4, 1921.)]

CHAPTER 2
JUDGMENTS AND DECREES**SECTION 6545-a1. Decrees for sale of real estate by guardian.**

1 In all cases where decrees and orders of court have been obtained
 2 for the sale of real estate by a guardian prior to January first, nineteen
 3 hundred twenty-one, where the original notice shows that service of
 4 notice pertaining to the sale of such real estate was made on the minor
 5 or ward outside of the state of Iowa, such services of notices are hereby
 6 legalized; and that all decrees so obtained as aforesaid are hereby
 7 legalized and held to have the same force and effect as though the
 8 service of such original notice had been made on the minor or ward
 9 within the state of Iowa.

[39 G. A., ch. 88, § 1.]

CHAPTER 3
REAL PROPERTY**SECTION 6551. Absence of, or defective acknowledgments.**

1 Any instrument in writing affecting the title to real estate within
 2 the state of Iowa, to which is attached no certificate of acknowledg-

3 ment or to which is attached a defective certificate of acknowledg-
 4 ment, which was, prior to January first, nineteen hundred fifteen, re-
 5 corded or spread upon the records in the office of the recorder of the
 6 county in which the real estate described in such instrument is
 7 located, is, together with the recording and the record thereof, legal-
 8 ized and declared as valid, legal and binding as if such instrument had
 9 been properly acknowledged and legally recorded.

[S. S., '15, § 2963-a; 37 G. A., ch. 388, § 1; 40 G. A., ch. 195,
 § 1. (Took effect July 4, 1923.)]

SEC. 6561. Sheriff's deed executed by deputy.

1 All conveyances of land in this state, executed in this state by
 2 a deputy sheriff, and properly recorded in the office of the county
 3 recorder of the county wherein the land is located, prior to January
 4 first, nineteen hundred, shall have the same force and effect as though
 5 such conveyance had been executed by the sheriff.

[S., '13, § 2963-s; 40 G. A., ch. 240, § 1. (Took effect July
 4, 1923.)]

SEC. 6566. Releases and discharges in re real estate.

1 All releases and discharges of judgments, mortgages or deeds of
 2 trust affecting property in this state made prior to January first, nine-
 3 teen hundred three, by administrators, executors or guardians ap-
 4 pointed by the court of any other state or country without complying
 5 with the provisions of section thirty-three hundred eight of the code
 6 [code of 1897] are hereby legalized and declared as valid and effective
 7 in law and in equity as though the provisions of said section had been
 8 strictly followed; provided that nothing in this act [35 G. A., ch. 276,
 9 § 1] shall affect pending litigation.

[S., '13, § 3308-a. (Took effect July 4, 1913.)]

NOTE: No change made in the above section by the 39th G. A. or the 40th
 G. A. but reprinted to correct error in printing of compiled code.

CHAPTER 3-A

WILLS

SECTION 6569-a1. Notice of appointment.

1 In all instances prior to January first, nineteen hundred twenty,
 2 where executors or administrators have failed to publish notice of
 3 their appointment as required by section seventy-eight hundred
 4 twenty-six of this supplement, but have published a notice of appoint-
 5 ment, such notice of appointment is hereby legalized and shall have
 6 the same force and effect as though the same had been published as
 7 directed by the court or clerk.

[40 G. A., ch. 208, § 2.]

CHAPTER 4

CORPORATIONS

SECTION 6570. Defective publication.

1 Corporations heretofore incorporated under the laws of the
 2 state of Iowa which have caused notice of their incorporation to be pub-
 3 lished once each week for four consecutive weeks in some daily, semi-
 4 weekly or triweekly newspaper, instead of causing the same to be
 5 published in each issue of such newspaper for four consecutive weeks,
 6 are hereby legalized and are declared legal incorporations the same
 7 as though the law had been complied with in all respects in regard to
 8 the publication of notice.

[S., '13, § 1613-a. (Took effect by publication March 12,
 1902.)]

NOTE: No change made in the above section by the 39th G. A. or the 40th
 G. A. but reprinted to correct error in printing of compiled code.

SEC. 6571. Publication after required time.

1 In all instances where the incorporators of corporations organized
 2 in this state for pecuniary profit have omitted to publish notices of
 3 such incorporation within three months from and after the date of
 4 the certificates of incorporation issued by the secretary of state, but
 5 did publish such notices thereafter in the manner and form as required
 6 by law, such notices of incorporation are hereby legalized, and shall
 7 have the same force and effect as though published within said period
 8 of three months. Nothing herein contained shall be so construed as to
 9 affect any pending litigation.

[40 G. A., ch. 380, §§ 1, 2. (Took effect July 4, 1923.)]

NOTE: See 39 G. A., ch. 398, §§ 1, 2; 33 G. A., ch. 272, § 1.

SEC. 6572. Filing of renewals after required time.

1 In all instances where proper action has been taken prior to
 2 July first, nineteen hundred twenty-three, by the stockholders for
 3 renewal of any corporation for pecuniary profit and the certificate
 4 showing such proceedings together with the articles of incorporation
 5 have been filed and recorded in the office of the county recorder and
 6 later in the office of the secretary of state, although there has been
 7 failure to file such certificates and articles of incorporation in either
 8 or both of the said offices within the time specified therefor by law;
 9 such renewals are hereby legalized and shall be held to have the same
 10 force and effect as though the filings of the said documents in the
 11 said offices had been made within the periods prescribed by the
 12 statute.

[S. S., '15, § 1618-1a; 40 G. A., ch. 196. (Took effect July 4,
 1923.)]

CHAPTER 6

BONDS

SECTION 6584-a1. Street improvement and sewer bonds.

1 All bonds heretofore issued pursuant to the provisions of section
2 thirty-nine hundred fifty-seven of this supplement wherein dates of
3 maturity are fixed in said bonds other than April first, are hereby
4 legalized, notwithstanding such maturities. Nothing in this act [39
5 G. A., ch. 347] contained shall affect any pending litigation.

[39 G. A., ch. 347, § 1. (Took effect by publication March 15,
1921.)]

SEC. 6584-a2. Park bonds and certificates.

1 In all cities covered by the provisions of said chapter three hun-
2 dred twelve, acts of the thirty-eighth general assembly, which have
3 heretofore caused to be issued park certificates or bonds in anticipation
4 of levies authorized in paragraph two of said section one of said chap-
5 ter three hundred twelve, for the purpose of paying the cost of any
6 building constructed or under construction in any public park, such cer-
7 tificates or bonds, as the case may be, which have been issued or shall
8 be issued, and all proceedings relating thereto, are hereby legalized;
9 and in all cases where the levy of the tax authorized under paragraph
10 two has been made, such levy is hereby legalized.

[39 G. A., ch. 125, § 2. (Took effect by publication April 8,
1921.)]

TITLE XXVI

DOMESTIC RELATIONS

CHAPTER 1

MARRIAGE

SECTION 6593. Who may solemnize.

1 Marriages must be solemnized:

- 2 1. By a justice of the peace, or the mayor of the city or town
3 wherein the marriage takes place.
4 2. By some judge of the supreme, district, superior or municipal
5 court of the state.
6 3. By some minister of the gospel, ordained or licensed according
7 to the usages of his denomination.
8 4. By the United States government superintendent of any Indian
9 agency where the contracting parties are members of an Indian tribe
10 under the supervision of such superintendent, and for such marriages
11 no license shall be required but the return of such marriage shall be
12 made to the clerk of the district court as required in section sixty-five
13 hundred ninety-six of the compiled code, by such superintendent.

[C., '51, § 1472; R., '60, § 2524; C., '73, § 2193; C., '97,
§ 3145; 37 G. A., ch. 36, § 1; 37 G. A., ch. 313, § 1.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to correct error in printing of compiled code.

CHAPTER 2

HUSBAND AND WIFE

SECTION 6615-a1. Personal injuries to woman.

- 1 When any woman receives an injury caused by the negligence or
2 wrongful act of any person, firm or corporation, including a municipal
3 corporation, she may recover for loss of time, medical attendance and
4 other expenses incurred as a result thereof in addition to any elements
5 of damages recoverable by common law; and if such injury result in
6 causing death, her administrator may sue and recover for her estate,
7 the value of her services as a wife or mother or both in such sum as
8 the jury may deem proportionate to the injury resulting in her death,
9 in addition to such damages as are recoverable by common law; also
10 loss of services and expenses incurred before death, if not previously
11 recovered, and in such case of injury arising from wilful, gross, or
12 wanton negligence, punitive damages may be allowed by the jury in

13 addition to other damages herein provided, but in no event shall the
14 amount exceed the sum of fifteen thousand dollars.

[S. S., '15, § 3477-a.]

NOTE: This section appears in the compiled code as section 7103. Said section is omitted as section 7103 and reprinted here in order that closely related subject matters may be in the same chapter.

CHAPTER 3

DIVORCE AND ANNULMENT OF MARRIAGES

SECTION 6629. Alimony—custody of children—changes.

1 When a divorce is decreed, the court may make such order in
2 relation to the children, property, parties, and the maintenance of
3 the parties as shall be right.

4 If any party against whom such decree has been entered, shall
5 wilfully disobey the same or secrete his property, he may be cited
6 and punished by the court for contempt.

7 Subsequent changes may be made by it in these respects, when
8 circumstances render them expedient.

[C., '51, § 1485; R., '60, § 2537; C., '73, § 2229; C., '97, § 3180; 40 G. A., ch. 197.]

CHAPTER 4

MINORS

SECTION 6637. Majority.

1 The period of minority extends to the age of twenty-one years;
2 but females may contract marriage as adults after the age of eighteen
3 years, and all minors attain their majority by marriage.

[C., '51, § 1487; R., '60, § 2539; C., '73, § 2237; C., '97, § 3188; 40 G. A., ch. 198, § 1.]

SEC. 6638. Contracts—disaffirmance.

1 A minor is bound not only by contracts for necessities, but also
2 by his other contracts, unless he disaffirms them within a reasonable
3 time after he attains his majority, and restores to the other party all
4 money or property received by him by virtue of the contract, and
5 remaining within his control at any time after his attaining his ma-
6 jority, except as otherwise provided.

[C., '51, § 1488; R., '60, § 2540; C., '73, § 2238; C., '97, § 3189.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to correct historical reference.

CHAPTER 5

GUARDIANSHIP

SECTION 6650. Guardian to complete contracts.

1 The guardian of any person contemplated in this and the two
 2 following chapters of this title providing for the appointment of guard-
 3 ians, whether appointed by a court in this state or elsewhere, may
 4 complete the real contracts of his ward, or any authorized contracts
 5 of a guardian who has died or been removed, in the same manner and
 6 by like proceedings as the real contracts of one deceased may be, under
 7 an order of court, performed by his executor or administrator.

[R., '60, § 1454; C., '73, § 2277; C., '97, § 3226.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to correct error in printing of compiled code.

SEC. 6652. Petition—notice.

1 The petition for that purpose must state the grounds thereof and
 2 be verified. A copy of the application, with a notice of the time and
 3 place of hearing thereon by the court or judge must be served on the
 4 ward in the time and manner prescribed for the service of an original
 5 notice in ordinary civil actions, unless a different service is ordered by
 6 the court or judge.

[C., '51, § 1501; R., '60, § 2553; C., '73, § 2258; C., '97,
 § 3207; 39 G. A., ch. 263, § 2.]

CHAPTER 7

GUARDIANS FOR DRUNKARDS, SPENDTHRIFTS, AND LUNATICS

SECTION 6670. Petition—appointment.

1 When a petition, verified by affidavit, is presented to the district
 2 court that any inhabitant of the county is:

- 3 1. An idiot, lunatic or person of unsound mind;
- 4 2. An habitual drunkard, incapable of managing his affairs;
- 5 3. A spendthrift who is squandering his property;

6 And the allegations of the petition are satisfactorily proved upon
 7 the trial provided for in section sixty-six hundred seventy-one of the
 8 compiled code, the court may appoint a guardian of the property of
 9 such person, who shall be the guardian of the minor children of his
 10 ward, unless the court otherwise orders; and if such person is an
 11 habitual drunkard the court may appoint a guardian of his person,
 12 whether he has any estate or not.

13 Any other person may, upon his own application, by verified
 14 petition, have a guardian appointed for his person or property or
 15 both, if in the opinion of the district court or judge to whom the pe-
 16 tition is presented, said appointment would inure to the best interest
 17 of said applicant. Upon such application no notice of the hearing
 18 shall be required.

[R., '60, § 1449; C., '73, § 2272; C., '97, § 3219; 40 G. A., ch.
 199.]

SEC. 6673. Provisions made applicable.

1 The provisions of this and the two preceding chapters of this
2 title, and all other laws relating to guardians for minors, and regu-
3 lating or prescribing the powers, duties or liabilities of each, and of
4 the court or judge thereof, so far as the same are applicable, shall
5 apply to guardians and their wards appointed under section sixty-
6 six hundred seventy of this supplement.

[R., '60, § 1451; C., '73, § 2274; C., '97, § 3223.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to change cross reference.

TITLE XXVII

JUSTICES OF THE PEACE

CHAPTER 1

JUSTICE OF THE PEACE COURT

SECTION 6717. In adjoining township.

1 If there is no justice in the proper township qualified or able to act,
 2 it may be commenced in any adjoining township in the same county.
 3 If there be no such justice in an adjoining township, it may be com-
 4 menced before the justice in the same county nearest to the township in
 5 which the defendant resides.

[C., '51, § 2268; R., '60, § 3856; C., '73, § 3514; C., '97,
 § 4482; 39 G. A., ch. 193, § 1.]

SEC. 6837. Accounting for fees—compensation.

1 Justices of the peace and constables in townships having a popu-
 2 lation of more than twelve thousand shall pay into the county treasury
 3 all criminal fees collected in each year.

4 Justices of the peace and constables in townships having a popu-
 5 lation of under twelve thousand shall pay into the county treasury all
 6 fees collected each year in excess of the following sums:

7 1. In townships having a population of four thousand and under
 8 twelve thousand, justices, eight hundred dollars; constables, six hun-
 9 dred dollars.

10 2. In all townships having a population of under four thousand,
 11 justices, six hundred dollars; constables, five hundred dollars.

12 In townships having a population of ten thousand or more, jus-
 13 tices of the peace and constables shall receive in full compensation for
 14 their services performed in criminal cases during the year, the follow-
 15 ing sums which shall be paid quarterly out of the county treasury.

16 1. In townships having a population of forty thousand or more,
 17 justices, eighteen hundred dollars; constables, fifteen hundred dollars.

18 2. In townships having a population of twenty-eight thousand or
 19 more, justices, fifteen hundred dollars; constables, twelve hundred dol-
 20 lars.

21 3. In townships having a populaton of twenty thousand and under
 22 twenty-eight thousand, justices, twelve hundred dollars; constables,
 23 one thousand dollars.

24 4. In townships having a population of ten thousand and under
 25 twenty thousand, justices, one thousand dollars; constables, eight hun-
 26 dred dollars.

27 Justices and constables in all townships having a population of
 28 ten thousand and over shall retain such civil fees as may be allowed by
 29 the board of supervisors, not to exceed five hundred dollars per annum,
 30 for expenses of their offices actually incurred, and shall pay into the
 31 county treasury all the balance of the civil fees collected by them.

[C., '97, § 4600; S., '13, § 4600-a; 38 G. A., ch. 216, § 1; 39
 G. A., ch. 101, § 1.]

TITLE XXVIII

COURTS OF RECORD OF ORIGINAL JURISDICTION

CHAPTER 1

MUNICIPAL COURT

SECTION 6840. Municipal court—limits of city defined.

1 Any city, whether organized under commission form of govern-
 2 ment or the general law for the incorporation of cities or towns, now
 3 or hereafter having a population of five thousand or more, as shown
 4 by the last preceding state or United States census, may establish a
 5 municipal court under the provisions of this chapter by proceeding as
 6 hereinafter provided, and for the purpose of this chapter, the terri-
 7 torial limits of any such city shall be held to extend to the limits and
 8 include therein all civil townships in which said city or any part
 9 thereof is located. Provided, that if such territorial limits include the
 10 territorial limits of an incorporated town, the mayor's court of such
 11 town shall have exclusive jurisdiction of prosecutions for the violation
 12 of the ordinances of such town.

[S. S., '15, § 694-c1; 38 G. A., ch. 142, § 1; 39 G. A., ch. 202,
 § 1.]

SEC. 6844. Inferior courts abolished—exceptions—dockets and records delivered to clerk.

1 After the adoption of the proposition to establish a municipal
 2 court under the provisions of this chapter, and upon the election or
 3 appointment and qualification of the officers herein provided for, the
 4 police court, mayor's court, justice of the peace court and the superior
 5 court in and for the territory within the municipal court district, shall
 6 be abolished and the offices of police judge, clerk of police court, jus-
 7 tices of the peace, constables, superior judge and clerk of superior
 8 court shall likewise be abolished; and when said offices shall be abol-
 9 ished the dockets of such courts and all records and papers in their
 10 possession pertaining to any proceedings had before them shall be
 11 forthwith delivered to the clerk of the municipal court, who shall pre-
 12 serve same in his office and who shall have full power and authority
 13 to certify and transcript such proceedings, as appear in the said dock-
 14 ets and records and papers of the said courts, and all subsequent pro-
 15 ceedings in any cause of action then pending in any of the said courts
 16 so abolished, shall be carried out in the said municipal court in the
 17 manner herein provided for, the same as if the said cause had origi-
 18 nated in said municipal court.

19 Provided, that if an incorporated town is situated within the
 20 territorial limits of a municipal court district, the mayor's court in

21 such town shall be retained but shall only have jurisdiction of prose-
22 cutions for the violation of the ordinances of said town.

23 Provided, however, that if an incorporated town, or incorporated
24 towns, be situated within the territorial limits of such municipal court
25 as in this chapter provided, then, and in that event, the mayor's court
26 of such incorporated town, or incorporated towns, shall not be abol-
27 ished, but said mayor's court in such incorporated town, or incor-
28 porated towns, shall have only the jurisdiction to try offenses for the
29 violation of the ordinances of said incorporated town, or incorporated
30 towns, and impose sentence and punishment therefor, and such mu-
31 nicipal court shall have no jurisdiction over the violation of the ordi-
32 nances of the said incorporated town or incorporated towns.

[S. S., '15, § 694-c5; 38 G. A., ch. 16, § 2; 39 G. A., ch. 202,
§§ 2, 3.]

SEC. 6888. Salary.

1 The annual salary of each municipal judge shall be three thou-
2 sand dollars in cities of less than thirty thousand inhabitants; thirty-
3 four hundred dollars in cities of thirty thousand and less than
4 seventy-five thousand inhabitants; and thirty-six hundred dollars in
5 cities of seventy-five thousand or more inhabitants.

6 Each clerk shall receive an annual salary of eighteen hundred
7 dollars in cities of less than thirty thousand inhabitants; twenty-two
8 hundred dollars in cities of thirty thousand and less than seventy-five
9 thousand inhabitants; and twenty-six hundred dollars in cities of
10 seventy-five thousand or more inhabitants.

11 Each bailiff shall receive an annual salary of fifteen hundred dol-
12 lars in cities of less than thirty thousand inhabitants; seventeen hun-
13 dred fifty dollars in cities of thirty thousand and less than seventy-five
14 thousand inhabitants, and two thousand dollars in cities of seventy-
15 five thousand inhabitants or over.

16 The deputy clerks and deputy bailiffs shall receive such compen-
17 sation as the city council may allow.

18 The salaries of municipal judges, clerk, bailiff and all deputies
19 shall be paid monthly on the first Monday of each month. For the
20 first month such salary shall be paid from the city treasury and the
21 second month such salary shall be paid from the county treasury.
22 Each month thereafter such payments shall alternate from the city
23 to the county treasury in like manner.

[S. S., '15, § 694-c47; 37 G. A., ch. 152, § 1; 39 G. A., ch. 61,
§ 1.]

SEC. 6890. Shorthand reporter.

1 Each judge of the municipal court, may appoint a shorthand re-
2 porter. All provisions relating to shorthand reporters and their
3 duties in the district court, in so far as applicable, shall govern, except
4 their compensation which shall be fixed by order of the court not ex-
5 ceeding eight dollars per day, for the time actually engaged in their
6 court duties and shall be paid one-half by the county and one-half by
7 the city as provided in this chapter.

8 All actions included in class "A" hereof, may be reported the
9 same as in the district court, and the reporter's fees shall be taxed
10 in said action as costs.

11 No reporter shall be provided for in the trial of action in class
 12 "B", unless the party demanding the same shall pay the costs of said
 13 reporter to the clerk in advance which shall be taxed as costs in the
 14 case, unless otherwise ordered by the court in the case on trial.

15 The transcript fees paid reporters will be the same as in the dis-
 16 trict court, and may be taxed as part of the costs on appeal.

[S. S., '15, § 694-c49; 39 G. A., ch. 244, § 1.]

CHAPTER 2

SUPERIOR COURT

SECTION 6910. Salary of judge.

1 The salary of each superior court judge in all cities having a
 2 population of less than twenty-five thousand shall be two thousand
 3 dollars per annum, payable quarterly. In cities having a population
 4 of more than twenty-five thousand and less than forty-five thousand
 5 such salary shall be three thousand dollars per annum, payable quar-
 6 terly.

7 The first two quarters shall, in all cases, be paid from the city
 8 treasury, and the last two from the county treasury of the county
 9 wherein said court is located.

[C., '97, § 278; 40 G. A., ch. 200.]

SEC. 6924. Salary of judge.

1 In all such cities the salary of the judge of the superior court shall
 2 be thirty-seven hundred fifty dollars per annum, and paid quarterly;
 3 the first two quarters from the city treasury, and the last two from
 4 the county treasury of the county wherein such court is located.

[S., '13, § 280-c; 39 G. A., ch. 128, § 1.]

SEC. 6927. Applicable to certain cities.

1 Sections sixty-nine hundred twenty-two, sixty-nine hundred
 2 twenty-three, sixty-nine hundred twenty-five, sixty-nine hundred
 3 twenty-six of the compiled code and sixty-nine hundred twenty-four
 4 of this supplement shall apply to cities which now have, or may here-
 5 after have a population of forty-five thousand or more.

[S., '13, § 280-f; 39 G. A., ch. 128, § 2.]

CHAPTER 3

DISTRICT COURT

SECTION 6937. Judicial districts.

1 For judicial purposes, the state is hereby divided into twenty-
 2 one judicial districts, as follows:

3 The first district shall consist of the county of Lee, and have two
 4 judges.

5 The second district shall consist of the counties of Lucas, Monroe,
6 Wapello, Jefferson, Davis, Van Buren and Appanoose, and have four
7 judges.

8 The third district shall consist of the counties of Wayne, Decatur,
9 Clarke, Union, Ringgold, Taylor and Adams, and have three judges.

10 The fourth district shall consist of the counties of Woodbury and
11 Monona, and have four judges.

12 The fifth district shall consist of the counties of Dallas, Guthrie,
13 Adair, Madison, Warren and Marion, and have three judges.

14 The sixth district shall consist of the counties of Jasper, Powe-
15 shiek, Mahaska, Keokuk and Washington, and have three judges.

16 The seventh district shall consist of the counties of Muscatine,
17 Scott, Clinton and Jackson, and shall have five judges, who shall be
18 so elected that each county shall have at least one resident judge.

19 The eighth district shall consist of the counties of Iowa and
20 Johnson, and have two judges, who shall not be residents of the same
21 county.

22 The ninth district shall consist of the county of Polk, and have
23 five judges.

24 The tenth district shall consist of the counties of Delaware,
25 Buchanan, Black Hawk and Grundy, and have three judges.

26 The eleventh district shall consist of the counties of Story, Boone,
27 Webster, Hamilton, Hardin, Franklin and Wright, and have four
28 judges.

29 The twelfth district shall consist of the counties of Bremer,
30 Butler, Floyd, Mitchell, Worth, Cerro Gordo, Hancock and Winnebago,
31 and have four judges.

32 The thirteenth district shall consist of the counties of Clayton,
33 Allamakee, Fayette, Winneshiek, Howard and Chickasaw, and have
34 three judges.

35 The fourteenth district shall consist of the counties of Buena
36 Vista, Clay, Palo Alto, Kossuth, Emmet, Dickinson, Humboldt and
37 Pocahontas, and have three judges.

38 The fifteenth district shall consist of the counties of Pottawat-
39 tamie, Cass, Shelby, Audubon, Montgomery, Mills, Page, Fremont and
40 Harrison, and shall have five judges.

41 The sixteenth district shall consist of the counties of Ida, Sac,
42 Calhoun, Crawford, Carroll and Greene, and have two judges.

43 The seventeenth district shall consist of the counties of Tama,
44 Benton and Marshall, and have two judges.

45 The eighteenth district shall consist of the counties of Linn, Jones
46 and Cedar, and have four judges.

47 The nineteenth district shall consist of the county of Dubuque,
48 and have two judges.

49 The twentieth district shall consist of the counties of Des Moines,
50 Henry and Louisa, and shall have two judges.

51 The twenty-first district shall consist of the counties of Cherokee,
52 O'Brien, Osceola, Lyon, Sioux and Plymouth, and shall have two
53 judges.

54 The district judge shall be a resident of the district in which he
55 is elected, and each judge shall hold office until the expiration of the
56 term for which he has been heretofore elected. Each district judge
57 hereafter elected, except to fill a vacancy, shall hold office four years
58 and until his successor is elected and qualified. Each judge elected

59 to fill a vacancy shall hold for the unexpired term and until his suc-
60 cessor is elected and qualified.

[C., '97, § 227; S. S., '15, § 227; 37 G. A., ch. 91, §§ 1, 2; 37 G. A., ch. 255, § 1; 37 G. A., ch. 256, § 1; 37 G. A., ch. 257, § 1; 40 G. A., ch. 201, § 1; 40 G. A., ch. 202, § 1; 40 G. A., ch. 203, § 1.]

SEC. 6941. Reporter—compensation.

NOTE: This section omitted at this point and the material therein divided, without change of words, into the following named sections of this supplement: 6941-a1, 6941-a2, 6941-a3, and 9562-a1.

SEC. 6941-a1. Compensation of reporter.

1 Shorthand reporters of the district courts shall be paid ten dol-
2 lars per day for each day's attendance upon said court, under the di-
3 rection of the judge, out of the county treasury where such court is
4 held, upon the certificate of the judge holding the court; and in case
5 the total per diem of each reporter and his substitute shall not amount
6 to the sum of twenty-four hundred dollars per year, the judge ap-
7 pointing him shall at the end of the year apportion the deficiency so
8 remaining unpaid among the several counties of the district, if there
9 be more than one county in such district, in proportion to the num-
10 ber of days of court actually held by said judge in such counties, which
11 apportionment shall be by him certified to the several county audi-
12 tors, who shall issue warrants therefor to said reporter, which war-
13 rants shall be paid by the county treasurers out of any funds in the
14 treasury not otherwise appropriated.

[C., '73, § 3777; C., '97, § 254; S. S., '15, § 254-a2; 38 G. A., ch. 268, § 1.]

SEC. 6941-a2. Expenses of reporter.

1 Where a shorthand court reporter is required, in the discharge
2 of his official duties, to leave the county of his residence or leave the
3 city or town of his residence to perform such duties, he shall be paid
4 his actual and necessary hotel and living expenses not to exceed the
5 sum of three dollars per day and transportation expenses as shall be
6 incurred, which account shall be itemized and approved by the presid-
7 ing judge of the district court and certified to the county auditor of
8 the county in which such expenses are incurred, and shall be paid in
9 the same manner as the per diem of such reporter is paid.

[S. S., '15, § 254-a2; 38 G. A., ch. 268, § 1.]

SEC. 6941-a3. Transcript fee.

1 Shorthand reporters shall also receive eight cents per hundred
2 words for transcribing their official notes, to be paid for in all cases
3 by the party ordering the same.

[C., '73, § 3777; C., '97, § 254; S. S., '15, § 254-a2.]

CHAPTER 4

GENERAL PROVISIONS RELATING TO JUDGES AND COURTS

SECTION 6967. Judges—eligibility—not to practice law.

1 No person shall be eligible to the office of judge of a court of
 2 record who is not, at the time of his election, an attorney at law, duly
 3 admitted to practice under the laws of this state. During the time
 4 that he is holding such office he shall not practice as an attorney or
 5 counselor or give advice in relation to any action pending or about to
 6 be brought in any of the courts of the state. Nothing contained in
 7 this section shall be construed to prohibit police court judges from
 8 practicing as attorneys and counselors in civil matters.

[C., '51, § 1587; R., '60, § 2674; C., '73, § 187; C., '97, § 281;
 S., '13, § 281; 40 G. A., ch. 264.]

SEC. 6971-a1. Rules for conciliation—conciliators.

1 The judges of the district court for their districts, the judges of
 2 the superior court for their districts, and the judges of the municipal
 3 court for their districts may adopt and enforce rules prescribing the
 4 manner of settlement of controversies by conciliation and the duties
 5 of the clerks of the several courts in respect thereto; may appoint
 6 conciliators or any judge may act as such, but no judge shall preside
 7 at the trial of any action involving a controversy in which he has acted
 8 as conciliator.

[40 G. A., ch. 265, § 1.]

SEC. 6971-a2. Procedure.

1 No party shall be represented by counsel, except by consent of
 2 the conciliator. The proceedings shall be informal and no record
 3 thereof shall be preserved except the agreement of settlement signed
 4 by the parties. The judge may direct the same to be filed in the office
 5 of the clerk and judgment to be entered thereon.

[40 G. A., ch. 265, § 2.]

SEC. 6971-a3. Condition to maintaining action.

1 In districts in which rules for conciliation are adopted and the
 2 conciliators appointed, no person may maintain an action for the
 3 recovery of a disputed claim of one hundred dollars, or less, unless he
 4 alleges and proves by certificate of the conciliator that he has made a
 5 good faith effort to settle the controversy. This section shall not
 6 apply to suits aided by attachment, or to enforce a lien, or for replevin,
 7 or upon written contracts when due, or in cases where the petition
 8 states that the defendant is about to change his residence from the
 9 county, or where either party to the controversy is a nonresident of
 10 the county in which the conciliator is acting.

[40 G. A., ch. 265, § 3.]

SEC. 6971-a4. Speedy determination certain causes.

1 Such judges shall adopt rules for the speedy determination of
 2 causes involving comparatively small amounts as stated in such rules,
 3 and the clerks shall enter such causes upon a separate short cause

4 calendar. It shall be the duty of the court to set aside a day or days
5 each week when such causes will be heard. Before entering upon the
6 trial of any such cause, the judge or court will, if practicable, bring
7 the parties together and endeavor to secure a settlement thereof by
8 conciliation or arbitration.

[40 G. A., ch. 265, § 4.]

CHAPTER 5

CLERK OF THE DISTRICT COURT

SECTION 6972. Office—duties.

[Repealed by 40 G. A., ch. 266, and the two following sections enacted in lieu thereof.]

SEC. 6972-a1. Office—duties.

1 The clerk of the district court shall keep his office at the county
2 seat, attend the sessions of the district court himself or by deputy,
3 keep the records, papers, and seal, and record the proceedings of the
4 court as hereinafter directed, under the direction of the judge.

[C., '51, § 1577; R., '60, § 343; C., '73, § 194; C., '97, § 287;
40 G. A., ch. 266, § 1.]

SEC. 6972-a2. Clerk to notify parties of payment of money.

1 When money to the amount of five hundred dollars or more is
2 paid to the clerk to be paid to any person, and not disbursed within
3 thirty days, he shall notify the person entitled to receive such money,
4 or for whose account the money is paid, or the attorney of record of
5 such person. The notice shall be by registered mail, and shall be
6 mailed within forty days from the receipt of the money, to the last
7 address of the person or attorney known to the clerk, and memoran-
8 dum thereof entered on the proper record. If the clerk fails to give
9 said notice, he and his bondsman shall be personally liable for interest
10 on such money from the date of the receipt thereof by him to the date
11 the same is paid to the person or attorney.

[40 G. A., ch. 266, § 2.]

SEC. 6980. Change in title certified to auditor.

1 Where the title of any real estate is finally established in any
2 person or persons by judgment or decree of said court or of the
3 supreme court, or where title to real estate is changed by judgment,
4 decree, will, proceeding or order in probate, the clerk of the district
5 court shall certify the same, under the seal of said court, to the county
6 auditor of the county in which said land is located.

[C., '97, § 295; 40 G. A., ch. 266, § 3.]

SEC. 6982. Fees.

1 The clerk of the district court shall charge and collect the follow-
2 ing fees, all of which shall be paid into the county treasury:

- 3 1. For filing any petition, appeal or writ of error and docketing
4 the same, one dollar and fifty cents.
- 5 2. For every attachment, fifty cents.
- 6 3. For every cause tried by jury, one dollar and fifty cents.
- 7 4. For every cause tried by the court, seventy-five cents.
- 8 5. For every equity case, one dollar and fifty cents.
- 9 6. For each injunction or other extraordinary process or order,
10 one dollar.
- 11 7. For all causes continued on application of a party by affidavit,
12 fifty cents.
- 13 8. For all other continuances, fifteen cents.
- 14 9. For entering any final judgment or decree, seventy-five cents.
- 15 10. For taxing costs, fifty cents.
- 16 11. For issuing execution or other process after judgment or
17 decree, fifty cents.
- 18 12. For filing and properly entering and indorsing each mechanic's
19 lien, one dollar, and in case a suit is brought thereon, the same to be
20 taxed as other costs in the action.
- 21 13. For certificate and seal, fifty cents.
- 22 14. For filing and docketing transcript of judgment from another
23 county or a justice of the peace or municipal court, fifty cents.
- 24 15. For entering any rule or order, twenty-five cents.
- 25 16. For issuing writ or order, not including subpoenas, fifty cents.
- 26 17. For issuing commission to take depositions, fifty cents.
- 27 18. For entering sheriff's sale of real estate, fifty cents.
- 28 19. For entering judgment by confession, one dollar.
- 29 20. For entering satisfaction of any judgment, twenty-five cents.
- 30 21. For all copies of record, or papers filed in his office, tran-
31 scriptions, and making complete record, ten cents for each one hundred
32 words.
- 33 22. For taking and approving a bond and sureties thereon, fifty
34 cents.
- 35 23. For declaration of intention by an alien to become a citizen,
36 twenty-five cents.*
- 37 24. For all services on naturalization of aliens, including oaths
38 and certificates, fifty cents.*
- 39 25. For certificates and seal to applications to procure pensions,
40 bounties, or back pay for soldiers or other persons entitled thereto,
41 no charge.
- 42 26. For making out transcripts in criminal cases appealed to the
43 supreme court, for each one hundred words, ten cents.
- 44 27. In criminal cases, the same fees for same services as in suits
45 between private parties. When judgment is rendered against the
46 defendant, the fees shall be collected from such defendant.
- 47 28. For issuing marriage licenses, one dollar and fifty cents each.
- 48 29. For all services performed in the settlement of the estate
49 of any decedent, minor, insane person, or other persons laboring under
50 any legal disability, except where actions are brought by the adminis-
51 trator, guardian, trustee, or person acting in a representative capacity
52 or against him, or as may be otherwise provided herein, where the
53 value of the property of the estate does not exceed three thousand
54 dollars, three dollars; where such value is between three thousand
55 dollars and five thousand dollars, five dollars; where such value is
56 between five thousand dollars and seven thousand dollars, eight dol-

57 lars; where such value is between seven thousand dollars and ten
 58 thousand dollars, ten dollars; where such value is between ten thou-
 59 sand dollars and twenty-five thousand dollars, fifteen dollars; for each
 60 additional twenty-five thousand dollars or major fraction thereof,
 61 there shall be taxed the further sum of ten dollars.

62 30. In addition to all other fees, for making a complete record in
 63 cases where the same is required by law or directed by an order of the
 64 court, for every one hundred words, ten cents.

[C., '51, §§ 2527, 2531, 2532; R., '60, §§ 430, 436, 1852, 4136,
 4140, 4141; C., '73, §§ 3781, 3782, 3787; C., '97, § 296;
 S., '13, § 296; 39 G. A., ch. 42, §§ 1, 2; 40 G. A., ch. 266,
 § 4.]

* It is manifest that chapter 42, acts of the 39th G. A., was wholly overlooked in the preparation of paragraphs 23 and 24. Whether said chapter 42 has been impliedly repealed by the passage of this act, *quaere*.

SEC. 6983. Salary.

[Repealed by 40 G. A., ch. 250, and substitute embraced in chapter 8-A, title XII, of this supplement.]

SEC. 6985. Deputies — appointment — compensation — qualifications.

[Repealed by 40 G. A., ch. 250, and substitute embraced in chapters 8-A and 8-B, title XII, of this supplement.]

SEC. 6986. Deputies—district court in two places.

[Repealed by 40 G. A., ch. 250, and substitute embraced in chapter 8-A, title XII, of this supplement.]

SEC. 6987. Clerk to report and pay over fees of office.

[Repealed by 40 G. A., ch. 250, and substitute embraced in chapter 8-C, title XII, of this supplement.]

CHAPTER 6

JURORS

SECTION 6990. Who exempt.

1 The following persons are exempt from liability to act as jurors:
 2 All persons holding office under the laws of the United States or this
 3 state; all practicing attorneys, physicians, licensed embalmers, regis-
 4 tered nurses, chiropractors, osteopaths, veterinarians, registered
 5 pharmacists, dentists, and clergymen; all acting professors or teachers
 6 of any college, school or other institution of learning; and all persons
 7 disabled by bodily infirmity, or over sixty-five years of age; active
 8 members of any fire company; and any person who is conscientiously
 9 opposed to acting as a juror because of his religious faith.

[C., '51, § 1631; R., '60, § 2721; C., '73, § 228; C., '97, § 333;
 S., '13, § 333; 39 G. A., ch. 259; 40 G. A., ch. 204.]

SEC. 6992. Lists to be made biennially.

1 At the time of holding the general election, lists shall be made
 2 from which to select persons to serve as grand and petit jurors and
 3 talesmen for the biennial period commencing with the first day of
 4 January next thereafter, as follows: One hundred fifty persons in
 5 each county from which to select grand jurors; the number equal to
 6 one-eighth of the whole number of qualified electors in said county,
 7 who voted in the last preceding general election as shown by the poll
 8 books of said election, from which to select petit jurors; and the num-
 9 ber equal to fifteen per cent of the whole number of qualified electors,
 10 who voted at the last preceding general election, as shown by the poll
 11 books of said election, in the city or town in which the district court
 12 is held and the township or townships in which said city or town is
 13 located, from which to select talesmen; provided, however, that in no
 14 case shall such list for talesmen contain more than six hundred names.

[C., '51, § 1633; R., '60, § 2723; C., '73, § 234; C., '97, § 335;
 S., '13, § 335; 40 G. A., ch. 205, §§ 1, 2.]

CHAPTER 7**JURY COMMISSION****SECTION 7020. Number of grand and petit jurors—duty of auditor.**

1 The commission shall meet in a room, which shall be provided by
 2 the board of supervisors, in the courthouse, in the county in which
 3 they are appointed, on the second Monday after the general election
 4 in each year such election is held, and select the names of persons,
 5 having the qualification of jurors, and who are of good moral char-
 6 acter, to serve as grand and petit jurors, and talesmen, for the two
 7 years beginning on the first day of January next after the meeting
 8 of such commission.

9 The names of one hundred persons shall be drawn from which
 10 the grand jurors shall be selected: the names of a number of persons
 11 equal to one-seventh of the whole number of qualified electors in the
 12 county, who voted at the last preceding general election, as shown by
 13 the poll books of such election, shall be drawn, from which the petit
 14 jurors shall be selected; and the names of five hundred qualified elec-
 15 tors, who voted at the last preceding general election, as shown by
 16 the poll books of said election, in the city or town, in which the district
 17 court is held, and the township or townships in which said city or town
 18 is located, shall be drawn, from which talesmen shall be selected, and
 19 the names so drawn shall constitute the grand and petit jury lists,
 20 and the list of talesmen from which grand and petit jurors and tales-
 21 men shall be selected, for the biennial period commencing with the
 22 first day of January next after the meeting of such commission.

23 The county auditor shall compute in the manner provided by law,
 24 and furnish the commission, a statement of the number of grand and
 25 petit jurors and talesmen, to be drawn from each voting precinct in
 26 the county, and the commission shall draw the number of persons so
 27 proportioned by the county auditor, from each of such voting precincts.

28 In counties which are divided for judicial purposes, and in which

29 courts are held at more than one place, the grand and petit jurors,
30 and talesmen, selected to serve in the respective courts, shall be drawn
31 from the division of the county in which the court is held, at which
32 they are required to serve.

[37 G. A., ch. 267, § 5; 38 G. A., ch. 211, § 3; 39 G. A., ch.
278, §§ 1, 2.]

CHAPTER 8

ATTORNEYS AND COUNSELORS

SECTION 7037. Practitioners from other states.

1 Any person a resident of this state having been admitted to the
2 bar of any other of the United States may, in the discretion of the
3 court, be admitted to practice in this state without examination or
4 proof of period of study, as hereinbefore provided, on proof of the
5 other qualifications required by this chapter, and on satisfactory proof
6 that he has practiced law regularly for not less than one year in the
7 state where admitted to practice, after having been admitted to the
8 bar according to the laws of such state, or on satisfactory proof that
9 he has taught law regularly for one year in a recognized law school
10 in the state of Iowa, after admission to the bar of any other of the
11 United States.

[C., '97, § 313; S., '13, § 313; 37 G. A., ch. 330, § 1; 39 G. A.,
ch. 48, § 1; 39 G. A., ch. 143.]

TITLE XXIX

GENERAL PROVISIONS RELATING TO CIVIL PRACTICE AND PROCEDURE

CHAPTER 1

FORMS OF ACTIONS

SECTION 7077. Construction of code provisions.

NOTE: This section is omitted at this point and reprinted in this supplement as section 55-a1 in order that the statutory rules of construction may all appear in one chapter.

CHAPTER 3

PARTIES TO ACTIONS

SECTION 7085. Plaintiffs joined.

1 All persons having an interest in the subject of the action, and
2 in obtaining the relief demanded, may join as plaintiffs, except as
3 otherwise provided. Where two or more persons claim a right of
4 recovery against the same party or parties on like causes of action
5 cognizable in equity, they may join as parties plaintiff, and relief
6 may be granted to each according to his interest.

[C., '51, § 1678; R., '60, § 2759; C., '73, § 2545; C., '97, §
3460; 40 G. A., ch. 267.]

SEC. 7103. Recovery by woman or her estate for personal injury—maximum.

NOTE: This section is omitted at this point and reprinted in this supplement as section 6615-a1 in order that closely related matters may appear in the same chapter.

CHAPTER 4

LIMITATIONS OF ACTIONS

SECTION 7118. Recovery of interest in real estate when spouse failed to join in conveyance.

1 In all cases where the holder of the legal or equitable title or
2 estate to real estate situated within this state, prior to the first day
3 of January, nineteen hundred five, conveyed said real estate or any

4 interest therein by deed, mortgage, or other instrument, and the
 5 spouse failed to join therein, such spouse or the heirs at law, personal
 6 representatives, devisees, grantees, or assignees of such spouse shall
 7 be barred from recovery unless suit is brought therefor within one
 8 year after the taking effect of this act [34 G. A., ch. 159, § 1]. But
 9 in case the right to such distributive share has not accrued by the
 10 death of the spouse making such instrument, then the one not joining
 11 is hereby authorized to file in the recorder's office of the county where
 12 the land is situated, a notice with affidavit, setting forth affiant's claim,
 13 together with the facts upon which such claim rests, and the residence
 14 of such claimants; and if such notice is not filed within two years
 15 from the taking effect of this act [34 G. A., ch. 159, § 1], such claim
 16 shall be barred forever. Any action contemplated in this section may
 17 include land situated in different counties, by giving notice thereof as
 18 provided by section seventy-one hundred eighty-nine of the compiled
 19 code. Provided that the repeal of section thirty-four hundred forty-
 20 seven-b, supplement to the code, 1907, shall not affect any act done,
 21 any right accruing or which has accrued or been established, nor any
 22 suit or proceeding had or commenced in any civil cause before the
 23 time when such repeal takes effect; but the proceedings in such cases
 24 shall be conformed to the provisions of said repealed section as far as
 25 consistent.

[S., '13, § 3447-b; 37 G. A., ch. 351, § 1.]

NOTE: No change made by the 39th G. A. or the 40th G. A., but reprinted in its present form, with the addition of section 7118-a1 of this supplement, to meet the wishes of the legislative checking committee.

The above section was enacted by the 34th G. A., ch. 159, § 1, and was in itself a substitute for 31st G. A., ch. 152, § 1, which became section 3447-b of the supplement to the code, 1907. The 37th G. A., ch. 351, § 1, amended the above section by striking out the date "1890" and inserting in lieu thereof the date "1905". This makes it uncertain as to the meaning of the word "act" as it appears in the section and the word has been retained with a bracketed reference to the original act.

SEC. 7118-a1. Interpretative clause.

1 This act [37 G. A., ch. 351, § 3], shall not affect pending litigation,
 2 nor shall it operate to revive rights or claims already barred
 3 by the provisions of section thirty-four hundred forty-seven-b, supplement
 4 to the code, 1913.

[37 G. A., ch. 351, § 3.]

NOTE: Section 3447-b, supplement to the code, 1913, appears in amended form as section 7118 of this supplement, but the reference in the above section is to the original section and no corresponding compiled code number could be substituted therefor.

SEC. 7119. Recovery of real estate on claims existing prior to nineteen hundred—claim filed with county recorder—affidavits to show possession.

1 No action based upon any claim arising or existing prior to the
 2 first day of January, A. D., nineteen hundred, shall be maintained,
 3 either at law or in equity, in any court to recover any real estate in
 4 this state or to recover or establish any interest therein or claim
 5 thereto, legal or equitable, against the holder of the record title to
 6 such real estate in possession, when such holder of the record title

7 and his grantors immediate or remote are shown by the record to
 8 have held chain of title to said real estate, since the said first day of
 9 January, A. D., nineteen hundred, unless such claimant, by himself,
 10 or by his attorney or agent, or if he be a minor or under legal dis-
 11 ability, by his guardian, trustee or either parent shall within one year
 12 from and after July fourth, nineteen hundred nineteen, file in the
 13 office of the recorder of deeds of the county wherein such real estate
 14 is situated, a statement in writing, which shall be duly acknowledged,
 15 definitely describing the real estate involved, the nature and extent of
 16 the right or interest claimed, and stating the facts upon which the
 17 same is based.

18 For the purposes of this section and sections seventy-one hundred
 19 twenty to seventy-one hundred twenty-two, inclusive, of the compiled
 20 code, any person who holds title to real estate by will or descent from
 21 any person who held the title of record to such real estate at the date
 22 of his death or who holds title by decree or order of any court, or under
 23 any tax deed, trustee's, referee's, guardian's, executor's, administra-
 24 tor's, receiver's, assignee's, master's in chancery or sheriff's deed, shall
 25 be deemed to hold chain of title the same as though holding by direct
 26 conveyance.

27 For the purposes of this section, such possession of said real es-
 28 tate may be shown of record by affidavits showing such possession,
 29 and when said affidavits have been filed and recorded, it shall be the
 30 duty of the recorder to enter upon the margin of said record, a cer-
 31 tificate to the effect that said affidavits were filed by the owner in
 32 possession, as named in said affidavits, or by his attorney in fact, as
 33 shown by the records.

[38 G. A., ch. 270, § 1; 39 G. A., ch. 55.]

CHAPTER 5

PLACE OF BRINGING ACTIONS

SECTION 7149-a1. Hailstorm insurance assessments.

1 Actions to collect assessments from any member of an associa-
 2 tion organized to insure against losses by hailstorm shall be brought
 3 in the county where such member resides, any statement in the con-
 4 tract of insurance to the contrary notwithstanding.

[40 G. A., ch. 181.]

CHAPTER 6

MANNER OF COMMENCING ACTIONS

SECTION 7169. Proof of service—patients in hospital for insane.

NOTE: This section is omitted at this point and divided, without change of words, into the two following sections in order to separate the two subject matters.

SEC. 7169-a1. Proof of service.

1 If service is made within the state, the truth of the return is
 2 proven by the signature of the sheriff or his deputy, and the court
 3 shall take judicial notice thereof. If made without the state, or by
 4 one not such officer within the state, the return must be proven by
 5 the affidavit of the person making the same.

[C., '51, § 1732; R., '60, § 2823; C., '73, § 2609; C., '97,
 § 3524.]

SEC. 7169-a2. Patients in hospital for insane.

1 Service may be made on any patient confined in any of the hos-
 2 pitals for the insane by the superintendent or assistant superintend-
 3 ent thereof, and the certificate of such officer, under the seal of the
 4 hospital, shall be proof of such service.

[C., '97, § 3524.]

SEC. 7179. By publication.

1 Service may be made by publication, when an affidavit is filed
 2 that personal service cannot be made on the defendant within this
 3 state, in either of the following cases:

- 4 1. In actions brought for the recovery of real property, or an
 5 estate or interest therein.
- 6 2. In an action for the partition of real property.
- 7 3. In an action for the sale of real property under a mortgage,
 8 lien or other incumbrance or charge.
- 9 4. In actions to compel the specific performance of a contract of
 10 sale of real estate, or in actions to establish or set aside a will, where
 11 in such cases any or all of the defendants reside out of this state and
 12 the real property is within it.
- 13 5. In actions brought against a nonresident of this state, or a
 14 foreign corporation, having in the state property or debts owing to
 15 such defendant, sought to be taken by any of the provisional remedies,
 16 or to be appropriated in any way.
- 17 6. In actions which relate to or the subject of which is real or
 18 personal property in this state, when any defendant has or claims
 19 a lien or interest, actual or contingent, therein, or the relief demanded
 20 consists wholly or partly in excluding him from any interest therein,
 21 and such defendant is a nonresident of the state or a foreign cor-
 22 poration.
- 23 7. In all actions where the defendant, being a resident of the
 24 state, has departed therefrom, or from the county of his residence,
 25 with intent to delay or defraud his creditors, or to avoid the service
 26 of a notice, or keeps himself concealed therein with like intent.
- 27 8. Where the action is for a divorce, if the defendant is a non-
 28 resident of the state, or his residence is unknown.
- 29 9. Where the action is an action to quiet title to real estate if the
 30 defendant is a nonresident of the state, or his residence is unknown.
- 31 10. Where the action is for the annulment of an illegal marriage,
 32 if the defendant is a nonresident of the state, or his residence is un-
 33 known.

34 11. In actions or proceedings by an executor, administrator, or
 35 guardian to sell or mortgage the real property belonging to the estate
 36 of a decedent, or to a ward, as the case may be.

[C., '51, § 1725; R., '60, §§ 2831, 2832; C., '73, § 2618; C., '97,
 § 3534; S., '13, § 3534; 39 G. A., ch. 263, § 1.]

CHAPTER 10

GENERAL PRINCIPLES OF EVIDENCE

SECTION 7319. Criminating questions.

[This section and sections 5375 and 6238 of the compiled code repealed by 40 G. A., ch. 236, and the three following sections enacted in lieu thereof.]

SEC. 7319-a1. Criminating questions.

1 When the matter sought to be elicited would tend to render a
 2 witness criminally liable, or to expose him to public ignominy, he is
 3 not compelled to answer, except as otherwise provided.

[C., '51, § 2397; R., '60, § 3989; C., '73, § 3647; C., '97, §
 4612; S., '13, § 4612; 40 G. A., ch. 236, § 1.]

SEC. 7319-a2. Exceptions.

1 In the following cases no witness shall be excused from giving
 2 testimony, or from producing any evidence, upon the ground that
 3 his testimony or such evidence would tend to render him criminally
 4 liable or expose him to public ignominy:

5 1. In prosecutions against gaming, betting, lotteries, and deal-
 6 ing in options.

7 2. In prosecutions for creating, entering into or becoming a mem-
 8 ber of, or a party to, any pool, trust, agreement, contract, combina-
 9 tion, confederation or understanding with any other corporation, part-
 10 nership, association, or individual to regulate or fix the price of any
 11 article of merchandise or commodity, or to fix or limit the amount
 12 or quantity of any article, commodity, or merchandise to be manufac-
 13 tured, mined, produced, or sold in this state.

14 3. In prosecutions for keeping gambling houses.

15 4. In prosecutions or proceedings for violations of the statutes
 16 relating to intoxicating liquors, including proceedings wherein a peace
 17 officer is examined as to his knowledge of violations of such statutes.

18 5. In prosecutions for the violation of the statutes relating to
 19 elections.

20 6. In prosecutions for making, soliciting, or receiving contribu-
 21 tions for political purposes by or to any political committee, party, or
 22 candidate, or representative thereof.

23 7. In actions wherein an election is contested and the matter
 24 sought to be elicited relates to the qualification of the witness as a
 25 voter, or consists of a statement by the witness as to the candidate
 26 for whom the witness voted when the witness was not a qualified
 27 voter.

28 8. In actions for damages for violation of the laws regulating
29 common carriers.

30 9. In prosecutions for violations of the statutes relating to the
31 free transportation of persons by common carriers of passengers.

32 10. In investigations by the board of railroad commissioners into
33 the manner and method pursued by common carriers, subject to their
34 jurisdiction, in conducting their business.

35 11. In examinations or investigations conducted by any com-
36 mittee of the general assembly.

37 12. In prosecutions against public officers for unlawfully open-
38 ing, or divulging the contents of, sealed bids.

39 13. In proceedings auxiliary to executions.

40 14. In examinations by the board of control of state institutions,
41 or by a committee thereof, of the affairs of any institution under the
42 control of said board.

43 15. In any action or investigation in relation to any public work
44 or public contract.

1. [C., '97, § 4612; S., '13, § 4612; 40 G. A., ch. 236, § 2.]
2. [C., '97, § 4612; S., '13, § 4612; 40 G. A., ch. 236, § 2.]
3. [C., '97, § 4612; S., '13, § 4612; 40 G. A., ch. 236, § 2.]
4. [R., '60, § 1578; C., '73, §§ 1538, 1551; C., '97, §§ 2399,
2428, 4612; S., '13, § 2428; 40 G. A., ch. 236, § 2.]
5. [S., '13, § 1137-a2; 40 G. A., ch. 236, § 2.]
6. [S., '13, § 1641-j; 40 G. A., ch. 236, § 2.]
7. [C., '51, § 360; R., '60, § 590; C., '73, § 709; C., '97, §
1215; 40 G. A., ch. 236, § 2.]
8. [C., '97, § 2131; 40 G. A., ch. 236, § 2.]
9. [S., '13, § 2157-h; 40 G. A., ch. 236, § 2.]
10. [C., '97, § 2133; 40 G. A., ch. 236, § 2.]
11. [C., '73, § 17; C., '97, § 21; S., '13, § 2727-a2; 38 G. A.,
ch. 79, § 1; 40 G. A., ch. 236, § 2.]
12. [S., '13, § 1279-b; 40 G. A., ch. 236, § 2.]
13. [C., '51, § 1956; R., '60, § 3378; C., '73, § 3138; C., '97, §
4075; 40 G. A., ch. 236, § 2.]
14. [S., '13, § 2727-a10; 40 G. A., ch. 236, § 2.]
15. [S., '13, § 1279-d; 40 G. A., ch. 236, § 2.]

SEC. 7319-a3. Immunity from prosecution.

1 No person compelled under the preceding section to testify or
2 produce evidence tending to incriminate him or to expose him to
3 public ignominy shall be prosecuted for any crime which such testi-
4 mony or evidence tends to prove or to which the same relates. This
5 section shall not exempt any person from prosecution for perjury.

[C., '51, § 2397; R., '60, § 3989; C., '73, § 3647; C., '97, §§
2399, 4612; S., '13, §§ 2727-a2, 2727-a10, 4612; 40 G. A.,
ch. 236, § 3.]

SEC. 7391. Reporter's notes as evidence.

NOTE: This section is omitted at this point and divided, without change of words, into the five following sections in order to separate the different subject matters.

SEC. 7391-a1. Reporter's notes as evidence.

1 The original shorthand notes of the evidence or any part thereof
2 heretofore or hereafter taken upon the trial of any cause or proceed-
3 ing, in any court of record of this state, by the shorthand reporter
4 of such court, or any transcript thereof, duly certified by such
5 reporter, when material and competent, shall be admissible in evi-
6 dence on any retrial of the case or proceeding in which the same
7 were taken, and for purposes of impeachment in any case, and shall
8 have the same force and effect as a deposition, subject to the same
9 objections so far as applicable.

[S., '13, § 245-a.]

SEC. 7391-a2. Transcript must be complete.

1 No portion of the transcript of the shorthand notes of the evi-
2 dence of any witness shall be admissible as such deposition, unless it
3 shall appear from the certificate or verification thereof that the whole
4 of the shorthand notes of the evidence of such witness, upon the trial
5 or hearing in which the same was given, is contained in such tran-
6 script, but the party offering the same shall not be compelled to offer
7 the whole of such transcript.

[S., '13, § 245-a.]

SEC. 7391-a3. Certification.

1 It shall be the duty of any such reporter, upon demand by any
2 party to any cause or proceeding, or by the attorney of such party,
3 when such shorthand notes are offered in evidence, to read the same
4 before the court, judge, referee, or jury, or to furnish to any person
5 when demanded a certified transcript of the shorthand notes of the
6 evidence, of any one or more witnesses, upon payment of his fees
7 therefor.

[S., '13, § 245-a.]

SEC. 7391-a4. Sworn verification.

1 When the reporter taking such notes in any case or proceeding
2 in court has ceased to be the reporter of such court, any transcript
3 by him made therefrom, and sworn to by him before any person
4 authorized to administer an oath as a full, true, and complete tran-
5 script of the notes of the testimony of the witness, a transcript of
6 whose testimony is demanded, shall have the same force and effect as
7 though duly certified by the reporter of said court.

[S., '13, § 245-a.]

SEC. 7391-a5. Identification of exhibits.

1 When any exhibit, record, or document is referred to in such
2 shorthand notes or transcript thereof, the identity of such exhibit,
3 record, or document, as the one referred to by the witness, may be
4 proven either by the reporter or any other person who heard the
5 evidence of the witness given on the stand.

[S., '13, § 245-a.]

CHAPTER 11

CHANGE OF VENUE

SECTION 7440. Jury fees.

1 Where the place of trial in any civil or criminal action is changed
 2 to any county other than that in which the same was properly com-
 3 menced, where the trial thereof takes place at a regular term and
 4 occupies more than one calendar day, the judge trying it shall certify
 5 the number of days so occupied, and the county in which the action
 6 was originally commenced shall be liable to the county where the same
 7 is tried for the sum of three dollars per day, for each juryman en-
 8 gaged in the trial thereof.

[C., '73, § 2597; C., '97, § 3512; 39 G. A., ch. 106.]

CHAPTER 12

TRIAL AND JUDGMENT

SECTION 7500. Instructions—to be in writing.

[Repealed by 40 G. A., ch. 268.]

SEC. 7501. Instructions—exceptions.

[Repealed by 40 G. A., ch. 268.]

SEC. 7502. Modification.

[Repealed by 40 G. A., ch. 268.]

SEC. 7503. Record—exceptions.

[Repealed by 40 G. A., ch. 268.]

SEC. 7504. Numbered—given or refused.

[Repealed by 40 G. A., ch. 268.]

SEC. 7505. Exceptions after verdict.

[This and the five preceding sections repealed by 40 G. A., ch. 268,
 and the five following sections enacted in lieu thereof.]

SEC. 7505-a1. Instructions requested.

1 At the conclusion of the evidence, any party may file with the
 2 clerk and present to the court consecutively numbered instructions to
 3 the jury on points of law with the request that they be given. The
 4 court may at any time before final submission of the case to the jury
 5 grant leave to any party to file a request for the giving of additional
 6 instructions.

[R., '60, § 3051; C., '73, § 2784; C., '97, § 3705; S., '13, § 3705;
 40 G. A., ch. 268, § 1.]

SEC. 7505-a2. Duty as to instructions asked.

1 The court shall either give or refuse to give, or modify and give
 2 the instructions requested and make a memorandum of the decision
 3 on the margin thereof. If the court give any instruction with a mod-
 4 ification, the same shall not be indicated on the instruction requested
 5 by interlineation or erasure but shall follow some such characterizing
 6 words as "changed thus", indicating that the same was refused as
 7 requested.

[R., '60, §§ 3051, 3053, 3054; C., '73, §§ 2784, 2785, 2786;
 C., '97, §§ 3705, 3706, 3708; S., '13, § 3705; 40 G. A.,
 ch. 268, § 2.]

SEC. 7505-a3. Instructions by the court.

1 The court shall instruct the jury as to the law applicable to all
 2 the material issues in the case and such instructions shall be in writ-
 3 ing and in consecutively numbered paragraphs and shall be read to
 4 the jury without oral or other comment or explanation.

[R., '60, §§ 3051, 3057, 3058, 3060; C., '73, §§ 2784, 2786,
 2788; C., '97, §§ 3705, 3708; S., '13, § 3705; 40 G. A.,
 ch. 268, § 3.]

SEC. 7505-a4. Record.

1 All instructions requested or given shall be filed by the clerk
 2 and be a part of the record.

[R., '60, § 3055; C., '73, § 2787; C., '97, § 3707; 40 G. A., ch.
 268, § 4.]

SEC. 7505-a5. Exceptions to instructions.

1 Any party may take and file exceptions to the instructions of
 2 the court or any part of the instructions given or to the refusal to
 3 give any instructions as requested within five days after the verdict
 4 in the cause is filed or within such further time as the court may
 5 allow and may include the same or any part thereof in a motion for
 6 a new trial, but all such exceptions shall specify the part of the
 7 instructions as excepted to, or of the instructions requested and
 8 refused and the grounds of such exceptions.

[R., '60, § 3059; C., '73, § 2789; C., '97, § 3709; S., '13, §
 3705-a; 37 G. A., ch. 24, § 1; 38 G. A., ch. 11, § 1; 40 G.
 A., ch. 268, § 5.]

CHAPTER 13
COSTS**SECTION 7614. Recoverable by successful party.**

[Repealed by 40 G. A., ch. 269, and the two following sections
 enacted in lieu thereof.]

SEC. 7614-a1. Recoverable by successful party.

1 Costs shall be recovered by the successful against the losing
 2 party. The losing party, however, shall not be assessed with the cost
 3 of mileage of any witness for a distance of more than one hundred
 4 miles from the place of trial, unless otherwise ordered by the court
 5 at the time of entering judgment.

[C., '51, § 1811; R., '60, § 3449; C., '73, § 2933; C., '97, §
 3853; S., '13, § 3853; 40 G. A., ch. 269, § 1.]

SEC. 7614-a2. Apportioning costs.

1 Where the party is successful as to a part of his demand, and
 2 fails as to part, unless the case is otherwise provided for, the court
 3 on rendering judgment may make an equitable apportionment of
 4 costs.

[C., '51, § 1811; R., '60, § 3449; C., '73, § 2933; C., '97, §
 3853; S., '13, § 3853; 40 G. A., ch. 269, § 2.]

SEC. 7633. Jury fees taxed as costs.

1 There shall be taxed, in every action tried in a court of record by
 2 a jury, a jury fee of ten dollars, which, when collected, shall be paid
 3 by the clerk into the county treasury; all such fees, not previously
 4 reported, to be by him reported to the board of supervisors at each
 5 regular session, and by it charged to the treasurer.

[C., '73, § 3812; C., '97, § 3872; 39 G. A., ch. 275.]

CHAPTER 14
EXECUTIONS**SECTION 7724-a1. Fee bill execution.**

1 After the expiration of sixty days from the rendition of a final
 2 judgment not appealed, removed, or reversed, the clerk of the court,
 3 or a justice of the peace in whose office the judgment is entered, may,
 4 and, upon demand of any party entitled to any part thereof, shall,
 5 issue a fee bill for all costs of such judgment, which shall have the
 6 same force and effect as an execution issued by such officer; and shall
 7 be served and executed in the same manner.

[C., '73, § 3842; C., '97, § 1299.]

NOTE: This section appears in the compiled code as section 712. Said section is omitted as section 712 and is reprinted here in order that all forms of "executions" may be embraced in the same chapter.

CHAPTER 15

EXEMPTIONS

SECTION 7730. Personal earnings.

1 The earnings of a debtor who is a resident of the state and the
2 head of a family for his personal services, or those of his family, at
3 any time within ninety days next preceding the levy, are exempt from
4 liability for debt; provided that where the party in whose favor the
5 order, decree or judgment was rendered has not remarried, the per-
6 sonal earnings of the debtor shall not be exempt from any order, judg-
7 ment or decree for temporary or permanent alimony hereafter ren-
8 dered in this state, nor from any installment of any such order, judg-
9 ment or decree heretofore rendered within this state which, by the
10 provisions thereof, may hereafter become due, nor shall the personal
11 earnings of the debtor be exempt from any order, judgment or decree
12 for the support of his minor child or children hereafter rendered in
13 this state nor any installment of any such order, judgment or decree
14 heretofore rendered in this state which, by the provisions thereof,
15 may hereafter become due.

[C., '51, § 1901; R., '60, § 3307; C., '73, § 3074; C., '97,
§ 4011; 38 G. A., ch. 65, § 1; 39 G. A., ch. 149.]

SEC. 7730-a1. Workmen's compensation.

1 Any compensation due or that may become due an employee or
2 dependent under the provisions of chapter three of title five and
3 amendments thereto shall be exempt from garnishment, attachment
4 and execution.

[40 G. A., ch. 206.]

TITLE XXX

ESTATES OF DECEDENTS

CHAPTER 1

PROBATE COURT

SECTION 7781-a1. Change of venue.

1 In any proceeding in probate the court may, on written showing,
 2 supported by affidavit and on such notice to interested parties as the
 3 court may prescribe, transfer such proceeding to any other county,
 4 when it is made to appear that such transfer will be in furtherance
 5 of justice, and the same shall thereupon be pending in such other
 6 county.

[40 G. A., ch. 270, § 1.]

SEC. 7781-a2. Certified copy filed.

1 The clerk of the court ordering the transfer shall retain the
 2 original files and papers, but shall make a certified copy thereof, and
 3 of all record entries pertaining to the proceedings, and at once file
 4 the same in the office of the clerk of the court to which the transfer
 5 has been made.

[40 G. A., ch. 270, § 2.]

SEC. 7781-a3. Certified copy recorded.

1 The clerk of the court to which the proceedings are transferred
 2 shall record at length, in the probate records of his county, the certi-
 3 fied copy of the record entries referred to in the preceding section.

[40 G. A., ch. 270, § 3.]

CHAPTER 3

WILLS AND LETTERS OF ADMINISTRATION

SECTION 7806. Notice of hearing.

1 The clerk shall give notice of the time fixed, by publishing a
 2 notice, signed by himself and addressed to all whom it may concern,
 3 in a daily or weekly newspaper printed in the county where the will
 4 is filed, once each week, for three consecutive weeks, the last publica-
 5 tion of which shall be at least ten days before the time fixed for such
 6 hearing, and the court or the judge in vacation or clerk, in his discre-
 7 tion, may prescribe a different notice.

[C., '51, § 1294; R., '60, § 2326; C., '73, § 2341; C., '97, § 3284;
 S., '13, § 3284; 38 G. A., ch. 88, § 1; 40 G. A., ch. 207,
 § 1.]

SEC. 7809. Recorded—executor to have copy.

NOTE: This section is omitted at this point, and divided, without change of words, into the three following sections in order to separate the different subject matters.

SEC. 7809-a1. Record after probate—copy for executor.

1 After being proved and allowed, the will, together with the cer-
2 tificate hereinbefore required, shall be recorded in a book kept for
3 that purpose, and the clerk shall cause the same, or an authenticated
4 copy thereof, to be placed in the hands of the executor therein named
5 or otherwise appointed.

[C., '51, §§ 1295, 1298; R., '60, §§ 2327, 2330; C., '73, §§ 2343,
2344; C., '97, § 3287; S. '13, § 3287.]

SEC. 7809-a2. Record in foreign county.

1 Whenever it shall appear that the testator died seized of real
2 estate located in a county of this state other than that in which
3 probate is granted, a complete transcript, properly authenticated, and
4 of the record entry of the order of court admitting the will to probate,
5 and if a copy of such will is not contained therein a certified copy
6 of such will, shall be attached thereto and the same shall be filed by
7 the clerk in the office of the clerk of the district court in such other
8 county, who shall cause the same to be entered in the probate docket,
9 and said transcript shall be recorded in full in the book kept for the
10 recording of wills in such county, and when so recorded such record
11 may be read in evidence in all courts without further proof.

[S., '13, § 3287.]

SEC. 7809-a3. Costs.

1 The cost of such transcript and of the recording thereof shall be
2 taxed against the estate of the decedent unless administration thereof
3 is closed, in which event it shall be paid by the owner of the real
4 estate involved.

[S., '13, § 3287.]

SEC. 7826. Notice of appointment.

1 The executors or administrators first appointed and qualified for
2 the settlement of the estate shall, within ten days after the receipt of
3 their letters, publish such notice of their appointment as the court or
4 clerk may direct, which direction shall be indorsed on the letters when
5 issued and entered of record in the probate docket.

[C., '51, §§ 1357, 1358; R., '60, §§ 2389, 2390; C., '73, § 2366;
C., '97, § 3304; 40 G. A., ch. 208, § 1.]

SEC. 7832. Releases of liens by foreign administrator, executor or guardian—certificate.

[Repealed by 39 G. A., ch. 17, § 5, and the four following sections enacted in lieu thereof.]

SEC. 7832-a1. Satisfaction of judgments and mortgages by foreign fiduciary officers.

1 Judgments rendered by any court in the state of Iowa, and mort-
2 gages or deeds of trust executed as mortgages, on property in this

3 state, and belonging to an estate, trust or to a person under guardian-
 4 ship may, in whole or in part as to any particular property, be re-
 5 leased and discharged by an executor, administrator, guardian, trus-
 6 tee, receiver, referee, assignee or commissioner, or anyone acting in
 7 a fiduciary capacity appointed by the courts of any foreign state or
 8 country, when no resident executor, administrator, guardian, re-
 9 ceiver, referee, assignee, commissioner or person acting in a fiduciary
 10 capacity has been appointed or qualified in this state. Such release,
 11 satisfaction or discharge may be made in any manner or by any in-
 12 strument which would have been valid and effective if made by a like
 13 officer qualified under the law of this state.

[C., '97, § 3308; S. S., '15, § 3308; 39 G. A., ch. 17, § 1.]

SEC. 7832-a2. Certificate of appointment and authority.

1 Before a release, satisfaction or discharge by such foreign officer
 2 shall be effective, a certificate executed by the judge or clerk of the
 3 court making the appointment, with seal attached, shall be recorded.
 4 Said certificate shall show the name of the court making the appoint-
 5 ment, the date of the same, and that such foreign officer has not been
 6 discharged at the time of the execution of the release, satisfaction or
 7 discharge.

[C., '97, § 3308; S. S., '15, § 3308; 39 G. A., ch. 17, § 2.]

SEC. 7832-a3. Filing of certificate.

1 The certificate aforesaid shall be filed for record:
 2 1. In case of judgments, in the office of the clerk of the court in
 3 which the judgment is of record or in which it has been filed.
 4 2. In case of mortgages, or deeds of trust, in the office of the
 5 county recorder of the county in which the mortgage or deed of trust
 6 is of record.

[C., '97, § 3308; S. S., '15, § 3308; 39 G. A., ch. 17, § 3.]

SEC. 7832-a4. Record—index of satisfaction.

1 Such certificate shall be recorded by the proper officer in the judg-
 2 ment records of the court in which the same appears of record, or
 3 in the chattel or real estate mortgage records, as the case may be, and
 4 the record of such release, satisfaction or discharge shall be properly
 5 indexed.

[39 G. A., ch. 17, § 4.]

CHAPTER 4

SETTLEMENT OF ESTATES

SECTION 7837. Life insurance — damages for death — widow deemed heir.

NOTE: This section is omitted at this point and divided, without change of words, into the three following sections in order to separate the different subject matters.

SEC. 7837-a1. Proceeds of insurance.

1 The avails of any life or accident insurance, or other sum of money
 2 made payable by any mutual aid or benevolent society upon the death
 3 or disability of a member thereof, are not subject to the debts of
 4 the deceased, except by special contract or arrangement, and shall be
 5 disposed of like other property left by the deceased.

[C., '51, § 1330; R., '60, § 2362; C., '73, §§ 1182, 2372; C., '97,
 § 3313.]

NOTE: See § 5531 for additional provisions.

SEC. 7837-a2. Damages for wrongful death.

1 When a wrongful act produces death, damages recovered therefor
 2 shall be disposed of as personal property belonging to the estate of
 3 the deceased, but if the deceased leaves a husband, wife, child or
 4 parent, it shall not be liable for the payment of debts.

[R., '60, § 4111; C., '73, § 2526; C., '97, § 3313.]

SEC. 7837-a3. When "heir" embraces surviving spouse.

1 The words "heirs", or "legal heirs" or other equivalent words
 2 used to designate the beneficiaries in any life insurance policy or
 3 certificate of membership in any mutual aid or benevolent association,
 4 where no contrary intention is expressed in such instrument, shall be
 5 construed to include the surviving husband or wife of the insured,
 6 and the share of such survivor in the proceeds of such policy or cer-
 7 tificate made payable as aforesaid shall be the same as that provided
 8 by law for the distribution of the personal property of intestates.

[C., '97, § 3313.]

SEC. 7848. Notice—personal or by publication.

1 Before any order to that effect shall be made, all persons inter-
 2 ested in such real estate shall be served with notice of the filing of said
 3 application and of the time and place of hearing thereon. Said notice
 4 shall be given in the time and manner prescribed for the service of an
 5 original notice in ordinary civil actions, unless a different service is
 6 ordered by the court or judge.

[C., '51, § 1344; R., '60, § 2376; C., '73, § 2389; C., '97,
 § 3324; 39 G. A., ch. 263, § 3.]

SEC. 7848-a1. Notice—unknown claimants—publication.

1 When the names of any persons interested in such real estate are
 2 unknown to the administrator he may file an affidavit setting forth the
 3 names of the persons interested so far as known and that the names
 4 of all other persons interested are unknown. Upon the filing of such
 5 affidavit the court may fix a time for hearing upon the application to
 6 sell and prescribe that notice thereof be given by publication once each
 7 week for four consecutive weeks in a newspaper designated by the
 8 court. Such notice shall be addressed to the persons named in such

9 affidavit and to the unknown heirs of decedent, and service shall be
10 complete upon the last publication.

[C., '51, § 1344; R., '60, § 2376; C., '73, § 2389; C., '97,
§ 3324; 39 G. A., ch. 174, § 1.]

NOTE: This section probably repealed by 39 G. A., ch. 263, § 3. 39 G. A.,
ch. 174, § 1 amended § 3324 of the code of 1897. This act took effect by publication
April 16, 1921. 39 G. A., ch. 263, § 3 repealed § 3324 of the code of 1897 and enacted
a substitute therefor, which appears in this supplement as § 7848. The latter act
took effect July 4, 1921.

SEC. 7855. Reports of sale or mortgage—record.

NOTE: This section is omitted at this point and divided, without change of
words, into the three following sections in order to separate the different subject
matters.

SEC. 7855-a1. Approval of sales and mortgages.

1 All sales, deeds and mortgages shall be reported to the court for
2 approval as soon as practicable after being made.

[C., 97, § 3331.]

SEC. 7855-a2. Reports—requirements.

1 Reports of the sale or mortgage of real estate must be sworn to,
2 and state:
3 1. The term at which the order therefor was obtained.
4 2. Whether the property was appraised, and, if so, the appraised
5 value.
6 3. Whether sold at public or private sale.
7 4. The terms of sale.
8 5. Whether the additional bond required has been given and
9 approved.
10 6. The opinion of the persons making them as to whether the
11 sale is an advantageous one and should be approved, or otherwise.

[C., 97, § 3331.]

SEC. 7855-a3. Record in foreign county.

1 When the subject of the sale, conveyance, or mortgage is located
2 in a county other than that in which administration is granted, a
3 complete transcript of the record of all proceedings relating thereto
4 shall be filed by the administrator in the office of the clerk of the
5 district court in such county, and he shall cause the same to be copied
6 at length in the probate records of such county.

[C., 97, § 3331.]

SEC. 7873. Other demands—order of payment—claims for labor.

NOTE: This section is omitted at this point and divided, without change of
words, into the two following sections in order to separate the different subject
matters.

SEC. 7873-a1. Other demands—order of payment.

1 Other demands against the estate shall be payable in the follow-
2 ing order:
3 1. Debts entitled to preference under the laws of the United
4 States.

- 5 2. Public rates and taxes.
 6 3. Claims filed within six months after the first publication or
 7 posting of the notice given by the executors or administrators of their
 8 appointment.
 9 4. All other debts.
 10 5. Legacies and the distributive shares, if any.
 [C., '51, § 1372; R., '60, § 2404; C., '73, § 2420; C., '97,
 § 3348.]

SEC. 7873-a2. Labor as preferred claim.

1 In payment of claims of the third class, all debts owing to em-
 2 ployees for labor performed within the ninety days next preceding
 3 the death of the decedent, having been filed as by law provided, shall
 4 be preferred and paid in full before any other claims of said class are
 5 paid. If there is not sufficient property to pay said claims in full the
 6 same shall be applied ratably on all such claims.

[S., '13, § 3348.]

NOTE: See §§ 7690, 7691 and 8415 of the compiled code for additional statutes giving preference to labor claims.

CHAPTER 5

DESCENT AND DISTRIBUTION OF INTESTATE'S PROPERTY

SECTION 7901. Share not affected by will — election — made by court.

NOTE: This section is omitted at this point and divided, without change of words, into the five following sections in order to separate the different subject matters.

SEC. 7901-a1. Share not affected by will.

1 The survivor's share cannot be affected by any will of the spouse
 2 unless consent thereto is given as hereinafter provided.

[C., '51, § 1407; R., '60, § 2435; C., '73, § 2452; C., '97, § 3376;
 S., '13, § 3376; 38 G. A., ch. 192.]

SEC. 7901-a2. Will or dower—election—notice.

1 Where a voluntary election to take or refuse to take under a will
 2 has not been filed by a surviving spouse within sixty days from the
 3 date when the will of a decedent has been admitted to probate, it
 4 shall be the duty of the executor appointed to administer the will of
 5 such decedent in this state, to cause to be served, in the manner
 6 required for service of original notice, upon the surviving spouse, a
 7 notice, in writing, advising such surviving spouse that the will of such
 8 decedent has been admitted to probate, stating the name of the court
 9 and the date when the will was admitted to probate, and requiring
 10 that such spouse, within six months after the completed service of
 11 such notice, elect whether he or she shall take or refuse to take under
 12 the provisions of the will of such decedent, and that such election may

13 be made in open court or by writing filed in such court, which election,
14 when made, shall be entered on the proper records thereof.

[C., '73, § 2452; C., '97, § 3376; S., '13, § 3376; 38 G. A.,
ch. 192.]

SEC. 7901-a3. Notice by interested party.

1 The same notice may be given by any other person interested in
2 the estate of decedent, and shall have the same force and effect as if
3 given by the executor.

[C., '73, § 2452; C., '97, § 3376; S., '13, § 3376; 38 G. A.,
ch. 192.]

SEC. 7901-a4. Failure to elect—effect.

1 In case such surviving spouse does not make such election within
2 six months from the date of the completed service of such notice, it
3 shall be conclusively presumed that such survivor consents to the
4 provisions of the will and elects to take thereunder; unless within
5 such period of six months, an affidavit shall be filed setting forth
6 that such surviving spouse is mentally incapable of making such
7 election.

[C., '97, § 3376; S., '13, § 3376; 38 G. A., ch. 192.]

SEC. 7901-a5. Insane spouse—election.

1 In case such an affidavit is so filed, the court shall fix a time and
2 place of hearing and cause a notice thereof, containing the require-
3 ments above set out, to be served upon said surviving spouse in such
4 manner and for such time as the court may direct, and at said hearing,
5 a guardian ad litem shall be appointed to represent such spouse and
6 the court shall enter an order electing for and in behalf of such spouse,
7 as it shall deem under the evidence to be for the best interests of such
8 spouse.

[S., '13, § 3376; 38 G. A., ch. 192.]

**SEC. 7902. Election as between distributive share and occupancy
of homestead—mental incapability.**

NOTE: This section is omitted at this point and divided into the four follow-
ing sections in order to separate the different subject matters.

SEC. 7902-a1. Dower or homestead occupancy—election—notice.

1 Within six months after written notice to the survivor, given by
2 any heir of a deceased intestate, or by the administrator of his estate
3 in case a sale of the real estate is necessary to pay debts, the survivor
4 may elect to take the distributive share, or the right to occupy the
5 homestead, which election shall be made and entered of record as
6 provided in section seventy-nine hundred one-a two of this supple-
7 ment.

[C., '97, § 3377; S., '13, § 3377.]

SEC. 7902-a2. Failure to elect—effect.

1 In case of a failure to make such election, the right to occupy the
2 homestead in lieu of the distributive share shall be waived.

[C., '97, § 3377; S., '13, § 3377.]

SEC. 7902-a3. Mentally incapable spouse—election.

1 When such surviving spouse is mentally incapable of making
 2 such election, the court on petition being filed alleging such disability,
 3 may set the matter down for hearing at such time and place as it may
 4 deem best, and direct what notice thereof shall be given; and at such
 5 hearing the court may enter an order electing for such spouse, which
 6 shall be the election, under this section, of the person under such
 7 disability.

[S., '13, § 3377.]

SEC. 7902-a4. Setting off dower.

1 In case of an election of the distributive share, such distributive
 2 share may be set off to such surviving spouse under disability on the
 3 petition of the guardian of such spouse and under the provisions for
 4 setting off the survivor's share.

[S., '13, § 3377.]

CHAPTER 6
ACCOUNTING OF EXECUTORS AND ADMINISTRATORS**SECTION 7938. Executors in their own wrong.**

1 Any person who, without being regularly appointed as executor
 2 or administrator, intermeddles with the property of a deceased per-
 3 son, is responsible only to the regular executor or administrator, when
 4 appointed, for the value of all property taken or received by him, and
 5 for all damage caused by his acts to the estate of the deceased.

[C., '51, § 1439; R., '60, § 2464; C., '73, § 2484; C., '97,
 § 3407; 39 G. A., ch. 117.]

SEC. 7942. Compensation.

1 Executors and administrators shall be allowed such reasonable
 2 fee as may be determined by the court, for services rendered, but not
 3 in excess of the following commissions upon the personal estate sold
 4 or distributed by them and for the proceeds of real estate sold for the
 5 payment of debts by them which shall be received as full compensa-
 6 tion for all ordinary services:

7 For the first one thousand dollars, six per cent.

8 For the overplus between one and five thousand dollars, four
 9 per cent.

10 For all sums over five thousand dollars, two per cent.

11 There shall also be allowed and taxed as part of the costs of ad-
 12 ministration of estates an attorney's fee for the administrator's or
 13 executor's attorney such reasonable fee as may be determined by the
 14 court, for services rendered, but not in excess of the schedule of fees
 15 herein provided for administrators and executors. Such further al-
 16 lowances as are just and reasonable may be made by the court to ad-
 17 ministrators, executors and their attorneys for actual necessary and
 18 extraordinary expenses or services.

[C., '51, §§ 1429, 1430; R., '60, §§ 2454, 2455; C., '73,
 §§ 2494, 2495; C., '97, § 3415; 38 G. A., ch. 391, § 1;
 39 G. A., ch. 22.]

TITLE XXXI

PARTICULAR ACTIONS

CHAPTER 1

ATTACHMENT

SECTION 7974. Real property—lien—entry on incumbrance book.

NOTE: This section is omitted at this point and divided, without change of words, into the three following sections in order to separate the different subject matters.

SEC. 7974-a1. Real estate.

- 1 Real estate or equitable interests therein may be attached.
 [R., '60, § 3243; C., '73, § 3022; C., '97, § 3899.]

SEC. 7974-a2. When levy becomes lien.

- 1 The levy shall be a lien thereon from the time of an entry made
 2 and signed by the officer making the same upon the incumbrance book
 3 in the office of the clerk of the county in which the land is situated,
 4 showing the levy, the date thereof, name of the county from which the
 5 attachment issued, title of the action, and a description of the land
 6 levied on.
 7 In case of a levy upon any equitable interest in real estate, such
 8 entry shall show, in addition to the foregoing matters, the name of
 9 the person holding the legal title, and the owner of the alleged equi-
 10 table interest, where known.
 [R., '60, § 3243; C., '73, § 3022; C., '97, § 3899.]

SEC. 7974-a3. Fraudulent grantor as owner.

- 1 The grantor of real estate conveyed in fraud of creditors shall,
 2 as to such creditors, be deemed the equitable owner thereof, and such
 3 interest may be attached as above provided, when the petition alleges
 4 such fraudulent conveyance and the holder of the legal title is made
 5 a party to the action.
 [C., '97, § 3899.]

CHAPTER 4

PROPERTY STOLEN OR EMBEZZLED

SECTION 8054-a1. Stolen or abandoned automobiles.

- 1 Whenever any motor vehicle is stolen, embezzled, or abandoned
 2 and is not claimed by the owner before the date on which the person

3 charged with the stealing or embezzling of same is convicted, or if
4 the motor vehicle be abandoned and is not claimed by the owner
5 within three days, the officer having same in his custody must, on such
6 date by registered mail, notify the secretary of state that he has such
7 a motor vehicle in his possession, giving a full and complete descrip-
8 tion of same, including all marks of identification, factory and serial
9 numbers.

[40 G. A., ch. 209.]

SEC. 8054-a2. Notice by secretary of state.

1 The secretary of state shall, if the owner appears of record in
2 his office, notify such owner of the fact that such motor vehicle is in
3 the custody of such officer, and if not of record in his office, said secre-
4 tary of state shall mail such description to the county treasurer of
5 each county, and to the state bureau of investigation.

[40 G. A., ch. 209.]

SEC. 8054-a3. Delivery to owner.

1 If, within forty days thereafter, the owner of such motor vehicle
2 appears and properly identifies same, the officer having said motor
3 vehicle in his custody shall deliver same to such owner upon payment
4 by him of the costs incurred incident to the apprehension of said motor
5 vehicle and the location of such owner.

[40 G. A., ch. 209.]

SEC. 8054-a4. Advertisement and sale.

1 If the owner does not appear within that time, the officer having
2 possession of same shall advertise said motor vehicle for sale in a
3 newspaper published within the county at least once each week for
4 two consecutive weeks. Said motor vehicle shall be sold at public
5 auction to the highest cash bidder therefor and said sale must be held
6 within one week following the date of the last publication of the
7 notice as provided herein. After deducting the costs incident
8 thereto, such officer shall pay all remaining money to the county
9 treasurer for the use and benefit of the general fund.

[40 G. A., ch. 209.]

SEC. 8054-a5. Reimbursement after sale.

1 If, within six months from the date of sale, the owner of any
2 motor vehicle sold under the provisions hereof makes a showing satis-
3 factory to the board of supervisors that he is the owner of such motor
4 vehicle, the board may direct the county auditor to draw a warrant
5 payable to such owner for the amount such vehicle was sold for, less
6 costs, and direct the treasurer to pay same out of the general fund.

[40 G. A., ch. 209.]

CHAPTER 7

FORCIBLE ENTRY OR DETENTION OF REAL PROPERTY

SECTION 8087. Grounds.

- 1 A summary remedy for forcible entry or detention of real prop-
 2 erty is allowable:
- 3 1. Where the defendant has by force, intimidation, fraud, or
 4 stealth entered upon the prior actual possession of another in real
 5 property, and detains the same.
 - 6 2. Where the lessee holds over after the termination of his lease.
 - 7 3. Where the lessee holds contrary to the terms of his lease.
 - 8 4. Where the defendant continues in possession after a sale by
 9 foreclosure of a mortgage, or on execution, unless he claims by a
 10 title paramount to the lien by virtue of which the sale was made, or
 11 by title derived from the purchaser at the sale; in either of which
 12 cases such title shall be clearly and concisely set forth in the defend-
 13 ant's pleading.
 - 14 5. For the nonpayment of rent, when due.
- [C., '51, §§ 2362, 2363; R., '60, §§ 3952, 3953; C., '73, §§ 3611,
 3612; C., '97, § 4208; 40 G. A., ch. 271, § 1.]

SEC. 8089. Notice to quit.

- 1 Before action can be brought in any except the first of the above
 2 classes, three days' notice to quit must be given to the defendant in
 3 writing. When the tenancy is at will and the action is based on the
 4 ground of the nonpayment of rent when due, no notice of the termi-
 5 nation of the tenancy other than the three day notice need be given
 6 before beginning the action.
- [C., '51, § 2365; R., '60, § 3955; C., '73, § 3614; C., '97, §
 4210; 40 G. A., ch. 271, § 2.]

SEC. 8091. Petition—venue.

- 1 The action must be by petition which must be sworn to and when
 2 brought before a justice of the peace, and there is none present or
 3 qualified to act in the township where the subject thereof is situated,
 4 it may be brought in an adjoining township in the county. If there
 5 be no such justice in an adjoining township in the county it may be
 6 commenced before the justice in the same county nearest to the town-
 7 ship in which the subject thereof is situated. In any such action a
 8 change of place of trial may be had as in other cases. When brought
 9 in municipal court or before the justice of the peace, a petition must
 10 be on file at the time the defendant is required to appear by the notice.
- [C., '51, §§ 2366, 2367; R., '60, §§ 3956, 3957; C., '73, §§ 3615,
 3616; C., '97, § 4212; 37 G. A., ch. 230, § 2; 39 G. A.,
 ch. 193, § 2.]

SEC. 8095. Title in issue.

- 1 The question of title can only be investigated in the district court,
 2 and can be pleaded in a municipal court or a justice's court only as pro-
 3 vided in subsection four of section eighty hundred eighty-seven of this
 4 supplement. When so put in issue in a justice's court or municipal

5 court, the justice or the judge of the municipal court shall forthwith,
 6 without further proceedings, certify the cause and the papers with a
 7 transcript of his docket, showing the reason of such transfer to the
 8 district court, where the same shall be tried on the merits. Such
 9 cause shall not be dismissed because of error in transferring the same.
 10 When title is put in issue, the cause shall be tried by equitable proceed-
 11 ings. The appearance term shall be the trial term, and no continuance
 12 shall be granted for the purpose of taking the testimony in writing.
 13 Nothing herein contained shall prevent a party from suing for trespass
 14 or from testing the right of property in any other manner.

[C., '51, § 2371; R., '60, § 3961; C., '73, § 3620; C., '97, § 4216;
 37 G. A., ch. 230, § 4.]

NOTE: No change made in the above section by the 39th G. A. or the 40th
 G. A. but reprinted to change cross reference.

CHAPTER 8

QUIETING TITLE

SECTION 8108. Construction of act.

1 Section eighty-one hundred seven of the compiled code shall not
 2 be construed to remove the bar of any other statute of limitations.
 [37 G. A., ch. 325, § 2.]

NOTE: No change made in the above section by the 39th G. A. or the 40th
 G. A. but reprinted to correct error in printing of compiled code.

CHAPTER 24

PATERNITY OF ILLEGITIMATE CHILDREN

SECTION 8366. Judgment and execution—costs.

1 If the accused be found guilty, he shall be charged with the main-
 2 tenance of the child in such sum or sums, and in such manner, as the
 3 court shall direct, and with the costs of the action; and the clerk may
 4 immediately issue execution for any sum ordered to be paid, and after-
 5 ward, from time to time, as it shall be required to compel compliance
 6 with the order of the court. If the accused be found not guilty, the
 7 costs of the action shall be paid by the county.

[C., '51, § 855; R., '60, § 1423; C., '73, § 4721; C., '97, § 5635;
 40 G. A., ch. 272.]

CHAPTER 31

SECURITIES AND INVESTMENTS OF TRUST FUNDS

SECTION 8427. Bonds to secure performance of public contracts in excess of one thousand dollars.

1 Whenever any public body, board, committee, officer or other
2 public representative now or hereafter empowered by law to enter into
3 a contract, for and on behalf of the public, for the purpose of con-
4 structing any public building, or for the purpose of making any public
5 improvement, or for the making of any additions thereto, or for the
6 finishing, furnishing, repairing or maintenance of any such buildings
7 or public work, such body, board, committee, officer or other public
8 representative, whenever the contract price is in excess of one thou-
9 sand dollars, shall require as a condition precedent to the making of
10 such contract that the person, firm or corporation to whom the con-
11 tract is awarded furnish and file a bond, as hereinafter provided, in
12 a sum of not less than seventy-five per cent of the contract price, the
13 amount of said bond and the nature of the surety to be determined
14 by those representing the public.

15 In the event the surety upon said bond is other than a surety
16 company authorized to do business in Iowa, such surety must be a
17 resident of the state, worth double the sum to be secured beyond the
18 amount of his debts and must have property liable to execution in this
19 state equal to double the sum to be secured. When there are two or
20 more sureties other than corporate signing the same bond, they must
21 in the aggregate have the qualifications provided in this section. The
22 bond shall be subject to the approval of and run to said body, board,
23 committee, or other public representative, for its use and benefit and
24 for the use and benefit of all persons, firms and corporations who
25 shall perform any labor or furnish any material, including fuel, in
26 the carrying out of such public contract, and shall have as one of its
27 conditions, the following paragraph:

28 Now, therefore, the condition of this obligation is such that if
29 the principal shall faithfully perform the contract on his part, and
30 satisfy all claims and demands, incurred for the same, and shall fully
31 indemnify and save harmless the owner from all cost and damage
32 which he may suffer by reason of failure so to do, and shall fully reim-
33 burse and repay the owner all outlay and expense which the owner
34 may incur in making good any such default, and shall pay all persons
35 who have contracts directly with the principal for subcontractors for
36 labor or materials, then this obligation shall be null and void; other-
37 wise it shall remain in full force and effect.

38 The foregoing condition shall at all times be additional to those
39 conditions and requirements now or hereafter required by statute to
40 be a part of such bonds. The provisions and requirements of this sec-
41 tion and sections eighty-four hundred twenty-eight of this supple-
42 ment, eighty-four hundred twenty-nine and eighty-four hundred thirty
43 of the compiled code shall not be modified or annulled by contrary
44 provisions in any such bond or contract.

[38 G. A., ch. 347, § 1; 39 G. A., ch. 28, § 1.]

SEC. 8428. Executed in duplicate—copy filed in office of clerk of district court—suit thereon.

1 Such bond shall be executed in duplicate, one copy of which shall
2 be filed in the office of the clerk of the district court of the county in
3 which such public work is to be performed; and any person for whose
4 benefit the bond is given, or his assigns, may bring an action on such
5 bond for the recovery of such indebtedness; provided that no such
6 action shall be brought on said bond after six months of the comple-
7 tion of any public improvement or building, and provided that a veri-
8 fied, itemized statement of the claim shall be filed with the city clerk,
9 county auditor or secretary of the school board, as the case may be,
10 within four months after the last item of material is furnished or labor
11 performed.

[38 G. A., ch. 347, § 2; 39 G. A., ch. 147, § 1.]

SEC. 8437. Investment of funds.

1 Where investments of funds are to be made, including those to
2 be made by executors, administrators, trustees and guardians, and no
3 mode of investment is pointed out by statute, they may under order
4 of court be made in the bonds of this state, or of those of the United
5 States, or federal farm loan bonds issued under the provisions of the
6 act of congress approved July seventeenth, nineteen hundred sixteen,
7 or in bond or mortgage upon real property of the clear unincumbered
8 value of twice the investment or in bonds issued by or under the
9 direction of cities, towns, counties, school or drainage districts of this
10 state.

[C., '51, § 2507; R., '60, § 4115; C., '73, § 251; C., '97, § 364;
S., '13, § 364; 39 G. A., ch. 126.]

TITLE XXXII

SUPREME COURT

CHAPTER 1

ORGANIZATION OF SUPREME COURT

SECTION 8459. Salaries.

[Repealed by 39 G. A., ch. 209, § 1.]

SEC. 8472. Attendance of sheriff of Polk county.

1 The court may at any time require the attendance and services
2 of the sheriff of Polk county.

[C., '97, § 201; 39 G. A., ch. 209, § 11.]

SEC. 8473. Contingent expenses.

[Repealed by 39 G. A., ch. 209, § 1.]

CHAPTER 2

CLERK OF THE SUPREME COURT

SECTION 8475. Fees to be collected.

1 The clerk shall collect the following fees and account for them
2 as provided in section seven hundred sixteen of the compiled code,
3 and shall also keep account of and report in like manner all uncollected
4 fees:

5 Upon filing each appeal, three dollars.

6 Upon entering judgment when the cause has been tried on its
7 merits, two dollars.

8 Upon each continuance, one dollar.

9 Upon issuing each execution, one dollar and twenty-five cents.

10 Upon entering satisfaction of each judgment, fifty cents.

11 Upon each writ, rule or order to be served upon any person not
12 in court, twenty-five cents.

13 For copying an opinion to be transmitted to an inferior court
14 upon reversal of a judgment or an order, to be paid by the party
15 against whom the costs are adjudged, or for a copy of such opinion or
16 any record made at the request of any person, for each hundred words,
17 ten cents.

[C., '51, § 2525; R., '60, §§ 2949, 4134; C., '73, § 3771; C., '97,
§ 205; S., '13, § 205; 39 G. A., ch. 209, § 12.]

•CHAPTER 3

PROCEDURE IN THE SUPREME COURT IN CIVIL ACTIONS

SECTION 8518. Arguments—submission—decision.

1 The parties to an appeal may be heard orally and in writing,
 2 subject to such rules as the court may prescribe; and all causes dock-
 3 eted, not continued by consent or upon cause shown, shall be submitted
 4 in the order assigned, unless otherwise directed by the court or the
 5 judges thereof. The court may reverse, modify, or affirm the judg-
 6 ment, decree, or order appealed from, or render such as the inferior
 7 court should have done. No cause is decided until the written decision
 8 is filed with the clerk.

[C., '51, § 1989; R., '60, §§ 3536, 3548, 3550; C., '73, §§ 3194,
 3204, 3205; C., '97, § 4139; S., '13, § 4139.]

NOTE: Section 8518 of the compiled code has been divided and appears in this supplement as sections 8518 and 8529-a1. This division and reprinting place together all statutory provisions relative to dismissal of appeals.

SEC. 8529-a1. Objection to jurisdiction.

1 All objections to the jurisdiction of the court to entertain an
 2 appeal must be made in printed form stating specifically the ground
 3 thereof and served upon the appellant or his attorney of record not
 4 less than ten days before the date assigned for the submission of the
 5 cause.

[S., '13, § 4139.]

NOTE: See note under section 8518 of this supplement.

TITLE XXXIII

CRIMINAL LAW

CHAPTER 4

HOMICIDE

SECTION 8562-a1. Death from intoxicating liquors.

1 Any person who sells, gives away, or otherwise furnishes intoxi-
 2 cating liquor contrary to law which causes the death of a human
 3 being is guilty of manslaughter and punishable accordingly.

[40 G. A., ch. 210, § 2.]

CHAPTER 8

ASSAULTS

SECTION 8574-a1. Intimidation while masked.

1 Any person, masked or in disguise, who shall prowl, travel, ride,
 2 or walk within this state to the disturbance of the peace or to the
 3 intimidation of any person, shall be guilty of a misdemeanor and on
 4 conviction thereof shall be fined not less than one hundred dollars
 5 nor more than five hundred dollars or imprisonment in the county
 6 jail of the county for not less than thirty days nor more than six
 7 months, or by both such fine and imprisonment.

[40 G. A., ch. 211, § 1.]

SEC. 8574-a2. Assault while masked.

1 Any person, masked or in disguise, who shall enter upon the
 2 premises of another or demand admission into the house or inclosure
 3 of another with intent to inflict bodily injury or injury to property,
 4 shall be deemed guilty of assault with intent to commit a felony and
 5 such entrance or demand for admission shall be prima facie evidence
 6 of such intent and, upon conviction thereof, such person shall be
 7 punished by imprisonment in the penitentiary for a term of not more
 8 than ten years.

[40 G. A., ch. 211, § 2.]

SEC. 8574-a3. Assault with dangerous weapon while masked.

1 Any person within this state masked or in disguise who shall
 2 assault another with a dangerous weapon shall be deemed guilty of
 3 assault with intent to commit murder and shall be punished by

4 imprisonment in the penitentiary for a term not to exceed twenty
5 years.

[40 G. A., ch. 211, § 3.]

CHAPTER 10

INJURIES BY EXPLOSIVES

SECTION 8603. Injuring or terrorizing inhabitants of dwelling.

NOTE: This section is omitted at this point and reprinted in this supplement as section 8715-a1 in order to correct error in location.

SEC. 8605. Manufacture of gunpowder—public nuisance.

1 If any person carry on the business of manufacturing gunpowder,
2 or of mixing or grinding the composition therefor, in any building
3 within eighty rods of any valuable building erected at the time when
4 such business may be commenced, the building in which such busi-
5 ness is thus carried on is a public nuisance, and such person shall be
6 fined not exceeding one thousand dollars, or be imprisoned in the
7 county jail not exceeding one year, and the court, with or without
8 such fine, may order such nuisance abated, and issue a warrant as
9 provided in chapter twelve of title thirty-one.

[C., '51, §§ 2760, 2762; R., '60, §§ 4410, 4412; C., '73, §§ 4090,
4092; C., '97, §§ 5079, 5081; S., '13, § 5081.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to correct error in printing of compiled code.

CHAPTER 11

RAPE

SECTION 8606. Rape.

1 If any person ravish and carnally know any female of the age of
2 sixteen years or over, by force or against her will, or if any person
3 under the age of twenty-five years carnally know and abuse any
4 female child under the age of sixteen years, or if any person over the
5 age of twenty-five years carnally know and abuse any female under
6 the age of seventeen years, he shall be imprisoned in the penitentiary
7 for life or any term of years.

[C., '51, § 2581; R., '60, § 4204; C., '73, § 3861; C., '97, § 4756;
39 G. A., ch. 192, §§ 1, 3.]

SEC. 8607. Carnal knowledge of imbecile or insensible female.

1 If any person unlawfully have carnal knowledge of any female
2 by administering to her any substance, or by any other means pro-
3 ducing such stupor or such imbecility of mind or weakness of body
4 as to prevent effectual resistance, or have such carnal knowledge of

5 an idiot or female naturally of such imbecility of mind or weakness
6 of body as to prevent effectual resistance, he shall be punished by
7 imprisonment for life or any term of years.

[C., '51, § 2583; R., '60, § 4206; C., '73, § 3863; C., '97, §
4758; 40 G. A., ch. 212, § 1.]

CHAPTER 17

INCEST

SECTION 8618. Incest defined—prohibited degrees of marriage.

1 If any man marry his father's sister, mother's sister, father's
2 widow, wife's mother, daughter, wife's daughter, son's widow, sister,
3 son's daughter, daughter's daughter, son's son's widow, daughter's
4 son's widow, brother's daughter or sister's daughter; or if any woman
5 marry her father's brother, mother's brother, mother's husband, hus-
6 band's father, son, husband's son, daughter's husband, brother, son's
7 son, daughter's son, son's daughter's husband, daughter's daughter's
8 husband, brother's son or sister's son, or if anyone marry his or her
9 first cousin; or if any person, being within the degrees of consanguin-
10 ity or affinity in which marriages are prohibited by this section, car-
11 nally know each other, they shall be guilty of incest, and imprisoned
12 in the penitentiary not exceeding twenty-five years.

[R., '60, §§ 4367-4369; C., '73, § 4030; C., '97, § 4936; S., '13,
§ 4936; 39 G. A., ch. 231, § 1.]

CHAPTER 18

SODOMY

SECTION 8620. Punishment.

1 Any person who shall commit sodomy, shall be imprisoned in the
2 penitentiary not more than ten years.

[C., '97, § 4937; 39 G. A., ch. 231, § 2.]

CHAPTER 19

KIDNAPING

SECTION 8621. Kidnaping for ransom.

1 Whoever kidnaps, takes or carries away any person, or decoys
2 or entices such person away from any place in this state for the pur-
3 pose of or with the intention of receiving or securing from anyone
4 any money, property or thing of value as a ransom, reward or price
5 for the return of the person so kidnaped, taken, carried, decoyed or

6 enticed away, as aforesaid, or whoever shall imprison, detain or hold
 7 any person at any place in this state for the purpose or with the intent
 8 of receiving or securing from anyone money, property or thing of
 9 value as a ransom, reward or price for the return, liberation or sur-
 10 render of the person so imprisoned, detained or held, shall be deemed
 11 to be guilty of the crime of kidnaping for the purpose of ransom, and
 12 upon conviction thereof shall be imprisoned in the penitentiary during
 13 life.

[S., '13, § 4750-b; 39 G. A., ch. 231, § 3.]

CHAPTER 22

LARCENY

SECTION 8645. Larceny defined—punishment.

[Repealed by 40 G. A., ch. 273, and the seven following sections enacted in lieu thereof.]

SEC. 8645-a1. Larceny.

1 If any person steal, take and carry away of the property of
 2 another any money, goods, or chattels, including all domesticated or
 3 restrained animals; any writ, process or public record; any bond, bank
 4 note, promissory note, bill of exchange or other bill, or order or cer-
 5 tificate; or any book of accounts respecting money, goods, or other
 6 things; or any deed or writing containing a conveyance of real estate;
 7 or any contract in force; or any receipt, release, or defeasance; or any
 8 instrument or writing whereby any demand, right, or obligation is
 9 created, increased, extinguished, or diminished, he is guilty of larceny
 10 When the value of the property stolen exceeds twenty dollars, he shall
 11 be punished by imprisonment in the penitentiary not more than five
 12 years or in the county jail not more than one year, or by fine of not
 13 more than one thousand dollars or by both such fine and imprison-
 14 ment. When the value does not exceed twenty dollars, by fine not
 15 exceeding one hundred dollars or imprisonment in the county jail not
 16 exceeding thirty days.

[C., '51, § 2612; R., '60, § 4237; C., '73, § 3902; C., '97, § 4831;
 40 G. A., ch. 273, § 1.]

SEC. 8645-a2. Larceny of motor vehicle.

1 If any person steal, take and carry away, irrespective of value,
 2 any motor vehicle, as defined in the next section, he shall be punished
 3 by imprisonment in the penitentiary not more than ten years, or by
 4 fine of not more than one thousand dollars, or by both such fine and
 5 imprisonment.

[40 G. A., ch. 273, § 2.]

SEC. 8645-a3. Motor vehicle defined.

1 The term "motor vehicle" as used in the preceding section and
 2 sections eighty-six hundred forty-five-a four to eighty-six hundred
 3 forty-five-a seven, inclusive, of this supplement, includes any auto-

4 mobile, automobile truck, automobile wagon, automobile tractor,
5 motorcycle, or any other self-propelled vehicle not designed for run-
6 ning on rails.

[40 G. A., ch. 273, § 3.]

SEC. 8645-a4. Jurisdiction.

1 Jurisdiction of such offense may be in the county where such
2 motor vehicle was stolen, or through or into which it was taken,
3 carried or transported by the person or persons who committed the
4 theft or by any person or persons confederated with him or them in
5 such theft.

[40 G. A., ch. 273, § 4.]

**SEC. 8645-a5. Disguising, receiving, concealing, or disposing of
stolen motor vehicle.**

1 Whoever shall, with intent to assist, aid or abet in the theft
2 of any such motor vehicle or any part thereof, or with intent to
3 deprive the owner thereof, or prevent him from identifying or recover-
4 ing the same, shall disguise, alter or change such stolen motor vehicle,
5 or change or remove any license tag thereon, or serial or factory
6 number, engine number, or the name of the manufacturer thereof, or
7 the color thereof, or with such intent shall receive, conceal, store,
8 barter, sell, or dispose of any such motor vehicle or any part thereof
9 knowing or having reason to believe it has been stolen, shall be pun-
10 ished by imprisonment in the penitentiary not more than ten years
11 or by fine of not more than one thousand dollars, or by both such fine
12 and imprisonment.

[40 G. A., ch. 273, § 5.]

SEC. 8645-a6. Jurisdiction.

1 Jurisdiction of any offense under the preceding section shall be
2 in any county in which any part of the act or acts constituting the
3 offense charged was committed.

[40 G. A., ch. 273, § 6.]

SEC. 8645-a7. Presumptive evidence.

1 Whoever shall conceal, barter, sell, or dispose of any motor
2 vehicle which has been stolen, or shall disguise, alter or change such
3 motor vehicle or the factory or serial number thereof, or remove or
4 change the license tag thereon, or do any act designed to prevent
5 identification of such motor vehicle, shall be presumed to have know-
6 ledge that such motor vehicle had been stolen.

[40 G. A., ch. 273, § 7.]

CHAPTER 24

ROBBERY

SECTION 8671. Robbery with aggravation.

1 If such offender at the time of such robbery is armed with a dan-
2 gerous weapon, with intent, if resisted, to kill or maim the person

3 robbed; or if, being so armed, he wound or strike the person robbed;
 4 or if he has any confederate aiding or abetting him in such robbery,
 5 present and so armed, he shall be imprisoned in the penitentiary for
 6 a term of twenty-five years.

[C., '51, § 2579; R., '60, § 4202; C., '73, § 3859; C., '97,
 § 4754; 39 G. A., ch. 231, § 4; 40 G. A., ch. 213.]

SEC. 8672. Robbery without aggravation.

1 If such offender commits the robbery otherwise than is men-
 2 tioned in the preceding section, he shall be imprisoned in the peniten-
 3 tiary not exceeding ten years.

[C., '51, § 2580; R., '60, § 4203; C., '73, § 3860; C., '97,
 § 4755; 39 G. A., ch. 231, § 5.]

SEC. 8673. Train robbery.

1 If any person shall stop, or attempt to stop any railway passenger
 2 train, with intent to rob any person thereon, or to rob any coach at-
 3 tached thereto, or to rob any mail pouch, express safe, or box on such
 4 train; or shall wreck or attempt to wreck, derail, or attempt to derail,
 5 any such train, by any means whatever, with intent to commit such
 6 robbery; or shall obstruct or detain such train, or any locomotive,
 7 tender, coach, or car attached thereto, with such intent, or shall place
 8 upon any railway track, or under any engine, tender, coach, or car
 9 any explosive substance, with intent to obstruct, stop, detain, derail,
 10 or wreck such train, for the purpose of committing such robbery, or
 11 remove any spike, fishplate, frog, rail, switch, tie, stringer, or appli-
 12 ance used on such railway with intent to obstruct, stop, detain, derail,
 13 or wreck such train for the purpose of committing such robbery; or
 14 shall enter any locomotive, tender, coach, or car attached to such
 15 train, and take or attempt to take possession thereof, for the purpose
 16 of committing such robbery; or shall rifle any coach, car, safe, box, or
 17 mail pouch on such train; or shall with force and arms take and carry
 18 away any valuable thing whatever from such train, or from any per-
 19 son thereon; or shall intimidate, injure, wound, or maim any person
 20 thereon, with intent to commit such robbery, he shall, upon conviction
 21 thereof, be imprisoned in the penitentiary at hard labor, for life.

[S., '13, § 4810-a; 39 G. A., ch. 231, § 6.]

CHAPTER 26

FALSE PRETENSES, FRAUDS AND OTHER CHEATS

SECTION 8697. Registration of organizations soliciting aid.

NOTE: Sections 8697 to 8700, inclusive, of the compiled code were amended by 39 G. A., ch. 59, which also enacted some additional legislation on the subject covered by said sections. The legislation of the 39th G. A. leaves the law on said subject largely regulatory; the criminal feature is now only incidental. For that reason said sections have been transferred to title V on "Regulations Under Police Power" and with the new legislation contained in 39 G. A., ch. 59, constitute chapter 24-A of said title. See section 1261-a1 of this supplement.

SEC. 8698. License by secretary of state.

NOTE: This section has been transferred and reprinted as section 1261-a2 of this supplement. See above note under section 8697.

SEC. 8699. Soliciting by local organizations.

NOTE: This section has been transferred and reprinted as section 1261-a4 of this supplement. See above note under section 8697.

SEC. 8700. Violations—punishment.

NOTE: This section has been transferred and reprinted as section 1261-a6 of this supplement. See above note under section 8697.

SEC. 8701. Adoption and registration of labor union label.

[This and the two following sections repealed by 39 G. A., ch. 29, and a substitute enacted therefor which for the purposes of proper classification appears in this supplement as chapter 10-A of title XXI on "Trade and Commerce".]

NOTE: The substitute referred to above which was enacted by the 39th G. A. leaves the law formerly covered by sections 8701 to 8703, inclusive, of the compiled code, largely regulatory; the criminal feature is now only incidental. For that reason said substitute has been placed in title XXI as indicated above, and appears as sections 6198-a1 to 6198-a6, inclusive, of this supplement.

SEC. 8702. Injunction against use of registered label.

[Repealed by 39 G. A., ch. 29.]

NOTE: See above note under section 8701.

SEC. 8703. Imitation of registered label—punishment.

[Repealed by 39 G. A., ch. 29.]

NOTE: See above note under section 8701.

SEC. 8709. Swindling by three-card monte.

- 1 Whoever by means of three-card monte, so called, or any other
- 2 form or device, sleight of hand, or other means whatever, by use of
- 3 cards or instruments of like character, obtains from another person
- 4 any money or other property, shall be guilty of swindling, and be
- 5 fined not less than two hundred nor more than two thousand dollars,
- 6 or be imprisoned in the penitentiary not more than five years, or both.

[C., '97, § 5072; 39 G. A., ch. 231, § 7.]

CHAPTER 27
MALICIOUS MISCHIEF AND WILFUL TRESPASS**SECTION 8715-a1. Injuring or terrorizing inhabitants of dwelling.**

- 1 If any person, with intent to injure or terrorize the inhabitants
- 2 of any dwelling house, or other building used as a dwelling, or any
- 3 inhabited boat, vessel or raft, or with intent to injure, or deface any
- 4 such structure, throws at, against, or into the same any brick, stone,

5 billet of wood, or other missile, or shoots thereat, with such intent, any
6 gun, pistol, or revolver, he shall be imprisoned in the penitentiary not
7 more than three years, or in the county jail not more than one year,
8 or be fined not more than one thousand dollars.

[C., '97, § 4799.]

NOTE: This section appears in the compiled code as section 8603. Said section is omitted as section 8603 and is reprinted here in order to correct error in location.

CHAPTER 30

FORGERY AND COUNTERFEITING

SECTION 8762. Forgery or counterfeiting of public instruments.

1 If any person, with intent to defraud, falsely make, utter, forge
2 or counterfeit any note, certificate, state bond, warrant or other instru-
3 ment, being public security for money or other property, issued or
4 purporting to be issued by authority of this state or any other of the
5 United States; or any indorsement or other writing purporting to
6 transfer the right or interest of any holder of such public security,
7 he shall be imprisoned in the penitentiary not more than twenty years.

[C., '51, § 2628; R., '60, § 4255; C., '73, § 3919; C., '97,
§ 4855; 39 G. A., ch. 231, § 8.]

SEC. 8766. Second conviction.

1 If any person, having been convicted of any of the offenses de-
2 scribed in section eighty-seven hundred sixty-five of the compiled code,
3 afterward be convicted of a like offense, he shall be imprisoned in the
4 penitentiary not more than ten years.

[C., '51, § 2632; R., '60, § 4259; C., '73, § 3923; C., '97,
§ 4859; 39 G. A., ch. 231, § 9.]

SEC. 8772. Making tools for counterfeiting.

1 If any person engrave, make or mend, or begin to engrave, make
2 or mend, any plate, block, press or other tool, instrument or implement,
3 or make or provide any paper or other materials, adapted and de-
4 signed for the forging or making any false and counterfeit note, certi-
5 ficate, state bond, warrant or other instrument of public security for
6 money or other property of this state or any other of the United States,
7 or any bank bill, promissory note, draft or other evidence of debt
8 issued or purporting to be issued by any corporation or company; and
9 every person who has in his possession any such plate or block en-
10 graved in any part, or any press or other tool, instrument or imple-
11 ment, paper or other material, adapted and designed as aforesaid, with
12 intent to use the same, or to cause or permit the same to be used, in
13 forging or making any such false and forged certificates, notes, bonds,
14 warrants, public securities or evidences of debt, shall be imprisoned in
15 the penitentiary not more than five years.

[C., '51, § 2633; R., '60, § 4260; C., '73, § 3924; C., '97,
§ 4860; 39 G. A., ch. 231, § 10.]

SEC. 8773. Counterfeiting coin.

1 If any person forge or counterfeit any gold or silver coin, current
 2 by law or usage within this state, or if any person have in his posses-
 3 sion at the same time five or more pieces of false money or coin coun-
 4 terfeited in the similitude of any gold or silver coin current as afore-
 5 said, knowing the same to be false and counterfeit, and with intent to
 6 utter or pass the same as true, he shall be imprisoned in the peniten-
 7 tiary not more than ten years.

[C., '51, § 2634; R., '60, § 4261; C., '73, § 3925; C., '97,
 § 4861; 39 G. A., ch. 231, § 11.]

CHAPTER 36**PROSTITUTION****SECTION 8794. Keeping house of ill fame.**

1 If any person keeps a house of ill fame, resorted to for the pur-
 2 pose of prostitution or lewdness, such person shall be imprisoned in
 3 the penitentiary not more than five years.

[C., '51, § 2710; R., '60, § 4352; C., '73, § 4013; C., '97,
 § 4939; 39 G. A., ch. 231, § 12.]

SEC. 8799. Detention of females for purposes of prostitution.

1 Whoever shall unlawfully detain or confine any female, by force,
 2 false pretense, or intimidation, in any room, house, building, or prem-
 3 ises in this state, against the will of such female, for purposes of pros-
 4 titution or with intent to cause such female to become a prostitute,
 5 and be guilty of fornication or concubinage therein, or shall by force,
 6 false pretense, confinement, or intimidation attempt to prevent any
 7 female so as aforesaid detained, from leaving such room, house, build-
 8 ing, or premises, and whoever aids, assists, or abets by force, false
 9 pretense, confinement, or intimidation, in keeping, confining, or unlaw-
 10 fully detaining any female in any room, house, building, or premises in
 11 this state, against the will of such female, for the purpose of prosti-
 12 tution, fornication, or concubinage, shall on conviction, be imprisoned
 13 in the penitentiary not more than ten years.

[S., '13, § 4944-j; 39 G. A., ch. 231, § 13.]

SEC. 8800. Enticing to house of ill fame.

1 If any person inveigle or entice any female, before reputed vir-
 2 tuous, to a house of ill fame, or knowingly conceal or aid or abet in
 3 concealing such female so deluded or enticed, for the purpose of pros-
 4 titution or lewdness, or entice back into a life of prostitution any
 5 female who has theretofore been guilty of prostitution and has aban-
 6 doned it, he shall be imprisoned in the penitentiary not more than ten
 7 years.

[C., '51, § 2713; R., '60, § 4355; C., '73, § 4016; C., '97,
 § 4942; 39 G. A., ch. 231, § 14.]

CHAPTER 37

OBSCENITY AND INDECENCY

SECTION 8803. Lascivious acts with children.

1 Any person over eighteen years of age who shall wilfully commit
 2 any lewd, immoral, or lascivious act in the presence, or upon or with
 3 the body or any part or member thereof, of a child of the age of
 4 sixteen years, or under, with the intent of arousing, appealing to, or
 5 gratifying the lust or passions or sexual desires of such person, or of
 6 such child, or of corrupting the morals of such child, shall be punished
 7 by imprisonment in the penitentiary not more than three years, or
 8 by imprisonment in the county jail not more than six months, or by
 9 fine not exceeding five hundred dollars.

[S., '13, § 4938-a; 40 G. A., chs. 214, 274.]

CHAPTER 38

GAMBLING

SECTION 8824-a1. Wagers—forfeiture.

1 Property, whether real or personal, offered as a stake, or any
 2 moneys, property, or other thing of value staked, paid, bet, wagered,
 3 laid, or deposited in connection with or as a part of any game of
 4 chance, lottery, gambling scheme or device, gift enterprise or other
 5 trade scheme unlawful under the laws of this state shall be forfeited
 6 to the state and shall be seized by the sheriff or any other peace
 7 officer and shall be disposed of as herein provided.

[40 G. A., ch. 215, § 1.]

SEC. 8824-a2. Notice of seizure.

1 The sheriff or other peace officer who has seized property under
 2 the provisions of the preceding section shall, within three days cause
 3 notice of such seizure to be given to the owner or person in possession
 4 of such property if known and to be found within the county; and if
 5 not known and if not found within the county, such notice shall be
 6 served by posting a copy thereof in three public places within the
 7 county, one copy of which, in cases of real property, shall be posted
 8 on the premises. Such notice shall describe as nearly as may be the
 9 property seized and shall state that the matter of the disposition of
 10 said property will come on for hearing at the next term of the district
 11 court thereafter.

[40 G. A., ch. 215, § 2.]

SEC. 8824-a3. Hearing—order.

1 Any person owning or having an interest in any such property
 2 may appear on the day appointed for such hearing by the court and
 3 show that the property seized is not of the character described in
 4 section eighty-eight hundred twenty-four-a one of this supplement.
 5 If such claim is established, such property shall be returned to the

6 owner thereof and to the place from which taken. If it is deter-
 7 mined by the court that the property seized is of the character
 8 described in section eighty-eight hundred twenty-four-a one of this
 9 supplement, it shall enter an order directing the immediate destruc-
 10 tion of all such property which does not have a legitimate use and
 11 the sale of all property other than money which may be used legiti-
 12 mately. All moneys received under the provisions of this section
 13 and the two preceding sections, either by seizure or as a result of sale,
 14 shall, after the payment of all costs, be paid into the school fund.
 15 All proceedings shall be docketed in the name of the state against
 16 the property seized and shall be tried as an ordinary action, the county
 17 attorney appearing for the state.

[40 G. A., ch. 215, § 3.]

CHAPTER 47

TOBACCO AND CIGARETTES

NOTE: 39 G. A., ch. 203 repealed sections 8867 to 8873, inclusive, and sections 8879 and 8880 of the compiled code, and enacted a substitute therefor, which appears in this supplement as sections 913-a1 to 913-a16, inclusive. The substitute consists of a cigarette license law which more properly belongs in title V on "Regulations Under Police Power" than in this title on "Criminal Law". For that reason said substitute and sections 8874 to 8878, inclusive, of chapter 47, title XXXIII of the compiled code, which were not repealed by 39 G. A., ch. 203 and relate to the seizure of cigarettes unlawfully kept or sold, have been arranged as one chapter on "Cigarettes" and printed in this supplement as chapter 7-A of title V. The remaining sections of the chapter in the compiled code, sections 8866, 8881 and 8882, which were not repealed by 39 G. A., ch. 203 have also been transferred to title V and allowed to follow the cigarette license law as chapter 7-B, in order to bring all the law relative to tobacco together in one place in the permanent code.

SECTION 8866. Sale of tobacco to minors—punishment.

NOTE: This section has been transferred from its place in the compiled code and reprinted in this supplement as section 913-a22, see note at beginning of chapter.

SEC. 8867. Sale of cigarettes and cigarette papers.

[Repealed by 39 G. A., ch. 203, § 1, and a substitute enacted therefor, see note at beginning of chapter and sections 913-a1 to 913-a16, inclusive, of this supplement.]

SEC. 8868. Punishment.

[Repealed by 39 G. A., ch. 203, § 1, and a substitute enacted therefor, see note at beginning of chapter and sections 913-a1 to 913-a16, inclusive, of this supplement.]

SEC. 8869. Interstate business excepted.

[Repealed by 39 G. A., ch. 203, § 1, and a substitute enacted therefor, see note at beginning of chapter and sections 913-a1 to 913-a16, inclusive, of this supplement.]

SEC. 8870. Tax on sale.

[Repealed by 39 G. A., ch. 203, § 1, and a substitute enacted therefor, see note at beginning of chapter and sections 913-a1 to 913-a16, inclusive, of this supplement.]

SEC. 8871. Method of assessment—lien.

[Repealed by 39 G. A., ch. 203, § 1, and a substitute enacted therefor, see note at beginning of chapter and sections 913-a1 to 913-a16, inclusive, of this supplement.]

SEC. 8872. Payment of tax no bar to prosecutions.

[Repealed by 39 G. A., ch. 203, § 1, and a substitute enacted therefor, see note at beginning of chapter and sections 913-a1 to 913-a16, inclusive, of this supplement.]

SEC. 8873. Interstate business excepted.

[Repealed by 39 G. A., ch. 203, § 1, and a substitute enacted therefor, see note at beginning of chapter and sections 913-a1 to 913-a16, inclusive, of this supplement.]

SEC. 8874. Issue of search warrant.

NOTE: This section has been transferred from its place in the compiled code and reprinted in this supplement as section 913-a17, see note at beginning of chapter.

SEC. 8875. Seizure—destruction.

NOTE: This section has been transferred from its place in the compiled code and reprinted in this supplement as section 913-a18, see note at beginning of chapter.

SEC. 8876. Prima facie evidence of intent to sell.

NOTE: This section has been transferred from its place in the compiled code and reprinted in this supplement as section 913-a19, see note at beginning of chapter.

SEC. 8877. Tax assessed.

NOTE: This section has been transferred from its place in the compiled code and reprinted in this supplement as section 913-a20, see note at beginning of chapter.

SEC. 8878. Notice of assessment.

NOTE: This section has been transferred from its place in the compiled code and reprinted in this supplement as section 913-a21, see note at beginning of chapter.

SEC. 8879. Use by minors prohibited.

[Repealed by 39 G. A., ch. 203, § 1, and a substitute enacted therefor, see note at beginning of chapter and sections 913-a1 to 913-a16, inclusive, of this supplement.]

SEC. 8880. Punishment—suspension of sentence.

[Repealed by 39 G. A., ch. 203, § 1, and a substitute enacted therefor, see note at beginning of chapter and sections 913-a1 to 913-a16, inclusive, of this supplement.]

SEC. 8881. Objectionable advertisements near public schools.

NOTE: This section has been transferred from its place in the compiled code and reprinted in this supplement as section 913-a23, see note at beginning of chapter.

SEC. 8882. Punishment.

NOTE: This section has been transferred from its place in the compiled code and reprinted in this supplement as section 913-a24, see note at beginning of chapter.

CHAPTER 50

INFRINGEMENT OF CIVIL RIGHTS

SECTION 8889. Punishment for infringement.

1 Any person who shall violate the provisions of section eighty-
2 eight hundred eighty-eight of the compiled code by denying to any
3 person, except for reasons by law applicable to all persons, the full
4 enjoyment of any of the accommodations, advantages, facilities, or
5 privileges enumerated therein, or by aiding or inciting such denial,
6 shall be guilty of a misdemeanor and shall be punished by a fine not to
7 exceed one hundred dollars or imprisonment in the county jail not
8 to exceed thirty days.

[C., '97, § 5008; 40 G. A., ch. 216.]

CHAPTER 58

RESISTANCE TO EXECUTION OF PROCESS

SECTION 8982. Calling out power of county.

1 When the sheriff or other officer authorized to execute process
2 has reason to apprehend that resistance will be made, or finds that
3 resistance is made, to the execution thereof, he may command as
4 many male inhabitants of his county as he may think proper, and
5 may call upon the governor for the assistance of the military force to
6 assist him in overcoming the resistance, and, if necessary, in seizing,
7 arresting and confining the resisters, their aiders and abettors, to be
8 held for punishment by law.

[C., '51, § 2793; R., '60, § 4489; C., '73, § 4145; C., '97,
§ 5143; 39 G. A., ch. 163, § 2.]

CHAPTER 61

ESCAPES

SECTION 9003. Violation of parole.

1 If any person having been paroled from the state penitentiary or
2 state reformatory as provided by law, shall thereafter depart without
3 the written consent of the board of parole from the territory within
4 which by the terms of said parole he is restricted, he shall be deemed
5 to have escaped from the custody within the meaning of section ninety
6 hundred one of the compiled code and shall be punished as therein
7 provided.

[S., '13, § 4897-a; 39 G. A., ch. 9, § 1.]

SEC. 9008. Breaking jail—escape.

1 If any person confined in any jail upon any criminal charge, either
 2 before or after conviction for a criminal offense, break jail and escape
 3 therefrom, or escape from the custody of the officer charged with his
 4 keeping, he shall be imprisoned in such jail not exceeding one year,
 5 and fined not exceeding three hundred dollars; but when such jail
 6 breaking, or escape from custody, occurs during incarceration after
 7 conviction, or before trial for a criminal offense whereof he is after-
 8 wards convicted, in either of such cases the sentence to commence
 9 from and after the expiration of the sentence upon the original charge.

[C., '51, § 2668; R., '60, § 4295; C., '73, § 3959; C., '97, § 4898;
 S., '13, § 4898; 40 G. A., ch. 217.]

SEC. 9009. Suffering certain prisoners to escape.

1 If any jailer or other officer voluntarily suffer any prisoner in
 2 custody upon a charge or conviction of a felony punishable by impris-
 3 onment for life to escape, he shall be imprisoned in the penitentiary
 4 not more than ten years.

[C., '51, § 2661; R., '60, § 4288; C., '73, § 3953; C., '97,
 § 4891; 39 G. A., ch. 231, § 15.]

CHAPTER 63
HABITUAL CRIMINALS**SECTION 9044. Third conviction of felony.**

1 Whenever any person has been twice convicted of either of the
 2 crimes of burglary, robbery, forgery, counterfeiting, larceny where
 3 the value of the property stolen exceeded twenty dollars, or of breaking
 4 and entering with intent to commit a public offense any dwelling
 5 house, office, shop, store, warehouse, railroad car, boat, vessel, or build-
 6 ing, in which goods, merchandise, or valuable things, were kept for
 7 use, sale or deposit, or has been convicted of two or more of said
 8 crimes, and shall thereafter be convicted of any one of such crimes,
 9 committed after such conviction, he shall be imprisoned in the peni-
 10 tentiary for any term not more than forty years, provided such former
 11 judgments shall be referred to in the indictment, stating the court,
 12 date and place of rendition.

[S., '13, § 4871-a; 39 G. A., ch. 231, § 16.]

SEC. 9048. Habitual criminal defined.

1 Whoever has been twice convicted of crime, sentenced and com-
 2 mitted to prison, in this or any other state, or by the United States, or
 3 once in this state and once at least in any other state, or by the United
 4 States, for terms of not less than three years each shall, upon con-
 5 viction of a felony committed in this state after the taking effect of
 6 this section, be deemed to be an habitual criminal, and shall be pun-
 7 ished by imprisonment in the penitentiary for a term of not more than
 8 twenty-five years, provided that no greater punishment is otherwise
 9 provided by statute, in which case the law creating the greater pun-
 10 ishment shall govern.

[S., '13, § 5091-a; 39 G. A., ch. 231, § 17.]

TITLE XXXIV

CRIMINAL PROCEDURE

CHAPTER 1-A

BUREAU OF CRIMINAL INVESTIGATION

SECTION 9062-a1. Establishment of bureau.

1 The attorney general may establish in his office a bureau of crim-
2 inal investigation. The officers of such bureau of criminal investiga-
3 tion shall be the peace officers provided for by sections ninety hundred
4 fifty-five and ninety hundred fifty-nine of the compiled code. From
5 such officers the attorney general may select a chief who shall be the
6 chief of the bureau.

[39 G. A., ch. 186, § 1.]

SEC. 9062-a2. Criminal identification.

1 The attorney general may provide in his department a system
2 of criminal identification. He may adopt rules and regulations for the
3 same. The sheriff of each county and the chief of police of each city
4 and town shall furnish to the department criminal identification rec-
5 ords and other information as directed by the attorney general.

[39 G. A., ch. 186, § 2.]

SEC. 9062-a3. Maintenance of bureau.

1 The attorney general is authorized to pay from the contingent
2 fund provided for the office of attorney general such expenses as
3 may be necessary in establishing the bureau.

[39 G. A., ch. 186, § 3.]

CHAPTER 9

FUGITIVES FROM JUSTICE

SECTION 9155-a1. Peace officers of foreign state.

1 Any peace officer or extradition agent of another state bringing
2 any person within this state or transporting such person through the
3 state under a warrant of arrest or extradition warrant issued in
4 another state, or the officer of any penal institution of another state
5 conveying or transporting a prisoner of such institution into or
6 through this state, shall have the same authority as to the custody
7 and restraint of such person while in the state of Iowa, as duly con-

8 stituted peace officers of this state have in making an arrest under
9 process issued by the courts of this state.

[40 G. A., ch. 218.]

CHAPTER 17

FORFEITURE OF BAIL

SECTION 9268. Failure to appear—entry of forfeiture.

[Repealed by 40 G. A., ch. 219, § 1.]

SEC. 9269. Subsequent appearance—discharge of forfeiture.

[Repealed by 40 G. A., ch. 219, § 1.]

SEC. 9270. Forfeiture—action by county attorney.

[Repealed by 40 G. A., ch. 219, § 1.]

SEC. 9271. Place of bringing action.

[Repealed by 40 G. A., ch. 219, § 1.]

SEC. 9272. Surrender of defendant before judgment—entries.

[This and the four preceding sections repealed by 40 G. A., ch. 219, § 1, and the six following sections enacted in lieu thereof.]

SEC. 9272-a1. Entry of forfeiture.

1 If the defendant fails to appear for arraignment, trial or judg-
2 ment, or at any other time when his personal appearance in court is
3 lawfully required, or to surrender himself in execution of the judg-
4 ment, the court must at once direct an entry of such failure to be made
5 of record and the undertaking of his bail, or the money deposited
6 instead of bail, is thereupon forfeited.

[R., '60, § 4990; C., '73, § 4596; C., '97, § 5515; 40 G. A., ch. 219, § 1.]

SEC. 9272-a2. Notice.

1 As a part of the entry of forfeiture as herein provided, the court
2 shall direct the sheriff of the county to give ten days' notice in writing
3 or otherwise as directed by the court to the defendant and his sureties
4 to appear and show cause, if any, why judgment should not be entered
5 for the amount of such bail, or money deposited instead of bail.

[40 G. A., ch. 219, § 2.]

SEC. 9272-a3. Judgment.

1 If the defendant and his sureties fail to appear, judgment shall
2 be entered by the court. If such defendant and his sureties shall
3 appear at the time fixed and offer objections to the entering of such
4 judgment, the court shall set the case down for immediate hearing as
5 an ordinary action; in such hearing the state shall be plaintiff and the
6 defendant and his sureties defendants. The judgment entered by the

7 court either on default or upon trial shall have the same force and
8 effect as any other judgment of such court.

[R., '60, §§ 4991-4994; C., '73, §§ 4597-4600; C., '97, §§ 5516, 5517; 40 G. A., ch. 219, § 2.]

SEC. 9272-a4. Forfeiture in justice of the peace court.

1 Where forfeiture is entered before a justice of the peace or a
2 court of limited jurisdiction, or before an examining magistrate, such
3 court or officer, upon the forfeiture of the undertaking, shall within
4 ten days file the same, with a copy of all official entries in relation
5 thereto, in the office of the clerk of the district court of the county;
6 and thereupon it shall be the duty of the clerk of the district court to
7 direct the sheriff to give notice as herein prescribed for appearance
8 before the district court at the date fixed in such notice, and the dis-
9 trict court shall then proceed in the same manner as though such for-
10 feiture had occurred in such court.

[C., '73, § 4599; C., '97, § 5518; S., '13, § 5518; 40 G. A., ch. 219, § 3.]

SEC. 9272-a5. Clerk to retain funds.

1 Where a forfeiture and judgment has been entered as herein
2 provided and the amount of the judgment has been paid to the clerk,
3 he shall hold the same as funds of his office for a period of sixty days
4 from the date of judgment.

[40 G. A., ch. 219, § 4.]

SEC. 9272-a6. Judgment set aside.

1 Such judgment shall never be set aside unless within sixty days
2 from the date thereof, the defendant shall voluntarily surrender him-
3 self to the sheriff of the county or his bondsmen shall, at their own
4 expense, deliver him to the custody of the sheriff within said time,
5 whereupon the court may, upon application, set aside the judgment
6 and in such event the original appearance bond shall stand and the
7 court may order refund of the amount of the judgment paid in to the
8 office of the clerk of the court. Such judgment, however, shall not
9 be set aside unless as a condition precedent thereto the defendant and
10 his sureties shall have paid all costs incurred in connection therewith.

[R., '60, § 4994; C., '73, § 4600; C., '97, § 5519; 40 G. A., ch. 219, § 4.]

CHAPTER 20

INFORMATION BY COUNTY ATTORNEY

SECTION 9284. Information to be sworn to—approval.

1 Such information shall be sworn to by the county attorney before
2 some officer authorized by the laws of Iowa to administer oaths. The
3 information, before being filed, shall be presented to some judge of
4 the district court of the county having jurisdiction of the offense,
5 which judge shall indorse his approval or disapproval thereon. If

6 the information receive the approval of the judge, the same shall be
 7 filed. If not approved, the charge shall be presented to the next grand
 8 jury for consideration. At any time after the approval of an infor-
 9 mation, and prior to the commencement of trial, the court, or any
 10 judge thereof, on its own motion may order said information set aside
 11 and said cause submitted to the grand jury.

[S., '13, § 5239-e; 39 G. A., ch. 204.]

CHAPTER 21

IMPANELING GRAND JURY

SECTION 9307-a1. Refilling panel.

1 If for any cause the number of grand jurors is reduced below
 2 twelve, the court or judge may order the clerk to immediately draw
 3 from the grand jury list sufficient additional names to fill the panel,
 4 and such new grand jurors so drawn may, if so ordered by the court,
 5 serve as regular grand jurors for the county in which they are drawn
 6 for the remainder of the year.

[40 G. A., ch. 220.]

CHAPTER 29

CHANGE OF VENUE

SECTION 9403. Application by defendant.

[Repealed by 40 G. A., ch. 221.]

SEC. 9404. Contents of petition.

[Repealed by 40 G. A., ch. 221.]

SEC. 9405. Verification in certain cases.

[This and the two preceding sections repealed by 40 G. A., ch. 221, and the five following sections enacted in lieu thereof.]

SEC. 9405-a1. Right to change.

1 In all criminal cases which may be pending in any of the district
 2 courts, any defendant therein, or the state, in cases where defendant
 3 is charged with felony, may petition the court for a change of place
 4 of trial to another county.

[R., '51, § 3270; R., '60, § 4727; C., '73, § 4368; C., '97, § 5342; 40 G. A., ch. 221, § 1.]

SEC. 9405-a2. Petition by defendant.

1 Such petition, when filed by the defendant, must set forth the
 2 nature of the prosecution, the court where the same is pending, and
 3 that such defendant cannot receive a fair and impartial trial owing

4 to the prejudice of the judge, or to excitement or prejudice against
5 the defendant in such county, and be verified on information and
6 belief by the affidavit of the defendant.

[R., '51, § 3271; R., '60, § 4728; C., '73, § 4369; C., '97, §
5343; 40 G. A., ch. 221, § 2.]

SEC. 9405-a3. Additional verification.

1 When the ground alleged in the petition filed by the defendant
2 is excitement or prejudice against him in the county, it must be
3 verified by the affidavit of three disinterested persons, residents of
4 the county from which the change is sought, in addition to the affi-
5 davit of the petitioner himself.

[R., '60, § 4729; C., '73, § 4370; C., '97, § 5344; 40 G. A., ch.
221, § 3.]

SEC. 9405-a4. Petition by state.

1 Such petition, when filed by the state, shall set forth the nature
2 of the prosecution, the court where the same is pending, and that the
3 state cannot receive a fair and impartial trial in said county owing to
4 excitement or prejudice in such county against the prosecution, and be
5 verified on information and belief by the affidavit of the county
6 attorney or his assistant.

[40 G. A., ch. 221, § 4.]

SEC. 9405-a5. Petition for second change.

1 When a change in place of trial has been granted to one party to
2 the prosecution, the other party thereto to whom no change has been
3 granted, may, in the county to which the case has been sent, petition
4 for a change in the same manner as though said county was the county
5 in which the case was first pending. In such case, if the change be
6 granted, the case shall not be sent to the county in which it was
7 originally pending.

[40 G. A., ch. 221, § 5.]

CHAPTER 32

TRIAL

SECTION 9434. Order of trial.

1 The jury having been impaneled and sworn, the trial must pro-
2 ceed in the following order:

3 1. *Reading indictment and plea.* The clerk or county attorney
4 must read the indictment and state the defendant's plea to the jury.

5 2. *Statement of state's evidence.* The county attorney may
6 briefly state the evidence by which he expects to sustain the indict-
7 ment.

8 3. *Statement of defendant's evidence.* The attorney for the de-
9 fendant may then briefly state his defense, and the evidence by which
10 he expects to sustain it.

11 4. *Offer of state's evidence.* The state may then offer the evi-
12 dence in support of the indictment.

13 5. *Offer of defendant's evidence.* The defendant or his counsel
14 may then offer his evidence in support of his defense.

15 6. *Rebutting or additional evidence.* The parties may then, re-
16 spectively, offer rebutting evidence only, unless the court, for good
17 reasons, in furtherance of justice, permit them to offer evidence upon
18 their original case.

19 7. *Arguments.* When the evidence is concluded, unless the case
20 is submitted to the jury on both sides without argument, the county
21 attorney must commence, the defendant follow by one or two counsel,
22 at his option, unless the court permit him to be heard by a larger
23 number, and the county attorney conclude, confining himself to a re-
24 sponse to the arguments of the defendant's counsel. Where two or
25 more defendants are on trial for the same offense, they may be heard
26 by one counsel each; and when the affirmative of the issue is with the
27 defendant, the court may, in its discretion, award to the defendant
28 the last argument. The court shall not restrict counsel as to time in
29 their arguments to the jury.

30 8. *Instructions.* Upon the conclusion of the arguments, the court
31 shall charge the jury in writing, without oral explanation or qualifi-
32 cation, stating the law of the case.

[C., '51, § 2991; R., '60, §§ 4785, 4788; C., '73, §§ 4420, 4423;
C., '97, § 5372.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A., but reprinted to correct error in printing of compiled code.

SEC. 9454. Instructions.

1 The rules relating to the instruction of juries in civil cases shall
2 be applicable to the trial of criminal prosecutions.

[C., '51, §§ 3017, 3018; R., '60, §§ 4813, 4814; C., '73, §§ 4440,
4441; C., '97, § 5386.]

NOTE: No change made in the above section by the 39th G. A. or the 40th G. A. but reprinted to correct historical reference.

CHAPTER 45

APPEALS

SECTION 9559. Appeal defined—time taken—parties.

1 The mode of reviewing in the supreme court any judgment, action
2 or decision of the district court in a criminal case is by appeal. An
3 appeal can only be taken from the final judgment, and within sixty
4 days thereafter. Either the defendant or state may appeal.

[R., '60, §§ 4904-4906; C., '73, §§ 4520-4522; C., '97, § 5448;
S., '13, § 5448; 40 G. A., ch. 222, § 1.]

SEC. 9562-a1. Transcript of evidence.

1 If a defendant in a criminal cause has perfected an appeal from
2 a judgment against him and shall satisfy a judge of the district court

3 from which the appeal is taken that he is unable to pay for a tran-
4 script of the evidence, such judge may order the same made at the
5 expense of the county where said defendant was tried.

[C., '73, § 3777; C., '97, § 254; S. S., '15, § 254-a2.]

NOTE: The above section relates solely to appeals in criminal cases. It has heretofore constituted a part of section 6941 of the compiled code. See also sections 6941-a1 to 6941-a3, inclusive, of this supplement.

SEC. 9564. Appeal by defendant—effect.

1 An appeal taken by the defendant does not stay the execution of
2 the judgment, unless bail is put in; but where the judgment is impris-
3 onment in the penitentiary, and an appeal is taken within the time pro-
4 vided after judgment is rendered, and the defendant is unable to give
5 bail, and that fact is satisfactorily shown to the court, or judge thereof,
6 it may, in its discretion, order the sheriff or officer having the defend-
7 ant in custody to detain him in custody, without taking him to the
8 penitentiary, to abide the judgment on the appeal, if the defendant
9 desires it.

[R., '60, §§ 4914, 4915; C., '73, §§ 4528, 4529; C., '97, § 5453;
40 G. A., ch. 222, § 1.]

TABLE OF CORRESPONDING SECTIONS

TABLE OF CORRESPONDING SECTIONS
OF THE
CODE OF 1897, SUPPLEMENT OF 1913,
AND
SUPPLEMENTAL SUPPLEMENT OF 1915

This table shows the sections of the Compiled Code and of the Supplement to said Code which correspond in subject matter with the sections of the Code of 1897, Supplement of 1913, and Supplemental Supplement of 1915.

The table also shows, at the proper places by entries in italics, the Compiled Code and Supplement numbers given to the new legislation enacted by the Thirty-seventh, Thirty-eighth, Thirty-ninth and Fortieth General Assemblies. This table, however, is not to be used for the purpose of finding such legislation in the Compiled Code or Supplement, as there are special tables for this purpose immediately following this table. The new legislation of the Thirty-seventh, Thirty-eighth, Thirty-ninth, and Fortieth General Assemblies has been incorporated into this table merely for the purpose of showing the place it has been given with reference to the sections of the Code of 1897, Supplement of 1913, and Supplemental Supplement of 1915.

["S." before a number in the *left-hand* column indicates Supplement of 1913; "S. S." indicates Supplemental Supplement of 1915; other numbers indicate Code of 1897. Sections which appeared for the last time in either the Supplement of 1902 or the Supplement of 1907 are indicated in the footnotes.

An entry in the center column shows an amendment, substitute, repeal, or new legislation. "A." indicates an amendment; "R&S." indicates a repeal and substitution; "R." indicates a repeal. Other entries, which are in italics, indicate new legislation.

"S." before a number in the *right-hand* column indicates Supplement to the Compiled Code; other numbers indicate Compiled Code. A blank, "...", indicates section omitted because temporary, special, or repealing in character.—EDITORS.]

USE FOLLOWING TABLES IN PLACE OF TABLE IN COMPILED CODE, PAGE 2565.

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Read explanatory notes at beginning of table, p. 715.

Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement	Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement
117.....	R. 37-183-26.....	S. 241-a1 to S. 241-a29 inc. S. 241-a30a S. 241-a30b S. 241-a31 to S. 241-a35 inc. S. 241-a35a S. 241-a36 to S. 241-a54 inc. S. 241-a55b S. 241-a56 to S. 241-a61 inc. S. 241-a64a to S. 241-a64k inc. S. 241-a65 S. 241-a67 to S. 241-a77 inc. S. 297	132.....		S. 241-a65 S. 241-a67 to S. 241-a77 inc. 17 S. 241-a1 to S. 241-a29 inc. S. 241-a30a S. 241-a30b S. 241-a31 to S. 241-a35 inc. S. 241-a35a S. 241-a36 to S. 241-a54 inc. S. 241-a55b S. 241-a56 to S. 241-a61 inc. S. 241-a64a to S. 241-a64k inc. S. 241-a65 S. 241-a67 to S. 241-a77 inc.
S. 118.... S. 119.... S. 120.... S. 121.... S. 122....	R&S. 39-286- 1-79¶..... A. 40-275-2-12, 12-a1, 12-a2, 13, 14, 17-22...	S. 241-a1 to S. 241-a29 inc. S. 241-a30a S. 241-a30b S. 241-a31 to S. 241-a35 inc. S. 241-a35a S. 241-a36 to S. 241-a54 inc. S. 241-a55b S. 241-a56 to S. 241-a61 inc. S. 241-a64a to S. 241-a64k inc. S. 241-a65 S. 241-a67 to S. 241-a77 inc. S. 297	SS. 132-a... SS. 132-b... SS. 132-c... SS. 132-d...	R&S. 39-286- 1-79¶..... A. 40-275-2-12, 12-a1, 12-a2, 13, 14, 17-22..	S. 241-a65 S. 241-a67 to S. 241-a77 inc. 17 S. 241-a1 to S. 241-a29 inc. S. 241-a30a S. 241-a30b S. 241-a31 to S. 241-a35 inc. S. 241-a35a S. 241-a36 to S. 241-a54 inc. S. 241-a55b S. 241-a56 to S. 241-a61 inc. S. 241-a64a to S. 241-a64k inc. S. 241-a65 S. 241-a67 to S. 241-a77 inc.
S. 123..... S. 123-a.....	A. 39-286-79.....	S. 241-a1 to S. 241-a29 inc. S. 241-a30a S. 241-a30b S. 241-a31 to S. 241-a35 inc. S. 241-a35a S. 241-a36 to S. 241-a54 inc. S. 241-a55b S. 241-a56 to S. 241-a61 inc. S. 241-a64a to S. 241-a64k inc. S. 241-a65 S. 241-a67 to S. 241-a77 inc.	133.....	R. 36-227-14.....	S. 241-a1 to S. 241-a29 inc. S. 241-a30a S. 241-a30b S. 241-a31 to S. 241-a35 inc. S. 241-a35a S. 241-a36 to S. 241-a54 inc. S. 241-a55b S. 241-a56 to S. 241-a61 inc.
124.... S. 125.... S. 126.... S. 126-a... S. 126-b... S. 126-c... S. 126-d... 127.... 128.... 129.... 130.... 131....	R&S. 39-286- 1-79¶..... A. 40-275-2-12, 12-a1, 12-a2, 13, 14, 17-22..	S. 241-a1 to S. 241-a29 inc. S. 241-a30a S. 241-a30b S. 241-a31 to S. 241-a35 inc. S. 241-a35a S. 241-a36 to S. 241-a54 inc. S. 241-a55b S. 241-a56 to S. 241-a61 inc. S. 241-a64a to S. 241-a64k inc.	134.... 135.... SS. 136.... S. 137.... S. 137-a... SS. 138'....	R&S. 39-286- 1-79¶..... A. 40-275-2-12, 12-a1, 12-a2, 13, 14, 17-22..	S. 241-a1 to S. 241-a29 inc. S. 241-a30a S. 241-a30b S. 241-a31 to S. 241-a35 inc. S. 241-a35a S. 241-a36 to S. 241-a54 inc. S. 241-a55b S. 241-a56 to S. 241-a61 inc.

† 39-286 repealed C. '97, 121, 124, 127 to 131, inc., '134, 135, 142; S. '13, 118, 119, 120, 122, 125, 126, 126-a to 126-d, inc., 137, 137-a, 144-b to 144-d, inc.; S. S. '15, 132-a to 132-d, inc., 136, 138, 141, 144-e to 144-o, inc.; and 37-9-1, 2 and 37-183-1-25. This act also in effect enacted a substitute for all of these repealed sections, which appeared in the 1921 Supplement as 241-a1 to 241-a77, inclusive. It has been impossible to indicate this repeal and substitute in one entry because the sections repealed and substituted are not consecutive sections. Consequently, the complete substitution, as amended by 40-275, is given after each group of consecutive sections.

Amended by 37-9-1.

TABLE OF CORRESPONDING SECTIONS

Read explanatory notes at beginning of table, p. 715.

Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement	Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement
		S. 241-a64a to S. 241-a64k inc.	SS. 144-g ³ . SS. 144-h.. SS. 144-i.. SS. 144-j.. SS. 144-k.. SS. 144-l.. SS. 144-m.. SS. 144-n.. SS. 144-o ⁴ ..	R&S. 39-286- 1-79¶..... A. 40-275-2-12, 12-a1, 12-a2, 13, 14, 17-22..	S. 241-a35a S. 241-a36 to S. 241-a54 inc. S. 241-a55b S. 241-a56 to S. 241-a61 inc. S. 241-a64a to S. 241-a64k inc. S. 241-a65 S. 241-a67 to S. 241-a77 inc.
S. 139..... 140.....	R. 37-183-26††.... R. 36-111-6, 12††..	S. 241-a1 to S. 241-a29 inc. S. 241-a30a S. 241-a30b S. 241-a31 to S. 241-a35 inc. S. 241-a35a S. 241-a36 to S. 241-a54 inc. S. 241-a55b S. 241-a56 to S. 241-a61 inc. S. 241-a64a to S. 241-a64k inc. S. 241-a65 S. 241-a67 to S. 241-a77 inc.			S. 241-a61 inc. S. 241-a64a to S. 241-a64k inc. S. 241-a65 S. 241-a67 to S. 241-a77 inc.
SS. 141.... 142....	R&S. 39-286- 1-79¶..... A. 40-275-2-12, 12-a1, 12-a2, 13, 14, 17-22..	S. 241-a1 to S. 241-a29 inc. S. 241-a30a S. 241-a30b S. 241-a31 to S. 241-a35 inc. S. 241-a35a S. 241-a36 to S. 241-a54 inc. S. 241-a55b S. 241-a56 to S. 241-a61 inc. S. 241-a64a to S. 241-a64k inc. S. 241-a65 S. 241-a67 to S. 241-a77 inc.			S. 241-a1 to S. 241-a29 inc. S. 241-a30a S. 241-a30b S. 241-a31 to S. 241-a35 inc. S. 241-a35a S. 241-a36 to S. 241-a54 inc. S. 241-a55b S. 241-a56 to S. 241-a61 inc. S. 241-a64a to S. 241-a64k inc. S. 241-a65 S. 241-a67 to S. 241-a77 inc.
143..... 144..... S. 144-a.....	R. 37-183-26††.... R. 27-5-1.....	S. 241-a1 to S. 241-a29 inc. S. 241-a30a S. 241-a30b S. 241-a31 to S. 241-a35 inc.			S. 241-a61 inc. S. 241-a64a to S. 241-a64k inc. S. 241-a65 S. 241-a67 to S. 241-a77 inc.
S. 144-b.. S. 144-c.. S. 144-d.. SS. 144-e ² .. SS. 144-f..	R&S. 39-286- 1-79¶..... A. 40-275-2-12, 12-a1, 12-a2, 13, 14, 17-22..	S. 241-a1 to S. 241-a29 inc. S. 241-a30a S. 241-a30b S. 241-a31 to S. 241-a35 inc.	SS. 144-p.... 145.... S. 146....	37-9-1, 2 37-183-1-25 R&S. 39-286- 1-79¶..... A. 40-275-2-12, 12-a1, 12-a2, 13, 14, 17-22..	S. 241-a61 inc. S. 241-a64a to S. 241-a64k inc. S. 241-a65 S. 241-a67 to S. 241-a77 inc.
				R. 36-156-1.....	

¶ 39-286 repealed C. '97, 121, 124, 127 to 131, inc., 134, 135, 142; S. '13, 118, 119, 120, 122, 125, 126, 126-a to 126-d, inc., 137, 137-a, 144-b to 144-d, inc.; S. S. '15, 132-a to 132-d, inc., 136, 138, 141, 144-e to 144-o, inc.; and 37-9-1, 2 and 37-183-1-25. This act also in effect enacted a substitute for all of these repealed sections, which appeared in the 1921 Supplement as 241-a1 to 241-a77, inclusive. It has been impossible to indicate this repeal and substitute in one entry because the sections repealed and substituted are not consecutive sections. Consequently, the complete substitution, as amended by 40-275, is given after each group of consecutive sections.

†† Apparently repealed by implication—at least now obsolete.

² Amended by 38-413-1.

³ Amended by 39-209-9.

⁴ Also repealed by 39-209-1.

TABLE OF CORRESPONDING SECTIONS

Read explanatory notes at beginning of table, p. 715.

Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement	Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement
SS. 147....	R&S. 39-108..... (S. '13, 150, 151 and C. '97, 153, included in R&S.)	S. 247-a1	S. 170-j....	.....	...
148....		S. 247-a4 inc.	S. 170-k....	R&S. 40-246-1-5... (S. '13, 1532 and 39- 207-1, 2 included in R&S.)	S. 2864-a3 to S. 2864-a7 inc.
149....	A. 40-275-15.....			38-400-1, 2.....	
S. 150....	R. 39-209-1.....			R&S. 39-207- 1-3.....	S. 2864-a3 to
S. 151....	R&S. 39-108..... (S. S. '15, 147, C. '97, 148, 153, included in R&S.)	S. 247-a1 to S. 247-a4 inc.		R&S. 40-246- 1-5.....	S. 2864-a7 inc.
S. 152....	A. 40-275-15.....	20		(S. '13, 170-k and 1532 included in R&S.)	
S. 152-a....	R. 39-134-1.....	256	S. 170-l....		264
153....	R&S. 39-108..... (S. S. '15, 147, S. '13, 150, 151, C. '97, 148 included in R&S.)	S. 247-a1 to S. 247-a4 inc.	S. 170-m....		265
154....	A. 40-275-15.....		S. 170-n....		266
SS. 154-a....	R. 36-156-1.....		S. 170-o....		267
S. 155....	A. 40-3-1.....	S. 248	S. 170-p....		268
S. 156....		249	SS. 170-q....		255
S. 157....		250	SS. 170-r....	R&S. 39-226-1.....	S. 276
158....		269	SS. 170-s....		277
159....	R. 39-209-1.....		SS. 170-t....		278
160....			SS. 170-u....		279
161....	R&S. 29-9-1..... (See S. '13, 161-a.)		SS. 170-v....		280
S. 161-a....	R&S. 38-409-1.....	272	SS. 170-w....		...
S. 162....	38-409-2.....	273	SS. 171....		
		282	SS. 172....		
		S. 282-a1 to	SS. 173....		S. 292-a1 to
	40-1-1-4.....	S. 282-a4 inc.	SS. 174....		S. 292-a21 inc.
163....	R. 28-6-3.....		S. 175....	R&S. 40-226-1-21..	
S. 163-a....		274	SS. 175-a....	(S. '13, 177-c, included in R&S.)	
S. 163-b....	R&S. 40-275-16...	S. 241-a55a	S. 176....		
S. 163-c....			S. 177....		
S. 164....		258	S. 177-a....		
S. 165....		259	S. 177-b....		
S. 166....		260	S. 177-c....	R&S. 40-226-1-21..	S. 292-a1 to
S. 167....		261	S. 177-d....	(S. '13, 175, 176, 177, 177-a, and S. S. '15, 171-174, 175-a, in- cluded in R&S.)	S. 292-a21 inc.
S. 168....	A. 40-3-2.....	S. 262	178....		
169....		263	179....		
170....		251	180....		610
S. 170-a....		252			
S. 170-b....			S. 181....	R&S. 39-218-1-7...	S. 39-a1 to
S. 170-c....			182....		S. 39-a6 inc.
S. 170-d....		717	183....		40
S. 170-d1....				39-201-1-4.....	41
S. 170-e....		714			S. 41-a1 to
S. 170-f....		715	184....		S. 41-a4 inc.
S. 170-g....			185....		726
S. 170-h....		253	186....		S. 680-a1 to
S. 170-i....		254	187....	R&S. 40-228-1-4...	S. 680-a4 inc.
			188....	(S. '13, 1279-a, 1279-b included in R&S.)	

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Read explanatory notes at beginning of table, p. 715.

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189.....		8960		38-50-7.....	S. 173-a4
190.....		8961		38-50-14.....	S. 173-a5
191.....		8962	SS. 224-a..		
SS. 191-a.....		716	SS. 224-b..		
SS. 191-b.....		298	SS. 224-c..		S. 175-a1
192.....		94	SS. 224-d ⁵ ..		to
S. 192-a.....		8462	SS. 224-e ⁶ ..	R&S. 40-225-1-16..	S. 175-a16
S. 192-b.....		8461	SS. 224-f..	(S.S. '15, 224-m and	inc.
S. 193.....		8463	SS. 224-g..	37-20-1 included in	
S. 193-1a.....		8455	SS. 224-h..	R&S.)	
S. 193-a.....		8456	SS. 224-i....	R. 37-5-11.....	
S. 193-b.....		8464		37-20-1.....	S. 175-a1
S. 194.....		8465		R&S. 40-225-	to
S. 194-a.....		8457		1-16.....	S. 175-a16
195.....		8466		(S.S. '15, 224-a-224-h	inc.
196.....		8467		and 224-m included	
197.....		8468	SS. 224-j....	in R&S.)	
198.....		8469	SS. 224-k ⁷ ..	A. 37-5-10.....	
199.....		8470	SS. 224-l ⁷ ..		
200.....		8471			
201.....	A. 39-209-11.....	S. 8472		A. 39-209-14.....	S. 175-a1
202.....	R. 39-209-1.....		SS. 224-m..	R&S. 40-225-1-16..	to
203.....	R&S. 29-12-5, 6 [□] ..			(S.S. '15, 224-a-224-h	S. 175-a16
	(See S. '13, 203-a.)			and 37-20-1 in-	inc.
S. 203-a.....	R. 39-209-1.....		SS. 224-n..		
S. 203-b.....		8460	225.....		6936
S. 203-c.....			226.....		6955
S. 203-d.....				A. 37-91-1, 2.....	
204.....		8474		A. 37-255-1.....	
S. 205.....	A. 39-209-12.....	S. 8475	SS. 227....	A. 37-256-1.....	S. 6937
206.....		8476		A. 37-257-1.....	
SS. 207.....		8477		A. 40-201-1.....	
S. 207-a.....		8478		A. 40-202-1.....	
S. 207-b.....		8479		A. 40-203-1.....	
S. 208.....		161	S. 227-1a..		6943
S. 208-a.....		162	S. 227-2a..		
S. 208-b.....		163	S. 227-3a..		
209.....	R&S. 33-9-1.....		S. 227-4a..		
210.....	(See S. '13, 208.)		S. 227-5a..		
S. 211.....	A. 39-209-13.....	S. 164	S. 227-6a..		
S. 212.....	R&S. 37-350-1.....	165	S. 227-7a..		
213.....			S. 227-8a..		
214.....			SS. 227-8ab..		6944
215.....			SS. 227-8ac..		
216.....			S. 227-9a..		
217.....			S. 227-10a..		
218.....	R&S. 36-227-		S. 227-11a..		
219.....	1-14 [□]		S. 227-a.....		
220.....	(See S. S. '15, 224-a to		S. 227-b.....		
221.....	224-n, inc.)		S. 227-b1..		
222.....			S. 227-c.....		
223.....			S. 227-c1..		
224.....			228.....		6945
	38-50-6.....	S. 173-a1	229.....		6942
	39-323-1.....	S. 173-a2	230.....		6948
	39-323-2.....	S. 173-a3	231.....		6949
			S. 232.....		6950

□ This act does not state that it is a repeal and substitute, but it is in effect, and has been treated as such.

⁵Amended by 39-165-1, 2.

⁶Amended by 37-402-1 and 40-2-1.

⁷S. S. '15, 224-i, upon which this section depended, repealed by 37-5-11, making this section obsolete.

TABLE OF CORRESPONDING SECTIONS

Read explanatory notes at beginning of table, p. 715.

Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement	Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement
S. 232-a		.....		37-405-4.....	2096
S. 233		6951		37-405-6.....	2097
234		6952	S. 254-a19	A. 37-54-1.....	2101
235	A. 38-190-1.....	6953		A. 37-150-1.....	} S. 2104
236		6959		A. 38-12-1.....	
237		6960	S. 254-a20	A. 38-107-1.....	
238		6961		A. 39-51-1.....	
239		6954		A. 39-252-1.....	
240		6958		A. 40-57-1.....	
S. 240-a ^a		.....	S. 254-a20a		2105
S. 240-b		6946	S. 254-a21		2108
S. 240-c		6947	S. 254-a22		2109
241		6957		A. 37-54-1.....	} S. 2103
242		6962	S. 254-a23	A. 38-246-1.....	
243		6963		A. 40-56-1.....	
244		6965	S. 254-a24		2100
245		6939	S. 254-a25		2107
		S. 7391-a1	S. 254-a26		2112
S. 245-a		to	S. 254-a27		2106
		S. 7391-a5	S. 254-a28		2113
		inc.		39-238-1.....	} S. 2113-a1 S. 2113-a2 S. 2113-a3
246		6940		39-238-2.....	
247		6966	S. 254-a29	A. 38-369-1.....	
248		6956	S. 254-a30		2110
249		7433	S. 254-a31		2111
250	A. 38-357-1.....	7782	S. 254-a32		2114
251		7785	S. 254-a33		2115
252		7784	S. 254-a34		2116
SS. 253	A. 37-235-1.....	} 6938	S. 254-a35		2117
	A. 38-70-1.....				
254	R&S. 29-14-1.....		S. 254-a36		2118
	(See S. S. '15, 254-a2.)		S. 254-a37		2119
S. 254-a1		.....	S. 254-a38		2120
		S. 6941-a1	S. 254-a39		2121
SS. 254-a2	A. 38-268-1.....	S. 6941-a2	S. 254-a40		2122
		S. 6941-a3	S. 254-a41		2123
		S. 9562-a1	S. 254-a42		2124
S. 254-a3		6981	S. 254-a43		2125
S. 254-a4	A. 39-276-1.....	S. 6492	S. 254-a44		2126
S. 254-a5		6493	S. 254-a45		2127
S. 254-a6	A. 38-55-1.....	6494	S. 254-a46		2128
S. 254-a7		6495	S. 254-a47		8623
S. 254-a8		6496	SS. 254-b		2129
S. 254-a9		6497	SS. 254-c		2375
S. 254-a10		6498	SS. 254-d		2376
S. 254-a11		6499	SS. 254-e		2377
SS. 254-a12		6500	SS. 254-f		2378
S. 254-a13		2090	SS. 254-g		2379
S. 254-a14	A. 37-54-1.....	2089	SS. 254-h		2380
SS. 254-a15		2098	SS. 254-i		2381
SS. 254-a16		2099	SS. 254-j		2382
S. 254-a17		2102	SS. 254-k		2383
S. 254-a18	A. 38-41-1.....	2091	SS. 254-l		2384
	37-405-1.....	2092		38-78-1-9.....	2385
	37-405-3.....	2093			2386
	37-405-2.....	} S. 2094			to
	A. 39-156-1.....				
	37-405-5.....	2095			2394
					inc.

^aObsolete—no longer has any application on account of the present provisions of S. C. C. 6937.

TABLE OF CORRESPONDING SECTIONS

Read explanatory notes at beginning of table, p. 715.

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S. 255.....		6901	S. 293.....		2256
256.....	R&S. 28-9-1..... (See S. '13, 256-a.)		294.....		6979
S. 256-a.....		6908	295.....	R&S. 40-266-3.....	S. 6980
257.....		6909	S. 296.....	A. 39-42-1, 2 ^o	S. 6982
258.....	R&S. 28-9-2..... (See S. '13, 258-a.)			R&S. 40-266-4.....	
S. 258-a.....		6911		37-426-2.....	6984
259.....		6917		R&S. 37-426-1.....	S. 3231-a1
S. 260.....		6904		R&S. 38-293-5, 6..	
S. 260-a.....		6906		A. 39-74-1.....	to
S. 260-b.....		6930	S. 297.....	R&S. 40-250-1-26..	S. 3231-a23
S. 261.....		6918		(C. '97, 299, 480, 492, 531; S. '13, 303-a, 496, 508, 2742; S. S. '15, 298, 298-a, 308, 479, 479-a, 481, 490, 490-a, 491, 495, 510-a, b, c, and 39- 132-1 included in R&S.)	inc.
262.....		6907		A. 37-77-1.....	S. 3231-a25
263.....		6902		R&S. 38-278-1, 6..	to
264.....		6903		A. 39-97-1.....	S. 3231-a1
S. 265.....		6912		A. 39-260-1.....	to
266.....		6914		R&S. 40-250-1-26..	S. 3231-a23
267.....		6931	SS. 298.....	(C. '97, 299, 480, 492, 531; S. '13, 297, 303-a, 496, 508, 2742; S. S. '15, 298- a, 308, 479, 479-a, 481, 490, 490-a, 491, 495, 510-a, b, c, and 39-132-1 included in R&S.)	inc.
268.....		6921		R&S. 40-250-1-26..	S. 3231-a25
269.....	A. 38-251-1..... 38-251-2.....	6919		(C. '97, 299, 480, 492, 531; S. '13, 297, 303-a, 496, 508, 2742; S. S. '15, 298- a, 308, 479, 479-a, 481, 490, 490-a, 491, 495, 510-a, b, c, and 39-132-1 included in R&S.)	to
270.....		6928		R&S. 40-250-1-26..	S. 3231-a1
271.....		6929	SS. 298-a.....	(C. '97, 480, 492, 531; S. '13, 297, 303-a, 496, 508, 2742; S. S. '15, 298, 308, 479, 479-a, 481, 490, 490-a, 491, 495, 510-a, b, c, and 39- 132-1 included in R&S.)	to
272.....		6933	299.....	R&S. 40-250-1-26..	S. 3231-a23
273.....		6932		(C. '97, 299, 480, 492, 531; S. '13, 297, 303-a, 496, 508, 2742; S. S. '15, 298- a, 308, 479, 479-a, 481, 490, 490-a, 491, 495, 510-a, b, c, and 39-132-1 included in R&S.)	inc.
274.....		6905		A. 37-58-1.....	6988
275.....	A. 37-186-1.....	6916	SS. 301.....	A. 38-232-2.....	3190
S. 276.....		6934	302.....	R&S. 33-17-1, 2... (See S. S. '15, 301.)..	S. 3231-a25
277.....		6935	303.....	R&S. 29-18-1..... (See S. '13, 303-a.)	
278.....	R&S. 40-200-1.....	S. 6910		A. 37-21-1.....	S. 3231-a1
279.....		6913	S. 303-a.....	R&S. 40-250-1-26..	to
S. 280.....		6915		(C. '97, 299, 480, 492, 531; S. '13, 297, 496, 508, 2742; S. S. '15, 298, 298-a, 308, 479, 479-a, 481, 490, 490-a, 491, 495, 510-a, b, c, and 39- 132-1 included in R&S.)	S. 3231-a23
S. 280-a.....	R&S. 38-245-1, 2..	6922		A. 37-58-1.....	inc.
S. 280-b.....	R&S. 38-245-1, 3..	6923		A. 38-232-2.....	S. 3231-a25
S. 280-c.....	A. 39-128-1.....	S. 6924		R&S. 33-17-1, 2... (See S. S. '15, 301.)..	to
S. 280-d.....		6925		R&S. 29-18-1..... (See S. '13, 303-a.)	S. 3231-a28
S. 280-e.....		6926		A. 37-21-1.....	inc.
S. 280-f.....	R&S. 39-128-2.....	S. 6927	SS. 301.....	A. 37-58-1.....	6988
S. 281.....	R&S. 40-264-1.....	S. 6967	302.....	A. 38-232-2.....	3190
282.....		6973	303.....	R&S. 33-17-1, 2... (See S. S. '15, 301.)..	S. 3231-a25
283.....		6968		R&S. 29-18-1..... (See S. '13, 303-a.)	
284.....		6969		A. 37-21-1.....	S. 3231-a1
285.....		6970		R&S. 40-250-1-26..	to
286.....		6971		(C. '97, 299, 480, 492, 531; S. '13, 297, 496, 508, 2742; S. S. '15, 298, 298-a, 308, 479, 479-a, 481, 490, 490-a, 491, 495, 510- a, b, c, and 39-132-1 included in R&S.)	S. 3231-a23
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287.....	R&S. 40-266-1, 2..	S. 6972-a1 S. 6972-a2		A. 37-21-1.....	to
288.....		6974		R&S. 40-250-1-26..	S. 3231-a23
289.....		6975	304.....	(C. '97, 299, 480, 492, 531; S. '13, 297, 496, 508, 2742; S. S. '15, 298, 298-a, 308, 479, 479-a, 481, 490, 490-a, 491, 495, 510- a, b, c, and 39-132-1 included in R&S.)	inc.
290.....		6976	305.....	A. 37-21-1.....	to
291.....		6977	306.....	R&S. 33-17-1, 2... (See S. S. '15, 301.)	S. 3231-a28
292.....		6978	307.....		inc.

^o40-266-4 repealed §6982 of the *Compiled Code* and enacted a substitute therefor. As to whether the amendment contained in 39-42-1, 2 was thereby repealed, *quære*.

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	R&S. 40-250-1-26..		342.....		7005
	(C. '97, 299, 480, 492, 531; S. '13, 297, 303-a, 496, 508, 2742; S. S. '15, 298, 298-a, 479, 479-a, 481, 490, 490-a, 491, 495, 510-a, b, c, and 39-132-1 included in R&S.)		343.....		7006
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			349.....		7012
			350.....		7013
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S. 311-c.....			A. 38-193-1.....		
S. 312.....			A. 38-211-2.....		
S. 313....	A. 37-330-1.....	S. 7037	37-267-5.....	S. 7020	
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	A. 39-143-1.....		A. 39-278-1, 2.....		
314.....		7038	37-267-6.....	7021	
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S. 316.....		7040	A. 38-211-4.....		
317.....		7041	37-267-8.....	7023	
318.....		7042	37-267-9.....	7024	
319.....		7043	A. 38-211-5.....		
320.....		7044	37-267-10.....	7025	
321.....		7045	37-267-11.....	7026	
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329.....		7055	356.....	8426	
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330.....		7047		S. 8427	
331.....		7048	38-347-1.....		
332.....		6989	A. 39-28-1.....		
S. 333....	A. 39-259-1.....	S. 6990	38-347-2.....	S. 8428	
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334.....		6991	38-347-3.....	8429	
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339.....		7003	368.....	8442	
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*Repeal applies *only* to the amendment indicated immediately above this citation.

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378.....		699	S. 409-r.....	38-398-5.....	3326
379.....	R&S. 40-229-7-9.....	{ S. 700-a1 S. 700-a2 S. 700-a3		39-83-1.....	S. 3327-a1
380.....		701		39-83-2.....	S. 3327-a2
381.....		702	S. 409-s.....	A. 38-398-4.....	3329
382.....	R&S. 40-229-10.....	S. 703	S. 409-t.....	R&S. 36-142-4 [□]	3332
383.....				(See S. S. '15, 409-t3 to 409-t4, inc.)	3333
384.....		{ S. 693-a6 to S. 693-a22 inc.	SS. 409-t1.....	
385.....	R&S. 40-276-1-17.....		SS. 409-t2.....		3328
386.....	(39-233-2-6 included in R&S.)		SS. 409-t3.....	R&S. 38-341-1.....	3330
387.....			SS. 409-t4.....		3331
388.....		{ S. 693-a6 to S. 693-a22 inc.	SS. 410.....		3115
389.....	R&S. 39-233-1-6.....		SS. 411.....	A. 38-26-1.....	357
390.....	R&S. 40-276-1-17.....		S. 412.....	A. 39-239-1.....	S. 2123
391.....	(C. '97, 383-387 in- cluded in R&S.)		413.....		3122
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396.....			418.....		3118
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S. 403.....	A. 40-108-12.....	3263		A. 38-71-1.....	
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405.....		3266	424.....	40-107-1.....	S. 2894
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□ This act does not state that it is a repeal and substitute, but it is in effect, and has been treated as such.

¹⁰ Amended by 37-34-1 and 37-62-1.

¹¹ Amended by 37-34-2.

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435		3348	468		3131
436		3349	S. 468-a		8963
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	37-114-3	S. 3352	S. 469-b		3257
	R&S. 39-142-1		S. 469-c		3258
	37-114-4		S. 469-d		3259
			S. 469-e		3260
437		3133	470		3148
438		3134	471	R&S. 37-356-3	3149
439		3135			3150
440		3125			to
SS. 441	A. 37-408-1	3354		37-356-4-8	3154
	A. 38-82-1				inc.
442	A. 38-317-1, 2	3126			3155
443	A. 37-304-1	3243	472		3156
444		3244	473		3157
445		3245	474		2257
S. 446		3246	S. 475		S. 3158-a1
447		3247			S. 3158-a2
SS. 448	A. 37-304-2	3248	476	R&S. 40-247-1-4	S. 3158-a3
449		3249	477		(S. '13, 480-a included in R&S.)	S. 3231-a24
450		3250		A. 37-215-1	3160
451		3251	478		
452		3252		R&S. 38-293-1, 6	
453		3253		A. 39-74-1	S. 3231-a1
454		3254		R&S. 40-250-1-26	to
455		3255		(C. '97, 299, 480, 492, 531; S. '13, 297, 303-a, 496, 508, 2742; S. S. '15, 298, 298-a, 308, 479-a, 481, 490, 490-a, 491, 495, 510-a, b, c, and 39-132-1 included in R&S.)	S. 3231-a23
456		3175			inc.
	R&S. 39-140-1-15 [□]	S. 3139-a1	SS. 479		S. 3231-a25
	(37-50-1-3 included in R&S.)	S. 3139-a2			to
S. 457	A. 40-99-1-5	S. 3139-a3 ¹²			S. 3231-a28
S. 458	A. 40-100-1	S. 3139-a3a ¹²			inc.
		S. 3139-a4			
		to			
		S. 3139-a14		R&S. 40-250-1-26	S. 3231-a1
		inc.		(C. '97, 299, 492, 531; S. '13, 297, 303-a, 496, 508, 2742; S. S. '15, 298, 298-a, 308, 479, 481, 490, 490-a, 491, 495, 510-a, b, c, and 39-132-1 included in R&S.)	to
	37-50-1-3	S. 3139-a1	SS. 479-a		S. 3231-a23
	R&S. 39-140-1-15 [□]	S. 3139-a2	480		inc.
	(C. '97, 457 and S. '13, 458, included in R&S.)	S. 3139-a3 ¹²			S. 3231-a25
		S. 3139-a3a ¹²			to
		S. 3139-a4			S. 3231-a28
		to			inc.
	A. 40-99-1-5	S. 3139-a14			S. 3158-a1
	A. 40-100-1	inc.	S. 480-a	R&S. 40-247-1-4	S. 3158-a2
S. 458-a		S. 3140		(C. '97, 476 and 477 included in R&S.)	S. 3158-a3
S. 458-b	R. 39-140-15, 16		S. 480-b		S. 3231-a24
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	38-337-1	3144		R&S. 38-278-2, 6	
459	R&S. 32-20-1			A. 39-97-1	S. 3231-a1
	(See S. '13, 458.)			A. 39-260-2	to
460		3377		R&S. 40-250-1-26	S. 3231-a23
461		3378	SS. 481	(C. '97, 299, 480, 492, 531; S. '13, 297, 303-a, 496, 508, 2742; S. S. '15, 298, 298-a, 308, 479, 481, 490, 490-a, 491, 495, 510-a, b, c, and 39-132-1 included in R&S.)	inc.
462		3379			S. 3231-a25
463		3380			to
464		3381			S. 3231-a28
465		3382			inc.
466		3383			

□ This act does not state that it is a repeal and substitute, but it is in effect, and has been treated as such.
¹²39-140-3 was twice repealed and substitutes enacted by the 40 G. A. Section 3139-a3 is the substitute enacted by 40 G. A. ch. 99, § 2. Section 3139-a3a is the substitute enacted by 40 G. A. ch. 100.

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SS. 510-a.	R&S. 38-293-4, 6.	S. 3231-a1 to S. 3231-a23 inc. S. 3231-a25 to S. 3231-a28 inc.	530.....	R&S. 38-122-2.....	3230
	A. 39-74-1.....			R&S. 38-122-3.....	S. 3231-a1
	R&S. 40-250-1-26..			R&S. 40-250-1-26..	to
	(C. '97, 299, 480, 492, 531; S. '13, 297, 303-a, 496, 508, 2742; S. S. '15, 298, 298-a, 308, 479, 479- a, 481, 490, 490-a, 491, 495, 510-b, c, and 39-132-1 in- cluded in R&S.)			(C. '97, 299, 480, 492; S. '13, 297, 303-a, 496, 508, 2742; S. S. '15, 298, 298-a, 308, 479, 479-a, 481, 490, 490-a, 491, 495, 510-a, b, c, and 39- 132-1 included in R&S.)	S. 3231-a23 inc. S. 3231-a25 to S. 3231-a28 inc.
S. 510-a1.....	531.....	S. 3231-a28 inc.	
SS. 510-b.	R&S. 38-278-5, 6..	S. 3231-a1 to S. 3231-a23 inc. S. 3231-a25 to S. 3231-a28 inc.	532..... 533..... 534..... 535..... 536..... 537..... 538..... 539..... 540..... 541..... 542.....	3227
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SS. 510-c.	(C. '97, 299, 480, 492, 531; S. '13, 297, 303-a, 496, 508, 2742; S. S. '15, 298, 298-a, 308, 479, 479- a, 481, 490, 490-a, 491, 495, 510-a, c, and 39-132-1 in- cluded in R&S.)	S. 3231-a1 to S. 3231-a23 inc. S. 3231-a25 to S. 3231-a28 inc.	539..... 540..... 541..... 542.....	3388
	R&S. 40-250-1-26..			3389
	(C. '97, 299, 480, 492, 531; S. '13, 297, 303-a, 496, 508, 2742; S. S. '15, 298, 298-a, 308, 479, 479- a, 481, 490, 490-a, 491, 495, 510-a, b, and 39-132-1 in- cluded in R&S.)			3390
	R&S. 40-250-1-26..			3391
S. 511.....	R&S. 37-49-1.....	S. 3206	S. 549.....	3392
	A. 38-256-1.....			3393
	A. 40-102-1, 2.....			3394
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S. 511-a.....	A. 37-311-1.....	S. 3207 S. 3207-a1 S. 3207-a2 to S. 3207-a3 to S. 3207-a5 inc.	S. 550-a..... S. 550-b..... S. 550-c.....	3398
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529.....	A. 38-122-1.....	3229	3251	
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TABLE OF CORRESPONDING SECTIONS

Read explanatory notes at beginning of table, p. 715.

Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement	Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement	
567....	R&S. 40-256-1-8... (S. '13, 592-b included in R&S.)	S. 3467-a1 to S. 3467-a8 inc.	613.....		3482	
568....				614.....	3483	
569....				S. 615.....		3484
570....				S. 616.....	A. 40-114-1.....	S. 3485
571....				617.....		3486
572....		618.....		3487		
573....		619.....		3488		
	37-358-1, 2	S. 3467-a9 S. 3467-a10	620.....		3489	
	R&S. 40-98-1-3 [□]		621.....		3490	
574.....		3440	S. 622.....		3491	
575.....		3456	623.....		3492	
S. 576.....	A. 38-261-1.....	3450	624.....		3493	
577.....		3451	625.....		3494	
SS. 578.....		3452	626.....		3495	
579.....		3455	627.....		3496	
580.....		3425	628.....		3497	
581.....		3426	629.....		3498	
582.....		3427	630.....		3499	
583.....		3453	631.....		3500	
584.....		3454	632.....		3501	
S. 585.....		3444	S. 633.....		3502	
SS. 586.....	A. 38-218-1.....	3445	634.....		3503	
	39-89-1.....	S. 3445-a1	635.....		3504	
	A. 40-113-1.....		S. 3445-a2	636.....		3505
	40-113-2.....		637.....		3506	
SS. 587.....		3446		40-142-1.....	S. 3506-a1	
SS. 587-a.....		3447	638.....		3507	
SS. 587-b.....		3448	S. 639.....		3508	
588.....		8733	640.....		3509	
589.....		3449	S. 641.....		3510	
S. 590.....	A. 37-76-1.....	3457	642.....		3511	
S. 591.....	A. 37-76-2.....	3458		40-115-1.....	S. 3511-a1	
S. 592.....	A. 37-76-3.....	3459	643.....		3512	
S. 592-a.....		3443	644.....		3513	
		S. 3467-a1 to S. 3467-a8 inc.	S. 645.....		3514	
S. 592-b.....	R&S. 40-256-1-8... (C. '97, 567-573 in- cluded in R&S.)		S. 3467-a8	S. 646.....		3515
593.....		3239	S. 647.....		3516	
594.....		3269	S. 648.....		3517	
595.....		3270	S. 649.....		3518	
596.....		3238	650.....		3519	
597.....		3166	S. 651.....	A. 38-147-1.....	3520	
		3167	S. 652.....		3521	
598.....		3240	653.....		3522	
		3271	S. 654.....		3523	
599.....		3468	S. 654-a.....		4306	
S. 600.....		3469	S. 655.....		3524	
601.....		3470	656.....		3525	
S. 602.....		3471	S. 657.....		3526	
603.....		3472	S. 658.....		3527	
604.....		3473	S. 658-a.....		6580	
605.....		3474	659.....		3528	
606.....		3475	660.....		3529	
607.....		3476	S. 660-a.....		3530	
S. 608.....		3477			4310	
609.....		3478	S. 660-b.....		3531	
610.....		3479	S. 660-c.....		3532	
S. 611.....		3480	S. 660-d.....		3533	
612.....		3481	S. 661.....		3534	
			662.....		3535	
			663.....		3536	

[□]This act does not state that it is a repeal and substitute, but it is in effect, and has been treated as such.

TABLE OF CORRESPONDING SECTIONS

Read explanatory notes at beginning of table, p. 715.

Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement	Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement
664		3537	S. 694-a		.....
665		3538	S. 694-b		3663
666		3539	S. 694-c		4360
667		3540	S. 694-c		3664
S. 668		3541	SS. 694-c1	A 38-142-1	4325
S. 669		3542	SS. 694-c2	A. 39-202-1	S. 6840
670		3543	SS. 694-c3	A. 38-16-1	6841
671		3544	SS. 694-c4		6842
672		3545	SS. 694-c5	A. 38-16-2	6900
673		3546	SS. 694-c6	A. 39-202-2, 3	6843
S. 674	R&S. 38-103-1 A. 39-23-1	S. 3547	SS. 694-c6	R&S. 38-163-1	S. 6844
675		3548		38-163-2	6845
676		3549	SS. 694-c7		6846
677		3550	SS. 694-c8	A. 37-75-7	6847
678		3553	SS. 694-c9		6848
679		3554	SS. 694-c10		6849
SS. 679-1a		S. 4271-a1	SS. 694-c11		6850
SS. 679-2a		S. 4271-a2	SS. 694-c12		6851
SS. 679-3a		S. 4271-a3	SS. 694-c13		6852
SS. 679-4a		S. 4271-a4	SS. 694-c14		6853
S. 679-a	A. 37-195-1	S. 3563	SS. 694-c15		6854
S. 679-b		S. 4307	SS. 694-c16	A. 38-16-3	6855
S. 679-c		3564	SS. 694-c17	A. 37-75-1	6856
S. 679-d		3565	SS. 694-c18		6857
S. 679-e		3566	SS. 694-c19		6858
S. 679-f		3567	SS. 694-c20		6859
S. 679-g		3568	SS. 694-c21		6860
S. 679-h		3569	SS. 694-c22	A. 37-75-2, 3	6861
S. 679-i		3570	SS. 694-c23		6862
S. 679-j		3571	SS. 694-c24		6863
S. 679-k		3572	SS. 694-c25		6864
S. 679-l		3573	SS. 694-c26		6865
S. 679-m		3687	SS. 694-c27	R&S. 37-226-1	6866
S. 679-n		3559	SS. 694-c27	A. 38-42-1	6867
S. 679-o		3560	SS. 694-c28		6868
S. 679-p		3561	SS. 694-c29		6869
680		3562	SS. 694-c30		6870
681	A. 38-21-1	3574	SS. 694-c31		6871
682		3575	SS. 694-c32		6872
S. 683	A. 38-255-1	3576	SS. 694-c33		6873
684	A. 38-255-2	3577	SS. 694-c34		6874
685		3578	SS. 694-c35		6875
686	A. 39-84-1 R&S. 40-116-1	3579	SS. 694-c36		6876
687		3580	SS. 694-c37		6877
SS. 687-a	A. 37-157-1	3581	SS. 694-c38		6878
S. 687-b		3582	SS. 694-c39		6879
688	R&S. 40-257-1	S. 3583	SS. 694-c40		6880
689		S. 3584	SS. 694-c41		6881
690		3585	SS. 694-c42	A. 38-161-1	6882
S. 691	R&S. 40-257-2, 3	3586	SS. 694-c43	R&S. 37-75-10	6883
S. 691-a		S. 3587-a1	SS. 694-c44		6884
692		S. 3587-a2	SS. 694-c45	A. 37-75-4	6885
693		3588	SS. 694-c46	A. 37-75-5	6886
694		3589	SS. 694-c47	A. 37-152-1	6887
		3590		R&S. 39-61-1	S. 6888

TABLE OF CORRESPONDING SECTIONS

Read explanatory notes at beginning of table, p. 715.

Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement	Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement
SS. 694-c48.	R&S. 37-226-2.....	6889			4349 ¹⁸
SS. 694-c49.	R&S. 39-244-1.....	S. 6890	S. 709-a.....		3614
SS. 694-c50.		6891		38-145-1 ¹⁹	3615
	37-75-8.....	6892		38-145-2.....	3616
	37-75-9.....	6893			
		6894		39-200-1-4.....	S. 3619-a1
	37-17-1-6.....	to			to
		6899			S. 3619-a4
		inc.			inc.
SS. 694-c51.		.....	710.....		3620
695.....		3591	S. 711.....		3621
S. 696.....		3592	SS. 711-a.....		4352
S. 696-a.....		4345	712.....		3622
SS. 696-b.....	R&S. 37-367-1.....	4346 ²⁴	713.....	A. 37-394-1.....	3623
	A. 40-108-1.....	S. 3593	S. 713-a.....		3624
	37-184-1.....	3594	S. 713-b.....		3625
	37-342-1.....	S. 3595-a1	S. 713-c.....		4353
	R&S. 39-169-1-4 ¹⁵	S. 3595-a2	714.....		3626
		S. 3595-a4	715.....		.....
SS. 696-c.....		.....	716.....		3627
697.....	A. 40-117-1.....	S. 3596			3628
698.....		3597			3629
699.....		3598	S. 716-a.....	R&S. 37-131-1.....	
S. 700.....		3599		A. 38-148-1.....	3630
S. 700-a.....		3600		A. 38-159-1.....	
S. 700-b.....		3601	S. 716-b.....	A. 37-151-1.....	3631
S. 700-c ¹⁶.....		.....		R&S. 38-259-1.....	4354
S. 700-d ¹⁶.....		.....		37-7-1 ²⁰	4355
S. 700-e ¹⁶.....		.....		37-182-4 ²¹	S. 4356
S. 700-f ¹⁶.....		.....		38-373-2 ²²	
S. 700-g ¹⁶.....		.....		38-316-1 ²³	4357
S. 700-h ¹⁶.....		.....	S. 716-c.....		3632
S. 700-i ¹⁶.....		.....	S. 716-d.....		3633
S. 700-j ¹⁶.....		.....	S. 716-e.....		3634
S. 700-k ¹⁶.....		.....	717.....		3635
S. 700-l ¹⁶.....		.....	718.....		3636
S. 700-m ¹⁶.....		.....	719.....	A. 37-53-1.....	3637
701.....		3602			4377
SS. 701-a.....		3603	S. 720.....	A. 38-326-1.....	3966
SS. 701-b.....		3604		40-138-1, 2.....	4335
702.....		3605			S. 4335-a1
703.....		3606			S. 4335-a2
S. 704.....	R&S. 37-393-1.....	3607	S. 721.....		3967
	37-425-1 ¹⁷	3608	S. 722.....		3968
705.....		3609	SS. 722-a.....		3969
706.....		3610	S. 722-b.....		3970
707.....		3611	723.....		3971
708.....		3612	S. 724.....		3972
709.....		3613	S. 725.....		3973

¹⁴At this point in the Supplement, part of 37-342-1 as repealed and substituted by 39-169 appears in section 4347, and, in the Compiled Code, part of 37-425-1 appears in section 4348. The proper entry of these sections in italics could not be made in the table on account of the bracket involving sections 4346 and 3593.

¹⁵Part of this citation appears in S.C.C. 1740-a7a and 4347.

¹⁶Unconstitutional. See 171 Iowa, 678.

¹⁷Part of this citation appears in C.C. 4348.

¹⁸At this point in the Compiled Code, part of 38-145-1 appears in section 4350, and in the Supplement part of 37-138-1 appears in section 4351 and part of 40-134-1 appears in section 4351-a1. The proper entry of these sections could not be made in the table on account of the bracket involving C.C. 4349 and 3614.

¹⁹Part of this citation appears in C.C. 4350.

²⁰Part of this citation appears in C.C. 3639.

²¹This citation also appears as C.C. 3640.

²²Part of this citation appears in C.C. 3648.

²³Part of this citation appears in C.C. 3653.

TABLE OF CORRESPONDING SECTIONS

Read explanatory notes at beginning of table, p. 715.

Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Supplement and Compiled Code	Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement
	38-85-1.....	} S. 3974		38-316-2.....	} S. 3654
	A. 40-129-1.....			A. 40-118-1.....	
	38-85-2.....	3975		38-316-3.....	3655
	38-85-3.....	3976	S. 738.....		.....
	38-85-4.....	3977	739.....	R. 30-26-1.....	
	38-85-5.....	} S. 3978	S. 740 ²⁸	A. 39-167-1.....	S. 6501
	A. 40-129-1.....			741.....		3656
SS. 726.....	A. 40-108-2.....	S. 3638	S. 741-a.....		3657
	37-7-1 ²⁴	3639	S. 741-b.....		4359
S. 727.....	37-182-4 ²⁵	3640	S. 741-c.....		3658
S. 727-a.....		3749	S. 741-d.....		3659
	38-170-1.....	S. 4329	SS. 741-d..	A. 37-182-1.....	S. 3740
		4330	SS. 741-e.....	A. 39-21-1.....	S. 4328
SS. 728.....	R&S. 39-265-1.....	S. 3750-a1	SS. 741-e..	A. 37-182-2.....	S. 3741
		to	SS. 741-f..	A. 37-182-3 ³⁰	} S. 3742
		S. 3750-a7	SS. 741-g.....	R&S. 37-220-1 ³⁰	
		inc.	SS. 741-h.....	R&S. 38-247-1 ³¹	S. 4328
		S. 4329	S. 741-i.....		3743
S. 729.....		3751	SS. 741-h.....		3744
S. 729-a.....	R&S. 39-234-1.....	S. 3752	S. 741-i.....		.....
S. 729-b.....		3753	S. 741-j.....		3745
S. 729-c.....		3754	S. 741-k.....		3746
S. 729-d.....		S. 4329	S. 741-l.....		3747
	38-170-1.....	4330	S. 741-m.....		3748
S. 729-e.....		3755	S. 741-n.....		3759
S. 730.....		3756		38-252-1.....	S. 3760
S. 730-a.....		6581		38-252-2.....	3761
	34-228-1**.....	6582			3762
	37-262-2.....	6583		38-252-3.....	3763
	38-135-1 ²⁶	6584			3764
	39-347-1.....	S. 6584-a1		38-170-1 ³²	3765
	39-125-2.....	S. 6584-a2		38-170-2.....	3766
	38-134-2.....	6585		38-170-3.....	} S. 3767
	37-304-3.....	6586		A. 39-81-1.....	
731.....		3757		38-170-4.....	3768
S. 732.....		S. 3758		38-170-5.....	} S. 3769
S. 732-a.....		S. 4329		A. 39-81-2.....	
	38-170-1.....	4330		38-170-6.....	3770
733.....		3641	S. 741-o.....		3771
734.....		3642	S. 741-p.....		3772
735.....		3643	S. 741-q.....	A. 37-48-1.....	3773
736.....		3645	S. 741-r.....	A. 37-48-2.....	3774
S. 737.....	A. 37-392-1.....	3646	S. 741-s.....		3775
		4357	S. 741-t.....		3776
S. 737-a.....	A. 38-378-1.....	3647	S. 741-u.....	A. 37-48-3.....	3777
	38-378-2 ²⁷	3648	S. 741-v.....	A. 37-48-4.....	3778
	38-378-3.....	3649	S. 741-w.....		3804
	38-378-4.....	3650	S. 741-w1..		3805
	38-378-5.....	3651	S. 741-w2..		3806
	38-378-6.....	3652	S. 741-w3..		4370
	38-316-1 ²⁸	} S. 3653	S. 741-w4..		3807
	A. 40-118-1.....			S. 742.....	A. 39-49-1.....	S. 3981

**This act was omitted from the Supplement of 1913, but is carried in the table the same as new legislation enacted subsequent to said Supplement.

²⁴Part of this citation appears in C.C. 4355.

²⁵This citation, together with S.S. '15, 741-d, is also used as the basis for S.C.C. 4356.

²⁶Part of this citation appears in C.C. 2849.

²⁷Part of this citation appears in C.C. 4357.

²⁸Part of this citation appears in C.C. 4357.

²⁹40-239-4-10 impliedly repealed lines 1-49 of S. '13, 740, by reenacting said lines and the same now appear in the S.C.C. as 6454-a4-6454-a10, inclusive.

³⁰37 G. A. both amended and substituted S.S. '15, 741-f.

³¹This act is a substitute for both 37-182-3 and 37-220.

³²Part of this citation appears in C.C. 4330.

TABLE OF CORRESPONDING SECTIONS

Read explanatory notes at beginning of table, p. 715.

Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement	Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement
S. 742-a		4336	757		3779
S. 742-a1	A. 39-49-2	S. 3982	SS. 758		3780
S. 742-b		3991	SS. 758-a		3781
S. 742-c		3992	S. 758-b		3782
S. 742-d		3979	S. 758-c		3783
S. 742-e		3980	SS. 758-d		3784
743		3983	SS. 758-e		3785
S. 744	A. 39-49-3	S. 3984	759		3786
S. 745	A. 39-49-4	S. 3985	760		3787
S. 745-a			761		3788
S. 745-b		4336	762		3789
S. 746		3986	763		3790
747	R&S. 29-41-1 (See S. '13, 747-a.)		764		3791
S. 747-a		3987	765		3792
S. 747-b	A. 39-49-5	S. 3988	766		3793
S. 748		3989	S. 766-a		3794
S. 748-a		4343	S. 766-b		3795
S. 748-b	See S. '13, 748.		S. 766-c	A. 40-108-4	S. 3796
749		3990	S. 766-d		3797
750		3993		37-140-1 ³⁴	3798
	38-288-1	3994			3799
	38-288-2	3995		37-140-2-6	to
	38-288-3	3996			3803
	38-288-4				inc.
	A. 39-82-1	S. 3997	767		4011
	A. 40-108-6		S. 768		4012
	38-288-5	3998	S. 768-a		4013
	38-288-6	3999	S. 768-b		4014
	38-288-7	4000	S. 768-c		4015
	38-288-8	4001	S. 768-d		4016
	38-288-9		S. 768-e		4017
	R&S. 10-130-1	S. 4002	S. 768-f		4018
	38-288-10		S. 768-g		4019
	A. 39-82-3	S. 4003	SS. 768-h		4020
	38-288-11		SS. 768-i		4021
	R&S. 40-130-2	S. 4004	SS. 768-j		4022
	38-288-12		769	R&S. 39-152-1	S. 3817
	A. 39-82-2	S. 4005	770	A. 38-106-1	3818
	A. 40-108-7		S. 771		3819
	38-288-13	S. 4006	S. 771-a		3820
	A. 40-130-3		772		3821
	38-288-14	S. 4007	S. 773		3822
	A. 40-130-4		S. 774		3823
	38-288-15	4008	775		3824
	38-288-16	4009	S. 776		3825
	38-288-18	4010	S. 777	A. 38-150-1	3845
SS. 751	A. 39-184-1	S. 3808	S. 777-a		4414
752		3809	S. 778		3846
753		3810	S. 779		3836
754		3813	780		3847
		S. 3814-a1	781		3848
		to	782		3826
SS. 754-a	R&S. 39-115-1-5	S. 3814-a5	783		3827
		inc.	784		3828
		S. 4378	785		3829
	40-97-8 ³⁵	S. 4378-a1	786		3830
755		3815	787		3831
756		3816	788		3832
			789		3833

³³Part of this citation appears in S.C.C. 3081-a8.³⁴Part of this citation appears in C.C. 4332.

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Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement	Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement
	790.....	3834		827.....	3891
	791.....	3835		828.....	3892
S.	791-a.....	3837		829.....	3893
S.	791-b.....	3838		830.....	3894
S.	791-c.....	3839		831.....	3895
S.	791-d.....	3840		832.....	3896
S.	791-e.....	3841		833.....	3897
S.	791-f.....	3842		834.....	3898
S.	791-g.....	3843		S. 835.....	3899
S.	791-h.....	4413		SS. 836.....	3900
S.	791-i.....	3844			4394
S.	792..... { A. 38-25-1..... } S. 3849			37-172-1 ³⁵	4395
	A. 39-284-1.....				3901
S.	792-a.....	3850		837.....	3902
S.	792-b.....	3851		838.....	3902
S.	792-c.....	3852		839.....	R&S. 40-125-1..... S. 3903
S.	792-d.....	3853		840.....	3904
S.	792-e.....	4365	S.	840-a.....	A. 38-59-1..... 3858
S.	792-f.....	3854	S.	840-b.....	3905
SS.	792-g.....	3855	S.	840-c.....	3906
S.	792-h.....	.....	S.	840-d.....	3907
S.	793.....	3856			4394
794.....		3857		37-172-1 ³⁵	4395
795.....		3859	S.	840-e.....	3908
796.....		3860	S.	840-f.....	3909
797.....		3861	SS.	840-g.....	A. 37-222-1..... 3910
798.....		3862			37-222-2..... 3911
S.	799.....	3863	SS.	840-h.....	A. 39-138-1..... S. 3912
800.....		3864	SS.	840-i.....	A. 39-138-2..... S. 3913
S.	801.....	A. 37-221-1..... 3865	SS.	840-j.....	A. 39-138-3..... S. 3914
802.....		3866	SS.	840-k.....	A. 39-138-4..... S. 3915
803.....		3867	SS.	840-l.....	3916
804.....		3868	SS.	840-m.....	A. 39-138-5..... S. 3917
805.....		3869	SS.	840-n.....	A. 39-138-6..... S. 3918
806.....		3870	SS.	840-o..... { A. 37-376-1..... } S. 3919	
807.....		3871		A. 39-138-7.....	
808.....		3872	SS.	840-p.....	3920
809.....	A. 38-92-1..... 3873		SS.	840-q.....	3921
SS.	810.....	A. 38-384-1..... 3874	SS.	840-r.....	3922
811.....		3875			39-230-1..... S. 3922-a1
812.....		3876			39-230-2..... } S. 3922-a2
SS.	813.....	A. 38-383-1..... 3877			A. 40-127-1.....
					39-230-3..... S. 3922-a3
					39-230-4..... S. 3922-a4
					39-230-5..... S. 3922-a5
S.	814..... { R&S. 38-234-1..... } S. 3878				37-172-1 ³⁶ 3923
	A. 39-2-1.....				37-172-2..... 3924
	R&S. 39-210-1.....				37-172-3..... 3925
	A. 40-124-1.....				37-172-4..... } S. 3926
					A. 39-242-1.....
815.....		3879			37-172-5..... 3927
S.	816.....	3880			37-172-6..... 3928
817.....		3881			
818.....		3882			38-315-1-8..... } 3929
819.....		3883			to
S.	820.....	3884			3936
821.....		3885			inc.
822.....		3886			3955
S.	823.....	A. 38-386-1..... 3887	841.....		3956
		39-196-1..... S. 3887-a1	842.....	A. 37-244-1.....	
824.....		3888	843..... { A. 39-64-1..... } S. 3957		
S.	825.....	A. 39-255-1..... S. 3889		A. 40-108-5.....	
826.....		3890	844.....		3958

³⁵Part of this citation appears in C.C. 3923.³⁶Part of this citation appears in C.C. 4395.

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845.....	3959	†S. 852.....	R. 33-57-2.....	
846.....	3960	853.....		
847.....	3961	854.....		
	38-243-1.....	3962	855.....		
	38-243-2 ³⁷	3963	856.....		
848.....	.....	3964	857.....	R&S. 32-42-1.....	
849.....	.....	3965	858.....	(See S. '13, 850-a to 850-n, inc.)	
	.....	3937	†S. 859.....		
SS. 849-a ³⁸.....	.....	to	†S. 860.....		
S. 849-b.....	.....	3943	†S. 861.....		
S. 849-c.....	.....	inc.	†S. 862.....		
S. 849-d.....	.....	S. 3944	S. 862-a.....	R. 40-258 but see	
S. 849-e.....	.....	3945	S. 862-b.....	S. '13, 850-k, 850-l.	
S. 849-f ³⁹.....	.....	to			
S. 849-g.....	R&S. 38-285-1-19 [□]	3948	863.....	See S. '13, 679-1.	
S. 849-h.....	A. 40-128-1-3.....	inc.	864.....		3688
S. 849-i.....	.....	S. 3949	S. 865.....		3689
S. 849-j.....	.....	S. 3950	866.....		3690
S. 849-k.....	.....	3951	S. 867.....		3691
SS. 849-l ⁴⁰.....	.....	to	868.....		3692
SS. 849-m ⁴¹.....	.....	3954	869.....		3693
SS. 849-n ⁴².....	.....	inc.	870.....		3694
	.....	4371	S. 871.....		3695
†S. 850.....	R&S. 32-42-1.....		872.....		3696
	(See S. '13, 850-a.)		S. 873.....		3697
S. 850-a.....	.....	3665	874.....		3698
S. 850-b.....	.....	3666	875.....		3699
	A. 37-384-1.....	S. 3667	876.....		3700
	R&S. 38-312-1.....	S. 3669	877.....		3701
S. 850-c.....	A. 39-125-1.....	3670	878.....		3702
	A. 39-162-1.....	3671	879.....		3703
	A. 40-258-1.....	3672	S. 879-a.....		3704
S. 850-d.....	.....	3673	S. 879-b.....		3705
S. 850-e.....	A. 37-84-1.....	3673	S. 879-c.....		3706
	R&S. 38-312-2.....	S. 3674	S. 879-d.....	R&S. 40-259-1, 2.....	S. 3707
S. 850-f.....	A. 40-108-3.....	S. 3675	S. 879-e ⁴³		S. 3708
	A. 40-120-1.....	3676	S. 879-f.....		3709
S. 850-g.....	.....	3677	S. 879-g.....		3710
S. 850-h.....	.....	3678	S. 879-h.....		3711
S. 850-i.....	.....	3679	S. 879-i.....		3712
S. 850-j.....	.....	3680	S. 879-j.....		3713
S. 850-k.....	.....	3681	S. 879-k.....		3714
S. 850-l.....	.....	3682	S. 879-l.....		3715
S. 850-m.....	.....	3683	S. 879-m.....		3716
S. 850-n.....	.....		S. 879-n.....		3717
SS. 850-o.....	.....		S. 879-o.....		3718
	A. 38-58-1.....	.....		39-37-1 ⁴⁴	S. 4326-a1
SS. 850-p.....	A. 39-26-1.....		SS. 879-o1.....		3719
	R&S. 40-121-1.....			37-51-1.....	3720
†S. 851.....	R&S. 32-42-1.....			A. 38-184-1.....	
	(See S. '13, 850-a to 850-n, inc.)				

□This act does not state that it is a repeal and substitute, but it is in effect, and has been treated as such.

†Appeared for last time in Supplement, 1902.

‡Appeared for last time in Supplement, 1907.

³⁷Part of this citation appears in C.C. 4407.

³⁸Amended by 37-414-1.

³⁹Amended by 37-221-2.

⁴⁰Amended by 37-221-3.

⁴¹Amended by 37-221-4.

⁴²Amended by 37-221-5.

⁴³Amended by 38-97-1.

⁴⁴Part of this citation appears in S.C.C. 3729-a1.

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Read explanatory notes at beginning of table, p. 715.

Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement	Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement	
		3721		38-112-3.....	4043	
	37-51-2-10.....	to 3729	S. 894-a.....		....
		inc.	S. 894-b.....		....
	39-37-1 ⁴⁵	S. 3729-a1	895.....		4044	
		S. 3729-a2	896.....		4045	
	39-37-2-6.....	to	897.....		4046	
		S. 3729-a6	898.....		4047	
		inc.	899.....		4048	
	37-232-1.....	S. 3730	900.....	{ A. 37-196-1.....	} S. 4049	
	R&S. 40-260-1...			{ A. 39-3-1.....		
	37-232-2, 3, 4.....	3731	901.....		4050	
		3732	S. 902.....	A. 39-18-1.....	S. 4051	
		3733	903.....		4052	
		3551	904.....	A. 37-126-2.....	4053	
S. 879-p.....		3552	905.....		4060	
S. 879-q.....			906.....	A. 40-108-8.....	S. 4061	
SS. 879-r.....	{ A. 37-181-1.....	} S. 3734	907.....		4062	
	{ A. 38-222-1.....		4327	908.....		4063
	{ A. 40-122-1, 2.....			909.....		4064
SS. 879-s.....		3735	910.....		4065	
SS. 879-t.....		3736		39-43-1 ⁴⁷	S. 4065-a1	
SS. 879-u.....		3737	911.....		4066	
	40-123-1.....	S. 3737-a1	912.....		4067	
SS. 879-v.....	A. 37-181-2.....	3738	S. 912-a.....		4068	
SS. 879-w.....		3739	913.....		4069	
SS. 880.....		4023	914.....		4070	
SS. 881.....		4024	S. 915.....		4071	
		4383	S. 916.....	A. 38-241-1.....	4072	
882.....		4025	917.....		4073	
883.....		4026			4074	
884.....		4027	S. 917-a.....		{ 4444	
885.....		4028	918.....		4075	
886.....		4029	919.....		4076	
887.....		4030	920.....		4077	
SS. 887-a.....		4031	921.....		4078	
888.....	A. 37-43-1.....	4032	S. 922.....		4079	
889.....		4033	S. 923.....	A. 39-13-1.....	S. 4080	
890.....		4034	S. 924.....		4081	
		S. 4036-a1	S. 924-a.....		6579	
S. 891.....	R&S. 39-191-1.....	S. 4036-a2	S. 924-b.....		6568	
S. 892.....	{ A. 40-131-1.....	S. 4036-a3	S. 924-c.....		....
	{ A. 40-246-7.....	S. 4422	925.....		4082	
893.....		4037	S. 926.....		4083	
	A. 37-45-1.....		927.....		4084	
	A. 37-126-1.....		928.....		4085	
	A. 37-375-1.....		929.....		6577	
	A. 38-394-1.....			37-79-1.....	6578	
SS. 894.....	A. 39-89-1.....	S. 4423	930.....		4086	
	A. 39-96-1.....	S. 4038	931.....		4087	
	A. 39-111-1.....		SS. 932.....		4088	
	A. 39-137-1, 2.....		S. 932-a ⁴⁸		} S. 4105-a1	
	A. 39-179-1.....		S. 932-b.....			
	A. 40-113-1.....		SS. 932-c.....	R&S. 40-261-1-16..	} S. 4105-a16	
	38-168-1 ⁴⁹	4039	S. 932-d.....	(S. '13, 932-g-932-n,		
	38-168-2.....	4040	S. 932-e ⁴⁹	932-p, q, r, and 38-	inc.	
	38-112-1.....	4041		344-1 included in		
	38-112-2.....	4042	S. 932-f.....	R&S.)		

⁴⁵Part of this citation appears in S.C.C. 4326-a1.⁴⁶Part of this citation appears in C.C. 4424.⁴⁷Part of this citation appears in S.C.C. 4440-a1.⁴⁸40-261 did not repeal and substitute the portion of S. '13, 932-a which appears in S.C.C. 4468.⁴⁹Amended by 38-19-1 and 39-30-1.

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S. 932-g..	R&S. 40-261-1-16.. (S. '13, 932-a, b, d, e, p, q, r; S.S. '15, 932-c and 38-344-1 included in R&S.)	S. 4105-a1 to S. 4105-a16 inc.	SS. 937-a...		4304	
S. 932-h..				SS. 937-b...	
S. 932-i..				938.....	40-90-1 ⁵⁷	S. 4305-a1
S. 932-j ⁵⁰ ..						4305
S. 932-k..					939.....	4308
S. 932-l..					940.....	4309
S. 932-m..					941.....	4311
S. 932-n ⁵¹ ..					942.....	4312
S. 932-o.....					943.....	A. 38-177-1.....
S. 932-p..					944.....	4313
S. 932-q..	R&S. 40-261-1-16.. (S. '13, 932-a, b, d, e, g-n; S.S. '15, 932-c and 38-344-1 in- cluded in R&S.)	S. 4105-a1 to S. 4105-a16 inc.	945.....	A. 38-178-1.....	4314	
S. 932-r..				946.....		4315
				947.....		4316
				948.....		4317
				949.....		4318
				950.....		4319
				951.....		4320
						4321
			38-344-1.....	S. 4105-a1 to		4322
			R&S. 40-261- 1-16.....	S. 4105-a16 inc.		S. 4323
	(S. '13, 932-a, b, d, e, g-n, p, q, r; and S.S. '15, 932-c in- cluded in R&S.)		S. 952.....	A. 39-265-1.....		
	40-133-1 ⁵²	S. 4105-a17		4335		
		4106 to		4352		
		4197 ⁵⁴ inc.		4354		
		4198		4355		
		4205 inc.		S. 4356		
	38-123-1-108 ⁵³	S. 4206		4357		
		4207 to		....	
		4213 inc.		4324		
		S. 4213-a1 to		4333		
	40-134-1-11 ⁵⁵	S. 4213-a22 inc.		....	
		S. 4213-a23		4334		
	37-133-1 ⁵⁶	S. 4213-a24		4344		
	37-133-2.....	S. 4213-a25		4331 ⁵²		
	37-133-3.....			4343		
933.....		4299		4357		
934.....		4300		S. 4358		
935.....		4301		4369		
936.....		4302		4361		
SS. 937.....	A. 38-185-1.....	4303		4362		
				4363		
				4364		
				4366		
				4367		
				4368		
				4379		
				4380		

⁵⁰40-261 did not repeal and substitute the portion of S. '13, 932-j which appears in S.C.C. 4468.

⁵¹Repealed and substituted by 37-23-1; substitute amended by 38-45-1 and 39-31-1.

⁵²Part of this citation appears in S.C.C. 4468-a1.

⁵³Part of this citation appears in S.C.C. 4469.

⁵⁴At this point in the Supplement, part of 39-160-1 appears in S.C.C. 4197-a1. The proper entry of this section in italics could not be made in the table on account of the bracket involving C.C. 4197 and 4198. The remainder of 39-160-1 appears in S.C.C. 4469-a1.

⁵⁵Part of this citation appears in S.C.C. 4351-a1.

⁵⁶Part of this citation appears in S.C.C. 4351.

⁵⁷Part of this citation appears in S.C.C. 2961-a1.

⁵⁸At this point in the Compiled Code, part of 38-170-1 appears in section 4330. The proper entry of this section in italics could not be made in the table on account of the bracket involving S.C.C. 4329 and C.C. 4335.

⁵⁹This citation also appears as C.C. 3640.

⁶⁰Part of this citation appears in C.C. 3648.

⁶¹Part of this citation appears in S.C.C. 3653.

⁶²At this point in the Compiled Code, part of 37-140-1 appears in section 4332. The proper entry of this section in italics could not be made in the table on account of the bracket involving C.C. 4331 and 4343.

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967.....		4381	1010.....		4429
968.....		4382	1011.....		4430
969.....		4384	1012.....		4431
970.....	A. 40-140-1.....	S. 4385	1013.....		4432
S. 971.....		4386	1014.....		4433
SS. 972.....		4387	1015.....		4434
973.....		4388	1016.....		4435
SS. 974.....		4389	1017.....		4436
S. 975.....		4390	1018.....		4437
976.....		4391	1019.....		4438
977.....		4392	S. 1020.....		S. 4439
978.....		4393	1021.....		4440
S. 979.....		4394		39-43-1 ⁶⁷	S. 4440-a1
	40-126-1.....	S. 4394-a1	1022.....		4441
	37-172-1 ⁶³	4395	1023.....		4442
980.....		4396	1024.....		4443
981.....		4397	1025.....		4445
982.....		4398	1026.....		4446
983.....		4399	1027.....		4447
984.....		4400	1028.....		4448
985.....		4401	1029.....		4449
986.....		4402	1030.....		4450
987.....	A. 40-108-9.....	S. 4403	1031.....		4451
988.....		4404	1032.....		4452
989.....		4405	1033.....		4453
990.....		4406	1034.....		4454
	38-243-2 ⁶⁴	4407	1035.....		4455
S. 991.....		4408	1036.....		4456
	40-14-1 ⁶⁵	S. 4408-a1	1037.....		4457
S. 991-a.....		S. 4409	1038.....		4458
992.....			1039.....		4459
993.....			1040.....		4460
994.....	R&S. 34-46-1.....		1041.....		4461
995.....	(See S. 13, 991.)		1042.....		4462
996.....			1043.....		4463
997.....		4410	1044.....		4464
SS. 997-a.....	A. 37-174-1.....	4411	1045.....		4465
SS. 997-b.....		4412	1046.....		4466
SS. 997-c.....	A. 37-174-2.....	4415		40-133-1 ⁶⁸	S. 4468-a1
998.....		4416		38-123-1 ⁶⁹	S. 4469
999.....		4417		39-160-1 ⁷⁰	S. 4469-a1
1000.....		4418		40-18-5 ⁷¹	S. 4469-a2
1001.....		4419	1047.....		4472
1002.....		4420	1048.....		4473
S. 1003.....	A. 40-141-1.....	S. 4421	1049.....		4474
S. 1004.....	A. 39-191-1.....	S. 4422	1050.....		4475
S. 1005.....	A. 39-11-1.....	S. 4423	1051.....		4476
	A. 39-137-1.....		1052.....		4477
	38-168-1 ⁶⁶	4424	1053.....		4478
1006.....		4425	1054.....		4479
1007.....		4426	1055.....		4480
1008.....		4427	1056.....		4481
	40-132-1.....	S. 4427-a1	S. 1056-a1.....		4337
1009.....	A. 38-339-1.....	4428	S. 1056-a2.....		4338

⁶³Part of this citation appears in C.C. 3923.⁶⁴Part of this citation appears in C.C. 3963.⁶⁵Part of this citation appears in S.C.C. 683-a3a.⁶⁶Part of this citation appears in C.C. 4039.⁶⁷Part of this citation appears in S.C.C. 4065-a1.⁶⁸Part of this citation appears in S.C.C. 4105-a17.⁶⁹Part of this citation appears in C.C. 4106.⁷⁰Part of this citation appears in S.C.C. 4197-a1.⁷¹Part of this citation appears in S.C.C. 1067-a5.

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Read explanatory notes at beginning of table, p. 715.

Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement	Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement
S. 1056-a3		4339	S. 1056-a41		4246
S. 1056-a4		4340	S. 1056-a42		4247
S. 1056-a5		4341	S. 1056-a43		4248
S. 1056-a6		4342	S. 1056-a44		4249
S. 1056-a6a		4372	S. 1056-a45		4250
S. 1056-a6b		4373	S. 1056-a46		4251
S. 1056-a6c		4374	S. 1056-a47		4252
S. 1056-a6d		4375		38-111-1	4253
S. 1056-a6e		4376	S. 1056-a48		4254
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*Repeal applies only to the amendment indicated immediately above this citation.
 ††Apparently repealed by implication—at least now obsolete.

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[□]This act does not state that it is a repeal and substitute, but it is in effect, and has been treated as such.
*Repeal applies only to the amendment indicated immediately above this citation.

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1264.....		662	1295.....		709
1265.....		663	1296.....		722
1266.....	A. 37-12-1.....	664	1297.....		8948
1267.....		665	1298.....		710
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1275.....		604		A. 38-115-1.....	
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		S. 683-a3	S. 1306.....	R&S. 28-41-1..... (See S. '13, 1306-b.)	
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		S. 6238-a1	S. 1306-g.....	A. 37-303-3.....	4056
S. 1279-d.....	R&S. 40-236-1-3... (S. '13, 1641-j and 4612 included in R&S.) 38-396-1-76, 76-a, 76-b.....	S. 7319-a1 S. 7319-a2 S. 7319-a3	S. 1306-h.....	A. 38-250-4.....	4057
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1282.....		631	1309.....		4503
1283.....		632	S. 1310.....		4504
1284.....		633	S. 1311.....		4505
1285.....		635		38-151-1.....	4506
1286.....		636		38-151-2.....	4507
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1288.....		634	S. 1312.....		4490
1289.....		705	1313.....		4495
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**This act was omitted from the Supplement of 1913, but is carried in the table the same as new legislation enacted subsequent to said Supplement.

*Repeal applies *only* to the amendment indicated immediately above this citation.

^{7a}Part of this citation appears in S.C.C. 4408-a1.

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S. 1322-3a		4512			
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1324		S. 4514	S. 1346-c		4563
1325		4515	S. 1346-d		4564
S. 1326		4516	S. 1346-e		4565
1327		4502	S. 1346-f		4566
S. 1328		4523	S. 1346-g		4567
S. 1329		4524	S. 1346-h		4568
S. 1330		4525	S. 1346-i		4569
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S. 1330-b		4527	SS. 1346-k		4570
S. 1330-c		4528	SS. 1346-l		4571
S. 1330-d		4529	SS. 1346-m		4572
S. 1330-e		4530	SS. 1346-n		4573
S. 1330-f		4531	SS. 1346-o		4574
S. 1330-g		4484	SS. 1346-p		4575
S. 1330-h		4579	SS. 1346-q		4576
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1331	R. 28-42-9	SS. 1346-s		4486
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1332		4532	SS. 1346-t		4578
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1335		4545	S. 1354-a		2672
1336		4546	S. 1354-b		2673
S. 1337	A. 37-416-2	4548	S. 1354-c		2674
S. 1337-a		4549	S. 1355		4583
S. 1337-b		4550	1356		4586
1338		4553	1357		4587
1339		4554	1358		4588
S. 1340		4538	1359	A. 39-121-1	S. 4589
S. 1340-a		4539	S. 1360	A. 39-92-1	S. 4590
S. 1340-b		4540	S. 1361		4591
S. 1340-c		4541	1362		4592
S. 1340-d		4542			S. 1653-a1 to S. 1653-a7 inc.
S. 1340-e		4543	S. 1363	R&S. 39-178-1-7 [□]	
S. 1340-f		4544			4593
1341		4547	1364		4594
S. 1342		4551	1365		
S. 1342-a		4555			S. 4595
S. 1342-b		4556	S. 1366	A. 38-385-1	
S. 1342-c		4557		A. 39-92-2	
S. 1342-d		4558		A. 39-268-1	
S. 1342-e		4559	1367		4596
S. 1342-f		4560	1368		4597

[□]This act does not state that it is a repeal and substitute, but it is in effect, and has been treated as such.

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1369.....		4598	S. 1400-f.....		1703	
S. 1370.....	{ A. 38-244-1.....	S. 4599	S. 1400-g.....		1704	
	{ A. 39-92-3.....		S. 1400-h.....	{ A. 38-224-2.....	S. 1705	
S. 1371.....		4600		{ R&S. 40-234-6.....		
S. 1372.....		4601	S. 1400-i.....		1706	
S. 1373.....	A. 40-148-1.....	S. 4602	S. 1400-j.....		1707	
S. 1373-a.....			S. 1400-k.....		1708	
1374.....		4612	S. 1400-l.....		4585	
1375.....		4603	S. 1400-m.....		1709	
1376.....		4604	S. 1400-n.....		1710	
1377.....		4605	S. 1400-o.....	R&S. 40-234-7.....	S. 1711	
S. 1378.....		4606	S. 1400-p.....		1699	
1379.....	A. 37-139-1.....	4607	SS. 1400-q.....		.....
1380.....	R&S. 27-34-1-4 [□]		SS. 1400-q1.....		.....
	(See S. '13, 1380-b to 1380-d, inc.)		SS. 1400-r.....		.....
S. 1380-a.....		.....	S. 1400-r1.....	R&S. 36-307-1.....	
S. 1380-b.....		S. 1400-r2.....		(See S. S. '15, 1400-r.)	
S. 1380-c.....		4630	S. 1400-s.....		.....
S. 1380-d.....		4631	S. 1400-s1.....		.....
1381.....		4629	S. 1400-s2.....		.....
S. 1382.....	A. 37-416-1.....	4608	S. 1400-t.....		.....
S. 1382-a.....			S. 1400-t1.....	A. 38-381-1.....	.....
S. 1383.....	A. 40-149-1.....	S. 4609	S. 1400-t2.....		.....
1384.....		3264	S. 1400-t3.....		.....
1385.....	R&S. 28-47-1.....		S. 1400-t4.....		.....
	(See S. '13, 1385-b.)		S. 1400-t5.....		.....
S. 1385-a.....		.....	S. 1400-t6.....		.....
S. 1385-b.....		4613	S. 1400-t7.....		.....
S. 1385-c.....		4614	S. 1400-t8.....		.....
1386.....		4664	S. 1400-t9.....		.....
1387.....		4610	S. 1400-t10.....		.....
1388.....		4611	S. 1400-t11.....		.....
1389.....	R&S. 28-48-1.....		1401.....		4649	
	(See S. '13, 1389-a.)		1402.....		4650	
S. 1389-a.....		4638	1403.....		4651	
S. 1389-b.....		4639	1404.....		4652	
S. 1389-c.....		4640	1405.....		4636	
S. 1389-d.....		4641	1406.....		4666	
SS. 1390.....	A. 37-137-1.....	4632	S. 1407.....	A. 40-151-1.....	S. 4653	
SS. 1391.....		4642	S. 1407-1a.....		4654	
1392.....		4665	†S. 1407-a.....			
1393.....		4643	†S. 1407-b.....			
1394.....		4644	†S. 1407-c.....	R&S. 34-66-1, 2 [□]		
1395.....		4645	†S. 1407-d.....		(See S. '13, 1407-f.)	
1396.....		4646	†S. 1407-e.....			
1397.....		4647	S. 1407-f.....			4617
1398.....		4615				
1399.....		4616				
S. 1400.....	A. 37-337-1.....	4648		37-343-1.....	4618	
S. 1400-a.....		4533		37-343-2.....	4619	
S. 1400-b.....		4534		37-343-3.....	4620	
				A. 38-57-1.....		
S. 1400-c.....	{ A. 38-224-1.....	S. 1700		37-343-4.....	4621	
	{ R&S. 40-234-4.....		S. 1701		37-343-5.....	4622
S. 1400-d.....	R&S. 40-234-5.....	S. 1701		37-343-6.....	4623	
S. 1400-e.....		1702	1408.....		4633	

□ This act does not state that it is a repeal and substitute, but it is in effect, and has been treated as such.
† Appeared for last time in Supplement, 1907.

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SS. 1409.....		4655	S. 1457.....	A. 39-114-2.....	S. 4767
1410.....		4656	1458.....		4768
1411.....		4657			S. 4769-a1
1412.....		4658			to
1413.....	A. 39-66-1.....	S. 4659	1459.....	R&S. 40-153-1-4.....	S. 4769-a4
1414.....		4637			inc.
S. 1415.....		4660		39-155-3.....	S. 4769-a5
1416.....		4661	S. 1460.....		.....
1417.....		4662	1461.....		4770
1418.....		4667	S. 1462.....		4771
S. 1419.....	A. 38-389-1.....	4668	S. 1462-a.....		4772
1420.....		4669	1463.....		4773
1421.....		4670	1464.....		4774
1422.....		4671	1465.....		4775
1423.....		4672	1466.....		4776
1424.....		4673	†S. 1467.....		
1425.....		4674	†S. 1467-a.....		
1426.....		4675	†S. 1467-b.....		
1427.....		4676	†S. 1467-c.....	R&S. 34-68-1-48 [□] .	
1428.....		4677	†S. 1467-d.....	(See S. '13, 1481-a to	
1429.....		4678	†S. 1467-e.....	1481-a47, inc.)	
1430.....		4679	1468.....		
1431.....		4680	1469.....		
S. 1432.....	A. 39-12-1.....	S. 4681	1470.....	R. 39-38-1.....	
S. 1433.....		4682	1471.....		
1434.....		4683	†S. 1471-a.....	R&S. 34-68-1-48 [□] .	
1435.....		4684		(See S. '13, 1481 a to	
S. 1436.....		S. 4688		1481-a47, inc)	
1437.....		4689	1472.....		
1438.....		4690	1473.....		
1439.....		4691	1474.....	R. 39-38-1.....	
1440.....		4692	1475.....		
S. 1441.....		4693	†S. 1475-a.....		
1442.....		4694	†S. 1475-b.....		
1443.....		4695	†S. 1476.....	R&S. 34-68-1-48 [□] .	
1444.....		4696	†S. 1476-a.....	(See S. '13, 1481-a to	
1445.....		4697	†S. 1476-b.....	1481-a47, inc.)	
1446.....		4698	1477.....	R. 39-38-1.....	
1447.....		4699	†S. 1477-a.....		
1448.....		4700	†S. 1477-b.....		
1449.....		4701	†S. 1477-c.....	R&S. 34-68-1-48 [□] .	
	40-152-1-8.....	S. 4701-a1	†S. 1477-d.....	(See S. '13, 1481-a to	
		to	†S. 1477-e.....	1481-a47, inc.)	
		S. 4701-a8	1478.....	R. 39-38-1.....	
		inc.	†S. 1478-a.....		
	39-38-14.....	S. 4702-a1	†S. 1478-b.....	R&S. 34-68-1-48 [□]	
1450.....		4685	†S. 1478-c.....	(See S. '13, 1481-a to	
1451.....		4686	†S. 1478-d.....	1481-a47, inc.)	
1452.....		4687	†S. 1478-e.....		
S. 1452-a.....		4634	1479.....	R. 39-38-1.....	
S. 1452-b.....		S. 4635	†S. 1479-a.....		
1453.....		4763	†S. 1479-b.....	R&S. 34-68-1-48 [□] .	
1454.....		4764		(See S. '13, 1481-a to	
1455.....		4765		1481-a47, inc)	
1456.....		4766	1480.....	R. 39-38-1.....	
			1481.....		

[□]This act does not state that it is a repeal and substitute, but it is in effect, and has been treated as such.
[†]Appeared for last time in Supplement, 1907.

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S. 1481-a	R&S. 39-38-2	S. 4704	S. 1481-a43	A. 39-38-13	S. 4761
	A. 39-164-3	S. 4704-a2	S. 1481-a44		4762
		to	S. 1481-a45	R. 39-38-20	
		S. 4704-a5	S. 1481-a46		4711
		inc.	S. 1481-a47		.....
	39-38-4	S. 4704-a6	1482		2794
	A. 39-164-1		S. 1483	A. 37-30-1	2795
	39-38-16	S. 4704-a7	1484		2796
		S. 4704-a8	1485		2797
	39-38-4	S. 4704-a9	1486		2798
S. 1481-a1	R&S. 39-38-3	S. 4704-a1	1487		2799
S. 1481-a2	R&S. 39-38-5	S. 4704-a10	1488		2800
S. 1481-a3		4712	1489		2801
S. 1481-a4	A. 39-38-6	S. 4714	1490		2802
S. 1481-a5		4715	1491		2803
S. 1481-a6		4716	1492		2804
S. 1481-a7		4717	1493		2805
S. 1481-a8		4718	1494		2806
S. 1481-a9	A. 39-38-7	S. 4719	S. 1495		2807
S. 1481-a10	A. 39-38-8	S. 4720	1496		2808
S. 1481-a11	A. 39-38-9	S. 4722	1497		2809
S. 1481-a12		4724	1498		2810
S. 1481-a13		4725	1499		2811
S. 1481-a14		4726	1500		2812
S. 1481-a15		4727	1501		2813
S. 1481-a16	A. 39-38-10	S. 4728	1502		2814
S. 1481-a17		4729	1503		2815
S. 1481-a18		4730	1504		2816
S. 1481-a19	A. 39-38-10	S. 4735	1505		2817
S. 1481-a20		4736	1506		2818
S. 1481-a21		4738	1507		2985
S. 1481-a22		4740	1508		3812
S. 1481-a23		4742	S. 1509		2835
	38-300-1		1510		2819
	A. 39-209-58	S. 4743	1511		2836
	39-38-15	S. 4743-a1	1512		2820
S. 1481-a24		4744	1513		2821
S. 1481-a25	A. 39-38-10	S. 4706	1514		2822
S. 1481-a26		4707	1515		2823
S. 1481-a27	A. 39-38-10	S. 4745	1516		2824
S. 1481-a28		4746	1517		2825
S. 1481-a29	A. 39-38-10	S. 4747	1518		2837
S. 1481-a30		4748	1519		2838
S. 1481-a31		4749	1520		2839
	39-38-11	S. 4749-a1	1521		2840
S. 1481-a32	R. 39-38-18		1522		3033
S. 1481-a33		4751	1523		3034
S. 1481-a34	A. 39-38-10	S. 4752	1524		3035
	R&S. 39-38-19		1525		3036
S. 1481-a35		4753	1526	R. 35-122-9, 23††	
S. 1481-a36		4754	1527	A. 39-272-1	S. 2841
S. 1481-a37		4755	SS. 1527-a		.....
S. 1481-a38		4756	SS. 1527-b		3037
S. 1481-a39		4757	S. 1527-c	A. 38-267-1	S. 3038
S. 1481-a40	A. 39-38-12	S. 4758		A. 39-262-1	
S. 1481-a41	A. 39-38-10	S. 4759	S. 1527-d	R&S. 38-399-1	3039
S. 1481-a42		4760	S. 1527-e		3040

††Apparently repealed by implication—at least now obsolete.

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		2909	SS. 1527-s1...	A. 38-361-1.....	2859
		2910	SS. 1527-s2...		2860
		S. 2911	SS. 1527-s3...	A. 40-82-1.....	S. 2872
		S. 2912	S. 1527-s4...		2873
		2913 ⁷³	SS. 1527-s5...		2874
		S. 2914	S. 1527-s6...		2875
		2915	S. 1527-s7...	A. 38-405-1.....	2876
		to	SS. 1527-s8...	A. 37-398-1.....	2877
		2920	SS. 1527-s9...		2878
		inc.		37-236-8.....	2879
		S. 2921 ⁷⁴	SS. 1527-s10...		2881
		S. 2922 ⁷⁵	SS. 1527-s11...		2882
S. 1527-f..	R&S. 38-237-1-58 [□]	2923	SS. 1527-s12...		2883
S. 1527-g..	A. 39-20-1, 2.....	S. 2924	SS. 1527-s13...		2884
S. 1527-h..	A. 39-50-1.....	S. 2925	SS. 1527-s13a...		2885
S. 1527-i..	A. 39-56-1, 2.....	S. 2926	SS. 1527-s14...		2886
S. 1527-j..	A. 39-104-1.....	2927	S. 1527-s15...		2887
S. 1527-k..	A. 39-145-1.....	to	SS. 1527-s16...		2888
S. 1527-l..	A. 39-188-2.....	2931 ⁷⁶	S. 1527-s17...	A. 37-410-1.....	3015
S. 1527-m..	A. 40-83-1.....	inc.	S. 1527-s18...		2885
S. 1527-n..	A. 40-84-1, 2.....	2932	S. 1527-s19...		2880
S. 1527-o..	A. 40-85-1-5.....	to	S. 1527-s20...		2969
S. 1527-p..	A. 40-86-1.....	2936 ⁷⁷	S. 1527-s21...		2887
S. 1527-q..	A. 40-87-1.....	inc.	SS. 1527-s21a...		2883
S. 1527-r..	A. 40-89-1-4.....	2937	SS. 1527-s21b...		2886
		to	SS. 1527-s21c...		2887
		2942	S. 1527-s22...		3025
		inc.	S. 1527-s23...		3026
		S. 2943 ⁷⁸	S. 1527-s24...		3027
		to	S. 1527-s25...		3028
		S. 2947	S. 1527-s26...		3029
		inc.	S. 1527-s27...		3030
		2948	S. 1527-s28...		3031
		to	S. 1527-s29...		3032
		2961 ⁷⁹	S. 1528.....		2970
		inc.			3440
		2962	S. 1528-a.....		2992
		2963	1529.....		2865
		2964	S. 1530.....		2866
		to	S. 1530-a.....		2867
		2968	S. 1530-b.....		2868
		inc.	S. 1530-c.....		2869
		2828	1531.....		S. 2864-a3
SS. 1527-r1...		S. 2829			to
SS. 1527-r2...	R&S. 40-81-1.....	2830	S. 1532.....	A. 37-421-1.....	S. 2864-a7
SS. 1527-r3...		2831		R&S. 40-246-1-5...	inc.
SS. 1527-r4...		2832		(S. '13, 170-k and 39-	
SS. 1527-r5...		2833		207-1, 2 included in	
SS. 1527-r6...		2834		R&S.)	
SS. 1527-r7...		2858	S. 1533.....	A. 38-194-1.....	2973
SS. 1527-s...					

□This act does not state that it is a repeal and substitute, but it is in effect, and has been treated as such.
⁷³39-188-4 has been located so as to immediately follow this section and appears in the Supplement as 2913-a1.
⁷⁴39-220-1-4 has been located so as to immediately follow this section and appears in the Supplement as 2921-a1 to 2921-a4, inclusive.
⁷⁵40-85-6 has been located so as to immediately follow this section and appears in the Supplement as 2922-a1.
⁷⁶39-188-3 has been located so as to immediately follow this section and appears in the Supplement as 2931-a1.
⁷⁷39-215-1 has been located so as to immediately follow this section and appears in the Supplement as 2936-a1.
⁷⁸40-87-2 and 40-88-1 have been located so as to immediately follow this section and appear in the Supplement as 2943-a1 and 2943-a2, respectively.
⁷⁹Part of 40-90-1 has been located so as to immediately follow this section and appears in the Supplement as 2961-a1. The remainder of said section appears in S.C.C. 4305-a1.
 The acts designated in notes 73 to 79, inclusive, could not be carried in the table at the proper place on account of a bracket which involved the entries at that point.

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1534.....		2991	S. 1565-e.....		3005
1535.....		2986	S. 1565-f.....		3006
1536.....	R. 35-122-14, 23††		S. 1565-g.....	R. 37-16-1.....	
1537.....	R. 35-123-2††		S. 1565-h.....		3007
S. 1538.....		2993	S. 1565-i.....		3008
1539.....		2976		33-194-2.....	3009
1540.....	R&S. 29-53-6..... (See S. '13, 1540-a.)		S. 1565-j.....		
S. 1540-a.....		2971	1566.....	See S. '13, 1528.	
1541.....	R. 29-53-7.....		S. 1566-a.....		2997
S. 1541-a.....				39-227-1.....	S. 2997-a1
1542.....	R&S. 29-64-3..... (See S. '13, 1542-a.)		S. 1566-b†††		
S. 1542-a.....	R. 29-53-18††		1567.....	R. 29-53-14.....	
1543.....		2972	S. 1567-a.....		
1544.....	R. 35-123-2††		S. 1567-b.....		
S. 1545.....		2974	1568.....		2977
1546.....	R. 29-53-10.....		S. 1569.....		3041
S. 1546-a.....					
1547.....			S. 1570.....	R&S. 37-417-1-4... A. 39-277-1.....	S. 3010 3011 3012 3013
1548.....	R. 35-123-2††		S. 1570-a.....		2892
1549.....				33-320-1.....	2893
S. 1550.....	A. 37-335-1-3.....	S. 3000-a1	†S. 1570-b.....	R&S. 33-101-1-6... R&S. 34-70-1-5... (See S. '13, 1570-b1 to 1570-b5, inc.)	
S. 1551.....	R&S. 39-172-1-5.....	to			
1552.....	A. 40-246-6.....	S. 3000-a4	S. 1570-b1.....		2981
		inc.	S. 1570-b2.....	A. 38-242-1.....	2982
1553.....	R. 29-53-12.....		S. 1570-b3.....		2983
S. 1553-a.....			S. 1570-b4.....		3811
S. 1554.....	A. 37-335-4.....	2994	S. 1570-b5.....		2984
1555.....	A. 37-335-5.....	2995	†S. 1570-c.....	R&S. 33-101-1-6... R&S. 34-70-1-5... (See S. '13, 1570-b1 to 1570-b5, inc.)	
1556.....		2987			
1557.....		2988	S. 1570-d.....	R. 38-118-1.....	
1558.....		2989	S. 1570-e.....		
1559.....		2990	S. 1571.....		3042
S. 1560.....		3014	S. 1571-1a.....		3043
S. 1560-a.....		3016	S. 1571-2a.....		3044
S. 1560-b.....		3017			
S. 1560-c.....		3018			
S. 1560-d.....		3019			
S. 1560-e.....		3020			
	40-91-1, 2.....	S. 3020-a1		39-110-1, 2.....	
		S. 3020-a2		R. 40-92-1.....	
		3021		33-370-1.....	S. 3045
	37-338-1-4.....	to		A. 39-159-19....	
		3024	S. 1571-3a.....		
		inc.	†S. 1571-a.....		
S. 1561.....		2975	†S. 1571-b.....		
†S. 1562.....			†S. 1571-c.....		
†S. 1562-a.....	R&S. 33-96-1-9 [□] ..		†S. 1571-d.....		
†S. 1563.....	R&S. 35-128-1-10 [□]		†S. 1571-e.....		
1564.....	(See S. S. '15, 1565-a; S. '13, 1565-b to 1565-i, inc.)		†S. 1571-f.....	R&S. 34-72-1-33... (See S. '13, 1571-m to 1571-m32, inc.)	
1565.....			†S. 1571-g.....		
SS. 1565-a.....	A. 38-228-1.....	3001	†S. 1571-h.....		
S. 1565-b.....		3002	†S. 1571-i.....		
S. 1565-c.....	A. 39-280-1, 2.....	S. 3003	†S. 1571-j.....		
S. 1565-d.....		3004	†S. 1571-k.....		
			†S. 1571-l.....		

□ This act does not state that it is a repeal and substitute, but it is in effect, and has been treated as such.
 †† Apparently repealed by implication—at least now obsolete.
 † Appeared last time in Supplement, 1907.
 ††† Applied as an amendment to various sections.

TABLE OF CORRESPONDING SECTIONS

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S. 1571-m...		1572.....		2895
S. 1571-m1..		S. 3045	1573.....		8863
SS. 1571-m2..		S. 3046	1574.....		3082
S. 1571-m3 ⁸⁰		3047	1575.....		3083
S. 1571-m4..		S. 3048 ⁸¹	1576.....		3084
SS. 1571-m5..		3049	1577.....		3085
S. 1571-m6..		S. 3050	1578.....		3086
SS. 1571-m7..		3051	1579.....		3087
S. 1571-m8..		S. 3052	1580.....		3088
S. 1571-m9..		S. 3053	1581.....		3089
S. 1571-m10..		3054	1582.....		3090
S. 1571-m11..		S. 3055	1583.....		3091
SS. 1571-m12..	R&S. 38-275-1-39	S. 3056	1584.....		3092
SS. 1571-m12a	A. 39-16-1.....	S. 3057	1585.....		3093
S. 1571-m13..	A. 39-72-1.....	3058	1586.....		3094
SS. 1571-m14..	A. 39-154-1.....	S. 3059	1587.....		3095
SS. 1571-m15..	A. 39-155-1, 2...	S. 3060	1588.....		3096
SS. 1571-m15a	A. 39-159-1-18...	to	1589.....		3097
S. 1571-m16..	A. 39-168-1.....	S. 3063 ⁸⁴	1590.....		3098
S. 1571-m17 ⁸²	A. 39-188-1.....	inc.	1591.....		3099
S. 1571-m18 ⁸³	A. 39-209-4.....	S. 3064	1592.....		3100
S. 1571-m19..	A. 39-253-1.....	to	1593.....		3101
S. 1571-m20..	A. 40-93.....	S. 3066 ⁸⁵	1594.....		3102
S. 1571-m21..	A. 40-94-1, 2...	inc.	1595.....		3103
S. 1571-m22..	A. 40-95-1, 2...	3067	1596.....		3104
S. 1571-m23..	A. 40-96-1.....	3068 ⁸⁷	1597.....		3105
S. 1571-m24..		3069	1598.....		3106
S. 1571-m25..		S. 3070	1599.....		3107
S. 1571-m26..		3071	1600.....		3108
S. 1571-m27..		3072	1601.....		3109
S. 1571-m28..		S. 3073	1602.....		3110
S. 1571-m29..		3074	1603.....		3111
S. 1571-m30..		to	1604.....		3112
S. 1571-m31..		3077	1605.....		3113
SS. 1571-m32 ⁸⁶		inc.	1606.....		3114
S. 1571-m33..		S. 3078	1607.....		5327
S. 1571-m34..		S. 3079	1608.....		5328
		S. 3080	1609.....		5329
		3081	S. 1610.....		5330
		S. 3081-a1	SS. 1611.....	A. 39-131-1.....	S. 5331
		to	S. 1612.....		5332
40-97-1-7.....		S. 3081-a7	S. 1613.....		5333
		inc.	S. 1613-a.....		S. 6570
40-97-8 ⁸⁸		S. 3081-a8	1614.....	A. 40-164-1.....	S. 5334
		S. 3081-a9	S. 1614-a.....	{ R&S. 39-398-1, 2 [□] R&S. 40-380-1, 2 [□] }	S. 6571
40-97-9-11.....		to	S. 1614-b.....		.....
		S. 3081-a11	S. 1614-c.....		5336
		inc.	S. 1614-d.....		5337
40-97-13.....		S. 3081-a12	S. 1614-e.....		5338
40-305-1.....		S. 3081-a13			

[□]This act does not state that it is a repeal and substitute, but it is in effect, and has been treated as such.

⁸⁰Repealed and substituted by 37-205-1.

⁸¹39-68-1 has been located so as to immediately follow this section and appears in the Supplement as 3048-a1.

⁸²Amended by 37-148-1.

⁸³Amended by 37-205-1.

⁸⁴39-159-12 has been located so as to immediately follow this section and appears in the Supplement as 3063-a1.

⁸⁵Amended by 37-3-1 and 37-212-1.

⁸⁶39-159-15 has been located so as to immediately follow this section and appears in the Supplement as 3066-a1 to 3066-a3, inclusive.

⁸⁷39-159-16 and 39-219-1-5 have been located so as to immediately follow this section and appear in the Supplement as 3068-a1 to 3068-a6, inclusive.

The acts designated in notes 80 to 87, inclusive, could not be carried in the table at the proper place on account of a bracket which involved the entries at that point.

⁸⁸Part of this citation appears in S.C.C. 4378-a1.

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S. 1614-f	A. 38-205-1	5339	S. 1641-o		5386
S. 1614-g	A. 38-205-2	5340	S. 1641-p		5387
S. 1614-h	A. 38-205-3	5341	S. 1641-q		5388
	38-205-5	5342	S. 1641-r		5389
S. 1614-i	A. 38-205-4	5345	SS. 1641-r1		5390
S. 1614-j		5344	SS. 1641-r2		5391
S. 1614-k		5343	SS. 1641-r3		S. 5392
S. 1615		5335	SS. 1641-r4		5393
1616		5346	SS. 1641-r5		5394
1617	{ A. 37-128-1	S. 5347	SS. 1641-r6		5395
	{ A. 40-165-1		SS. 1641-r7		5396
S. 1618		5348	SS. 1641-r8	A. 39-251-1	S. 5397
SS. 1618-1a	A. 40-196-1	S. 6572	SS. 1641-r9		5398
	38-158-1	6573	SS. 1641-r10		S. 5399
	37-96-1	6574	SS. 1641-r11		5400
S. 1618-a		5349	SS. 1641-r12		5401
SS. 1618-1b			SS. 1641-r13		5402
S. 1618-b			SS. 1641-r14		5403
1619		5350	SS. 1641-r15		5404
1620		5351	SS. 1641-r16		5405
1621		5352	SS. 1641-r17		5406
1622		5353	SS. 1641-r18		5407
1623		5354	SS. 1641-r19		5408
1624		5355	SS. 1641-r20		S. 5408-a1
1625	39-208-1	S. 5355-a1			to
1626		5356		39-122-1-14	S. 5408-a14
S. 1627		5357			inc.
1628	R. 38-374-1	5377		39-122-15	S. 5408-a15
1629		5359		A. 40-166-1	S. 5408-a16
1630		5360			to
1631		5361		39-122-16-19	S. 5408-a19
1632		5362			inc.
1633		5363			S. 5408-a20
1634		5364			to
1635		5365		39-176-1-4	S. 5408-a23
1636		5366			inc.
S. 1637	A. 39-139-1-4	S. 5367	1642	A. 37-143-1	5440
1638		5368		37-354-1	5441
1639		5369		37-354-3	5442
1640		5370		37-354-4	5443
S. 1641		5371	S. 1642-a		5444
S. 1641-a		5358	S. 1642-b		6575
S. 1641-b		5378		37-367-2	6576
S. 1641-c		5379	S. 1642-c		5445
S. 1641-d		5380	S. 1643		5446
S. 1641-e		5381	1644		4971
S. 1641-f		5382	S. 1644-a		4972
S. 1641-g		5372	S. 1644-b		4973
S. 1641-h		5373	S. 1644-c		4974
S. 1641-i		5374	S. 1644-d		4975
S. 1641-j	R&S. 40-236-1-3	{ S. 7319-a1	S. 1644-e		5447
	(S. '13, 1279-d and	{ S. 7319-a2	S. 1645		5448
	4612 included in	{ S. 7319-a3	1646		5449
	R&S.)		1647		5450
S. 1641-k		5376	1648		5451
S. 1641-l		5383	1649		5452
S. 1641-m		5384	S. 1650		5453
S. 1641-n		5385	1651		

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1652.....	5454	S. 1661-a2.....	1648
S. 1652-a.....	5455	1662.....
S. 1652-b.....	5456	1663.....
S. 1652-c.....	5457	1664.....	S. 1636-a1
S. 1652-d.....	A. 38-102-1.....	5458	1665.....	R&S. 39-264-1-13..	to
S. 1652-e.....	.....	5459	1666.....	(S. '13, 1658, 1659; S.	S. 1636-a12
S. 1652-f.....	.....	.....	1667.....	S. '15, 1661-a, in-	inc.
1653.....	.....	.....	1668.....	cluded in R&S.)	.....
1654.....	.....	.....	1669.....	R&S. 39-254-1.....	S. 1691
1655.....	R&S. 28-58-1-18 [□]	1670.....	R&S. 39-254-2.....	S. 1692
1656.....	(See S. '13, 1657-b to	.....	1671 ⁸⁹.....	.....	S. 1698-a4
1657.....	1657-t, inc.)	.....	S. 1672 ⁹⁰	R&S. 40-234-1-3...	S. 1698-a5
S. 1657-a.....	.....	.....	S. 1673.....	(39-254-3, Par. B and	S. 1698-a6
S. 1657-b.....	.....	1613	.....	C included in R&S.)	.....
S. 1657-c.....	.....	1614	.....	.....	S. 1698-a1
S. 1657-d.....	.....	1615	.....	38-395-1-3.....	S. 1698-a4
S. 1657-e.....	.....	1616	.....	R&S. 39-254-3.....	S. 1698-a5
S. 1657-f.....	.....	1626	.....	A. 40-234-1-3.....	S. 1698-a6
S. 1657-g.....	.....	1617	.....	.....	.....
S. 1657-h.....	.....	1618	1674.....	R. 28-58-18.....	.....
S. 1657-i.....	.....	1619	S. 1675.....	.....	1645
S. 1657-j.....	.....	1621	1676.....	.....	1646
S. 1657-k.....	.....	1627	1677.....	.....	S. 1653-a1
S. 1657-l.....	.....	1628	1678.....	.....	to
S. 1657-m.....	.....	.....	S. 1679.....	R&S. 39-178-1-7 [□] ..	S. 1653-a7
S. 1657-n.....	A. 38-365-1.....	S. 1622	1680.....	.....	inc.
S. 1657-o.....	A. 40-45-1.....	1623	S. 1681 ⁹¹.....	.....	.....
S. 1657-p.....	A. 38-365-2.....	1624	1682.....	R. 28-58-18.....	.....
S. 1657-q.....	A. 38-365-3.....	1630	1683.....	.....	1654
S. 1657-r.....	A. 38-365-4.....	1620	SS. 1683-a.....	.....	1655
S. 1657-s.....	.....	1631	S. 1683-b.....	A. 37-90-1.....	1656
.....	.....	S. 1631-a1	SS. 1683-c.....	.....	1665
.....	.....	to	S. 1683-d.....	.....	1664
.....	.....	S. 1631-a15	SS. 1683-e.....	.....	1657
.....	.....	inc.	S. 1683-f.....	.....	1666
.....	.....	1625	S. 1683-g.....	.....	1667
S. 1657-t.....	.....	S. 1636-a1	S. 1683-h.....	.....	1662
.....	.....	to	S. 1683-i.....	.....	1669
S. 1658.....	R&S. 38-175-1-6...	S. 1636-a12	S. 1683-j.....	.....	1670
S. 1659.....	R&S. 39-264-1-13..	inc.	.....	37-90-3.....	1671
.....	(S. S. '15, 1661-a; C.	.....	.....	37-187-9.....	1672
.....	'97, 1662-1668, inc.,	.....	.....	37-187-10.....	1673
.....	included in R&S.)	.....	.....	37-187-11.....	.....
SS. 1660.....	R&S. 37-89-1.....	S. 1637	.....	37-187-12.....	S. 1674
.....	A. 38-140-1.....	.....	.....	A. 38-350-4.....	.....
.....	A. 39-213-1.....	.....	.....	A. 39-304-3.....	S. 1674-a1
1661.....	R&S. 27-43-1.....	.....	.....	40-47-4.....	S. 1675
.....	A. 28-59-1.....	.....	.....	37-187-13.....	1676
.....	(See S. S. '15, 1661-a.)	.....	.....	37-187-1.....	1677
SS. 1661-a..	R&S. 38-175-1-6...	S. 1636-a1	.....	37-187-2.....	.....
.....	R&S. 39-264-1-13	to	.....	37-187-3.....	S. 1678
.....	(S. '13, 1658, 1659; C.	S. 1636-a12	.....	A. 38-350-2.....	.....
.....	'97, 1662-1668, inc.,	inc.	.....	A. 39-304-1.....	S. 1678-a1
.....	included in R&S.)	.....	.....	40-47-2.....	1679
S. 1661-a1..	.....	1647	.....	37-187-4.....	1680
.....	.....	.....	.....	37-187-5.....	1681
.....	.....	.....	.....	37-187-6.....	.....

[□]This act does not state that it is a repeal and substitute, but it is in effect, and has been treated as such.

⁸⁹Amended by 39-254-4.

⁹⁰Amended by 39-254-5.

⁹¹Amended by 38-363-1, which amendment was repealed by 39-209-1.

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	37-187-7.....	} S. 1682	1704....	} R. 37-429-15.....	
	A. 38-350-3.....		1705....		
	A. 39-304-2.....	} S. 1682-a1	1706....		
	40-47-3.....		1707....		
	37-363-1.....	1683	1708....		
	37-363-2.....	} 1684		A. 37-428-1-4.....	} S. 5627
	A. 38-279-1.....		1685	S. 1709....		A. 37-429-16.....
	37-363-3.....	1686		A. 38-330-1, 2.....	
	37-363-4.....	1687		A. 38-348-1, 2.....	
	37-363-5.....	1688		A. 38-372-1.....	
	A. 38-279-2.....	1689		A. 40-177-1-4.....	} S. 5628
	37-363-7.....	1690	S. 1710....	R&S. 37-428-5.....	
	37-363-8.....	1658		A. 38-348-3.....	
S. 1683-k..	37-363-9.....	1659	S. 1711....	A. 39-261-1.....	
S. 1683-l..	R&S. 37-90-2.....	1661		A. 40-179-1, 2.....	
	A. 38-36-1.....	1668			
	37-90-4.....	1663			
S. 1683-m..		1660			
S. 1683-n..			1712....		
S. 1683-o..			1713....		
S. 1683-p..			1714....	A. 39-190-2.....	} S. 5632
S. 1683-q..	R. 37-90-5.....			A. 40-176-1.....	
S. 1683-r..	A. 39-209-15.....	S. 5460	1715....		
S. 1683-r1..	R&S. 40-169-1.....	5461	1716....		
S. 1683-r2..		S. 5462	1717....	R. 37-429-17.....	
S. 1683-r3..	A. 39-209-16.....	5463	1718....		
		S. 5463-a1	1719....		
	39-224-1.....	S. 5463-a2	1720....	R&S. 28-62-1.....	
	39-224-2.....	S. 5463-a3		(See S. '13, 1720-a.)	
	39-224-3.....	5464	S. 1720-a..		
S. 1683-r4..		5464	SS. 1721....	R&S. 37-429-18.....	} 5637
S. 1683-r5..		5467		A. 38-346-1.....	
S. 1683-r6..		5598	1722....		
1684.....		5599	1723....	R&S. 37-429-19.....	} S. 5640
1685.....		5600	1724....	A. 40-176-2.....	
1686.....		5601	1725....		
1687.....		5602	1726....		
1688.....		5603	1727....		
S. 1689....	R&S. 37-429-1.....	5604	S. 1728....		
1690.....		S. 5605	1729....		
1691.....	A. 40-173-1.....	5606	1730....		
1692.....	R&S. 37-429-2.....	5607	1731....		
1693.....	R&S. 37-429-3.....	5608	1732....		
		to	1733....		
	37-429-4-11.....	5615	S. 1737....		
		inc.	1738....		
	37-429-20.....	5616	1739....		
1694.....	R&S. 37-429-12.....	5617	1740....		
1695.....	R&S. 37-429-13.....	5618	1741....		
1696.....	A. 40-174-1.....	S. 5619	1742....		
1697.....		5620	S. 1742-a..		
1698.....		5621	S. 1743....		
S. 1699....	A. 40-175-1.....	S. 5622	S. 1744....	A. 38-348-5.....	
1700....	R&S. 37-429-14.....	} S. 5623	S. 1745....	A. 38-348-6.....	
1701....	A. 40-176-3.....		5624	S. 1746....	A. 37-185-1.....
1702.....	R&S. 39-190-1.....	S. 5625		R&S. 40-180-1.....	} S. 5662
1703.....		S. 5625-a1	1747....		
		5626	1748....		
			1749....		

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	1750..... A. 39-123-1.....	S. 5735		37-180-13.....	} S. 5720
	1751.....	5666		A. 40-184-1, 2...	
S.	1752.....	5667		37-180-14.....	5721
	1753.....	5668		37-180-15.....	5722
	1754..... A. 38-318-1.....	5669		37-180-16.....	5723
	1755.....	5670			
	1756.....	5671	1760....		
	1757.....	5672	1761....		
	1758.....	5673	1762....		
S.	1758-a.....	S. 5674	1763....	} R&S. 32-80-1-16... (See S. '13, 1759-a to 1759-o, inc.)	
S.	1758-b.....	5675	1764....		
S.	1758-c.....	5676	1765....		
S.	1758-d.....	5677	1766....		
SS.	1758-e.....	5678	1767....		
SS.	1758-f.....	5679	S. 1768.....			5477
SS.	1758-g.....	5680	1769....	A. 39-261-2.....	} S. 5478
SS.	1758-h.....	5681		R&S. 40-263-1.....	
			S. 1770.....		5479
	40-178-1-4.....	} S. 5681-a1 to S. 5681-a4 inc.	S. 1771.....	R. 39-261-3.....	
				1772.....		5481
			1773.....		5482
			1774.....		5483
SS.	1758-i..		1775.....		5484
SS.	1758-j..		1776.....		5485
SS.	1758-k..		1777.....		5486
SS.	1758-l..		1778.....		5487
SS.	1758-m..		1779.....		5488
SS.	1758-n..		1780.....		5489
SS.	1758-o..		1781.....		5465
SS.	1758-p..		S. 1782.....		5490
SS.	1758-q..		1783.....		5491
SS.	1758-r..		S. 1783-a... A. 38-348-7.....		5492
SS.	1758-s..		SS. 1783-b... A. 39-223-1.....		S. 5493
S.	1759.....		S. 1783-c... A. 38-348-8.....		5494
S.	1759-a ⁹²		S. 1783-d... A. 39-133-1.....		} S. 5495
S.	1759-b..		S. 1783-e... A. 39-261-4.....		
S.	1759-c..			38-348-13.....	S. 5496
S.	1759-d..		S. 1783-f... R. 39-261-5.....		5497
S.	1759-e..		S. 1783-g... ..		5499
S.	1759-f..		S. 1783-h... ..		S. 5500
S.	1759-g.. R&S. 39-120-1-15..	} S. 5696-a1 to S. 5696-a15 inc.		38-304-1.....	5501
S.	1759-h.. A. 40-182-1.....				
S.	1759-i ⁹³ .. A. 40-183-1-3.....			38-197-1-5.....	to
S.	1759-j..				5507
S.	1759-k..				inc.
S.	1759-l..		S. 1784.....		5508
S.	1759-m..		S. 1784-a... ..		
S.	1759-n..		1785.... A. 39-58-1.....		S. 5509
S.	1759-o..		1786....		5510
		5697	S. 1787.....		5511
		to	S. 1788.... A. 40-171-1.....		S. 5512
	38-286-1-8.....	5704	1789.... A. 40-171-2.....		S. 5513
		inc.	1790.... A. 38-348-9, 10....		5514
		S. 5705	1791....		5515
		5706	1792....		5516
		5707	1793....		5517
		5708	S. 1794.... A. 39-58-2.....		S. 5518
	37-180-1-12.....	to	1795....		5519
		5719	1796.... R&S. 37-227-1.....		5520
		inc.			

⁹²Amended by 37-42-1 and 37-412-1.⁹³Amended by 37-412-2 and 38-348-4.

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1797.....		5521		37-40-1.....	5741
S. 1798.....		5522		37-40-2.....	5742
S. 1798-a. {	A. 37-234-1.....	S. 5523		37-40-3.....	5743
	A. 37-413-1.....			37-40-4.....	S. 5744
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1809.....		5535	1824..... {	A. 38-240-1.....	S. 5556
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1817.....		5543	1831.....		5563
1818.....		5544	S. 1832.....	A. 39-270-1.....	S. 5564
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S. 1821-f.....		5472	S. 1839-e.....	A. 39-209-19.....	S. 5576
S. 1821-g.....		5473	S. 1839-f.....		5577
S. 1821-h.....		5474	S. 1839-g.....		5578
S. 1821-i.....		5475	S. 1839-h.....		5579
S. 1821-j.....		5476	S. 1839-i.....		5580
	39-181-1.....	S. 5476-a1	S. 1839-j. {	A. 37-113-1.....	5581
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S. 1821-l.....		5738	S. 1839-k.....	A. 38-227-1.....	
S. 1821-m.....		5724		A. 37-379-1.....	5582
S. 1821-n.....		5725	S. 1839-l. {	A. 37-113-2.....	5583
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S. 1821-p.....		5727	SS. 1839-m.....		5584
S. 1821-q.....		5728	SS. 1839-n.....		5585
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S. 1821-w.....		5734			5592
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		S. 5597-a2			S. 5803-a2
	40-172-1-3.....	to	1878.....		5804
		S. 5597-a4	1879.....		5805
	40-170-1.....	inc.	1880.....		5806
	40-170-2.....	S. 5597-a5	1881.....	37-40-9.....	5752
1840.....		S. 5597-a6			5753
1841.....		5766	1882.....		5807
S. 1842.....		5767	1883.....		5808
S. 1843.....	A. 37-357-1.....	5768	1884.....		5809
1844.....		5769	1885.....		5810
1845.....	A. 37-238-1.....	5770	1886.....		5811
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1847.....		5772	1888.....		5813
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1849.....		5774		37-218-1.....	5815
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1853.....		5779			5819
1854.....		5780		38-66-1.....	5820
S. 1855.....		5781			5821
S. 1855-a.....		5782	SS. 1889-d.....	38-144-1.....	5822
S. 1855-b.....		5783	S. 1889-e.....		5823
1856.....		5784	S. 1889-f.....		5824
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1858.....		5786	S. 1889-h.....		5826
1859.....		5787	S. 1889-i.....		5827
SS. 1860.....	A. 37-189-1.....	5788	S. 1889-j.....		5828
1861.....	38-319-1.....	5789	S. 1889-k.....		5829
1862.....		5790	S. 1889-l.....	A. 40-186-2.....	S. 5831
1863.....		5791	S. 1889-m.....		5832
S. 1864.....		5792	S. 1889-n.....		5833
1865.....		5793	SS. 1889-o.....		5834
1866.....	A. 39-70-1.....	S. 5794		39-157-1.....	S. 5833-a1
1867.....	A. 37-189-2.....	5795	1890.....		5834
1868.....	R&S. 38-67-1.....	5796	1891.....		5835
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SS. 1870.....		5798	1893.....		5837
S. 1871.....		5799	S. 1893-a.....		5838
1872.....		5800	1894.....		5839
S. 1873.....	39-69-1.....	S. 5800-a1	S. 1894-a.....		5840
1874.....	A. 39-71-1.....	S. 5801	1895.....		5841
SS. 1875.....	A. 40-187-1.....	5802	1896.....		5842
	R&S. 38-335-2.....	S. 5754	1897.....		5843
	A. 40-185-1.....	5755	S. 1898.....	A. 39-258-1.....	S. 5844
	38-335-3.....	5756	S. 1898-a.....		5845
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	38-236-3.....	5763	S. 1898-c.....	A. 39-258-2.....	S. 5845
	38-236-4.....	S. 5764	S. 1898-d.....		5846
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1877.....	A. 40-189-1.....	S. 5803	1900.....		5849
			1901.....	A. 39-258-3.....	S. 5850
			1902.....		5851
			S. 1902-a.....	R&S. 39-269-1, 2.....	{ S. 5852-a1
			1903.....		S. 5852-a2
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1906.....	5858	SS. 1920-u1..	A. 40-167-1.....	
S. 1906-a.....	5859	SS. 1920-u2..	A. 39-189-2, 7.....	S. 5418
1907.....	5860	SS. 1920-u3..	5419
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1908.....	5864	SS. 1920-u7..	5423
S. 1908-a.....	5865	39-189-6.....	5424
1909.....	5866	SS. 1920-u8..	S. 5424-a1
1910.....	5867	SS. 1920-u9..	5425
1911.....	5868	SS. 1920-u10..	A. 39-189-3.....	5426
1912.....	5869	SS. 1920-u11..	S. 5427
1913.....	5870	SS. 1920-u12..	A. 39-209-3.....	5428
1914.....	5871	SS. 1920-u13..	S. 5429
1915.....	5872	SS. 1920-u14..	5430
S. 1915-a.....	5873	SS. 1920-u15..	A. 39-189-8, 9.....	5431
1916.....	5874	S. 5432
1917.....	5875	39-189-5 ⁹⁴	S. 5432-a1 S. 5432-a2 S. 5432-a3
1918.....	5876	SS. 1920-u16..	A. 40-168-1.....	
1919.....	5877	SS. 1920-u17..	
1920.....	4516	SS. 1920-u18..	S. 5433
S. 1920-a.....	5878	SS. 1920-u19..	5434
S. 1920-b.....	5879	SS. 1920-u20..	5435
S. 1920-c.....	5880	SS. 1920-u21..	A. 39-189-4.....	5436
S. 1920-d.....	5881	SS. 1920-u22..	39-189-5 ⁹⁵	5437
S. 1920-e.....	5882	S. 5438
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S. 1920-g.....	5884	5439
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S. 1920-k.....	5409	1923.....	4939
S. 1920-l.....	5410	1924.....	4940
S. 1920-m.....	5411	1925.....	4941
S. 1920-n.....	1926.....	4942
S. 1920-o.....	5412	1927.....	4943
S. 1920-p.....	5413	1928.....	4944
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⁹⁴Part of this citation appears in S.C.C. 5438-a1 and S.C.C. 5439-a1.⁹⁵Part of this citation appears in S.C.C. 5432-a1 to 5432-a3, inc., and S.C.C. 5439-a1.⁹⁶Part of this citation appears in S.C.C. 5432-a1 to 5432-a3, inc., and S.C.C. 5438-a1.

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S. 1948		4791		38-162-2	4846
1949		4792		38-162-3	4847
S. 1950		4793		37-264-2	4848
S. 1951		4794	S. 1989-a10		4849
1952		4795	S. 1989-a11		4850
1953	A. 40-108-10	S. 4795	SS. 1989-a12	A. 37-127-1	S. 4851
1954		4796		A. 37-344-2	
S. 1955		4797		A. 39-214-1	
S. 1956		4798		38-332-1	4852
1957		4799	S. 1989-a13	A. 39-118-1	S. 4853
1958		4800	S. 1989-a14	A. 37-344-3	4854
S. 1959		4801	S. 1989-a15		4855
1960		4802			3738
1961		4803	S. 1989-a16		4856
1962		4804	S. 1989-a17		4857
1963		4805		40-155-1	S. 4857-a1
1964		4806		40-156-1	S. 4857-a2
1965		4807	S. 1989-a18	A. 39-206-2	S. 4858
1966		4808		39-205-1	S. 4858-a1
1967		4809	S. 1989-a19	A. 37-344-4	4859
S. 1968		4810	S. 1989-a20		4860
S. 1969		4811	S. 1989-a21	A. 38-121-1	4861
1970		4812		37-302-1	4862
S. 1971		4813		37-302-2	4863
S. 1972		4814		37-302-3	4864
1973		4815			4865
1974		4816		37-224-1-5	to
1975		4817			4869
S. 1976		4818			inc.
S. 1977		4819	S. 1989-a22		4870
1978		4820	S. 1989-a23		4871
S. 1979		4821	S. 1989-a24		4872
1980		4822	S. 1989-a25		4873
S. 1981		4823		A. 37-344-5	S. 4874
S. 1982		4824	S. 1989-a26	A. 38-64-1	
1983		4825		A. 38-271-1	
S. 1984		4826		A. 40-157-1	
S. 1985		4827		A. 37-344-6	S. 4875
S. 1985-a		4828	S. 1989-a27	A. 38-64-2	
S. 1986		4829		A. 38-271-2	
1987		4830		A. 39-39-1	
1988		4831		A. 39-124-1	S. 4876
S. 1989		4832		A. 40-108-11	
	38-334-1	4833	S. 1989-a28		4877
	38-334-2	4834	S. 1989-a29	A. 39-150-1	S. 4877
	38-334-3	4835	S. 1989-a30		4878
S. 1989-a1		4836	S. 1989-a31		4879
	39-45-1	S. 4836-a1	S. 1989-a32	A. 37-344-7	S. 4880
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S. 1989-a2	A. 37-415-1			39-124-2	S. 4880-a1
	A. 38-141-1				4881
	A. 39-206-1			S. 1989-a33	S. 4882
	40-154-1	S. 4837-a1	S. 1989-a34	A. 39-116-2	4883
S. 1989-a3	A. 38-138-1	4838	S. 1989-a35		4884
S. 1989-a4		4839	S. 1989-a36		4885
S. 1989-a5		4840	S. 1989-a37	A. 37-344-8	S. 4886
S. 1989-a6		4841		A. 38-54-1	
S. 1989-a7		4842	S. 1989-a38	A. 37-28-1	
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S. 1989-a39	4888			S. 4935-a1 to S. 4935-a11 inc.
S. 1989-a40	4889		40-159-1-11.....	
S. 1989-a41	A. 38-76-1..... A. 39-130-1.....	S. 4890			
S. 1989-a42	.....	4891	SS. 1989-b.....		2842
S. 1989-a43	.....	2857	SS. 1989-b1.....		2843
S. 1989-a44	.....	4892	SS. 1989-b2.....		2844
S. 1989-a45	.....	4893	SS. 1989-b3.....	A. 37-161-1.....	2845
S. 1989-a46	.....	4894	SS. 1989-b4.....		2846
S. 1989-a47	.....	4895	SS. 1989-b5.....		2847
S. 1989-a48	.....	4896	SS. 1989-b6.....		2848
S. 1989-a49	.....	4897		38-135-1 ⁹⁷	2849
		4898	SS. 1989-b7.....	A. 38-30-1.....	2850
	38-283-1-4.....	to 4901 inc.	SS. 1989-b8.....		2851
S. 1989-a50	.....	4902	SS. 1989-b9.....		2852
S. 1989-a51	.....	4903	SS. 1989-b10.....	A. 38-29-1.....	2853
S. 1989-a52	.....	4904	SS. 1989-b11.....		2854
SS. 1989-a52a	R&S. 37-307-1.....	4905	SS. 1989-b12.....		2855
S. 1989-a52b	R&S. 37-307-2.....	4906	SS. 1989-b13.....		2856
S. 1989-a52c	R&S. 37-307-3.....	4907	1990.....		4954
SS. 1989-a52d	4908	1991.....		4955
S. 1989-a52e	R&S. 37-307-4.....	4909	1992.....		4956
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S. 1989-a52g	4911	1994.....		4958
	40-158-1.....	S. 4911-a1	S. 1995.....		4980
S. 1989-a53	4912	1996.....		4981
		S. 4912-a1	1997.....		4982
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S. 1989-a54	4913	1999.....		4984
S. 1989-a55	4914	2000.....		4985
S. 1989-a56	2001.....		4986
S. 1989-a57	4915	2002.....		4987
S. 1989-a58	.....	4916	S. 2003.....		4988
S. 1989-a59	.....	4917	2004.....		4989
S. 1989-a60	.....	.....	2005.....		4990
SS. 1989-a61	.....	4918	2006.....		4991
SS. 1989-a62	.....	4919	2007.....		4992
SS. 1989-a63	.....	4920	2008.....		4993
SS. 1989-a64	.....	4921	S. 2009.....	A. 38-189-1.....	4994
SS. 1989-a65	.....	4922	2010.....		4995
SS. 1989-a66	.....	4923	2011.....		4996
SS. 1989-a67	.....	4924	2012.....		4997
SS. 1989-a68	.....	4925	2013.....		4998
SS. 1989-a69	.....	4926	2014.....		4999
SS. 1989-a70	.....	4927	2015.....		5000
SS. 1989-a71	.....	4928	2016.....		5001
SS. 1989-a72	4929	SS. 2017.....		5002
SS. 1989-a73	4930	2018.....		5003
SS. 1989-a74	4931	2019.....		5004
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SS. 1989-a76	2021.....		5006
SS. 1989-a77	4933	S. 2022.....		5007
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⁹⁷Part of this citation appears in C.C. 6584.

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S. 2024-f		4965	S. 2057		5074
S. 2024-g		4967	2058		5076
S. 2024-h		4968	2059		5078
S. 2024-i	38-292-1	S. 4968-a1			S. 5079-a1
S. 2024-i1	A. 39-79-1, 2	S. 2888	2060	R&S. 39-247-1-5	to
S. 2024-i2		2889			S. 5079-a4
S. 2024-i3		2830			inc.
S. 2024-j		2891	2061		5080
S. 2024-k		4969	2062		5081
S. 2024-l		4970	2063	R&S. 37-353-1	5082
2025		S. 4970-a1		37-353-2	5083
S. 2026		S. 4959-a1	2064		5084
2027		5239	2065		5085
S. 2028		5010	2066		5086
2029		4977	2067		5087
2030		4978	2068		5051
2031		4979	2069		5088
2032		5011	2070		5089
2033		5012	S. 2071		5090
S. 2033-a		5013	2072		5091
S. 2033-b		5236	2073		5092
S. 2033-c		5238	2074		5093
S. 2033-d		5237	S. 2074-a		5094
S. 2033-e	A. 39-34-1	5240	S. 2074-b		5095
S. 2033-f	39-34-2, 3	S. 5241	S. 2074-c	A. 37-399-1	5096
SS. 2033-g		S. 5241-a1	S. 2074-d		5097
SS. 2033-h		5250	S. 2074-e		5098
SS. 2033-i		5251	SS. 2074-f		5099
SS. 2033-j		5252	2075	R&S. 37-403-1	5100
SS. 2033-k		5253	S. 2076		5101
SS. 2033-l		5254	S. 2077	A. 37-327-1	5103
		5255	S. 2077-a		5104
		5256	S. 2077-a1		5105
		5246	S. 2078		5102
	37-320-1	5247	2079		5106
	37-320-2	5248	S. 2080		5107
SS. 2033-m		5249	2081		5108
2034		5050	2082		5109
2035		5052	2083		5110
2036		5053	S. 2083-a		....
2037		5054	S. 2083-b		....
2038		5055	S. 2083-c		5111
S. 2038-a		5056	S. 2083-d		5112
S. 2038-b		5057	S. 2083-e		5113
2039		5058	S. 2083-f		5114
2040		5059	S. 2083-g		5115
2041		5060	S. 2083-h		5116
2042		5061	S. 2083-i		5117
2043		5062	S. 2083-j	A. 39-195-1	S. 5118
2044	R&S. 37-82-1, 2	5066	S. 2083-k		5119
2045		5067	S. 2083-l		....
2046		5068	S. 2083-m		5120
2047		5069	S. 2084		5121
2048		5070	S. 2085		5122
2049		5063	S. 2086		5123
2050		5064	2087		5124
S. 2051		5071	S. 2088		5125
S. 2052		5072	2089		5126
2053		5065	2090		5127
2054		5073	2091		5128
2055		5075	S. 2091-a		5129

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S. 2091-b		5130	S. 2120-f		5029
S. 2091-c		5131	S. 2120-g		5030
S. 2091-d		5132	S. 2120-h		5031
S. 2091-e		5133	S. 2120-i		5032
S. 2091-f		5134	S. 2120-j		5033
		5135	S. 2120-k		5034
	38-328-1-4	to	S. 2120-l		....
		5138	S. 2120-m		....
		inc.	S. 2120-n		5037
S. 2092		5139	S. 2120-o		5038
S. 2093		5140	S. 2120-p		5039
2094		5141	S. 2120-q		5040
2095		5142	S. 2120-r		5041
2096		5143	S. 2120-s		5042
2097		5144	S. 2120-t		5043
2098		5145			
2099		5146	SS. 2121	{ A. 37-315-2	} S. 5044
2100		5147		{ A. 39-209-20	
2101		5148		{ 39-309-1	
2102		5149		{ A. 40-160-1	} S. 5044-a1
2103		5160	S. 2121-h			5045
2104		5151	S. 2121-i		5046
2105		5158	S. 2121-j	A. 39-209-21	S. 5047
2106		5159	S. 2121-k	R. 39-209-1	
2107		5160	S. 2121-l		5049
2108		5161	2122		5173
2109		5162	2123		5174
2110		5163	2124		5175
S. 2110-a		5164	SS. 2125		5176
S. 2110-b		5165	2126	R&S. 40-161-1	S. 5177
SS. 2110-b1		5166	2127		5178
SS. 2110-b2		5167			} S. 5179-a1
S. 2110-c		5242	2128	R&S. 40-162-1-14	
S. 2110-d		5243			inc.
S. 2110-e		5244	S. 2128-a		5180
S. 2110-f		5245	S. 2128-b		5181
S. 2110-g		....	S. 2128-c		5182
S. 2110-h		....	S. 2128-d		5183
S. 2110-i		5168	2129		5184
S. 2110-j		5169	2130		5185
S. 2110-k		5170	2131		5186
S. 2110-l		5171	2132		5187
S. 2110-m		5172	2133		5188
		S. 5172-a1	2134		5189
	39-86-1-4	to	2135		5190
		S. 5172-a4	2136		5191
		inc.	2137		5192
2111		5014	2138		5193
2112		5015	2139		5194
S. 2113		5016	2140		5195
2114		5017	2141		5196
2115		5018	2142		5197
S. 2116	A. 39-153-1	S. 5019	2143		5198
2117		5020	2144		5199
2118		5021	S. 2145		5200
S. 2119		5022	2146		5201
2120		5023	2147		5202
S. 2120-a		5024	2148		5203
S. 2120-b		5025	2149		5204
S. 2120-c		5026	2150	A. 37-390-1	5205
S. 2120-d		5027	2151		5206
S. 2120-e		5028	2152		5207

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S. 2153.....		5208		R&S. 29-88-2.....	
2154.....		5209	2169.....	R&S. 30-77-1.....	
S. 2155.....		5210		A. 31-91-1.....	
2156.....		5211		(See S. '07, 2169-a.)	
2157.....		5212	‡S. 2169-a...	R&S. 33-131-1-44..	
	37-211-1.....	5213		(See S. '13, 2215-f1 to	
	37-211-2.....	5214		2215-f43, inc.)	
S. 2157-a.....		5215	2170.....		
S. 2157-b.....		5216	2171.....	R&S. 33-131-1-44..	
S. 2157-c.....		5217	2172.....	(See S. '13, 2215-f1 to	
S. 2157-d.....		5218		2215-f43, inc.)	
S. 2157-e.....		5219			
S. 2157-f.....		5220	2173.....	R&S. 29-88-3.....	
S. 2157-g.....	A. 38-174-1.....	5221		R&S. 30-77-2.....	
S. 2157-h.....		5222		A. 31-91-2.....	
S. 2157-i.....		5223		(See S. '07, 2173-a.)	
S. 2157-j.....		5224	‡S. 2173-a...		
S. 2157-k.....		.....	‡S. 2174.....	R&S. 33-131-1-44..	
S. 2157-l.....		5225	‡S. 2175.....	(See S. '13, 2215-f1 to	
S. 2157-m.....		5226		2215-f43, inc.)	
S. 2157-n.....		5227	2176.....	R&S. 28-72-2.....	
S. 2157-o.....		5228		R&S. 30-77-4.....	
S. 2157-p.....		5229		R&S. 31-91-5.....	
S. 2157-q.....		5230	‡S. 2176-a...	(See S. '07, 2176-a.)	
		S. 5230-a1	2177.....	R&S. 33-131-1-44..	
		to	‡S. 2178.....	(See S. '13, 2215-f1 to	
	39-285-1-7.....	S. 5230-a7		2215-f43, inc.)	
		inc.			
S. 2157-r.....		5231	2179.....	R&S. 28-72-3.....	
S. 2157-s.....		S. 5219-a1		R&S. 29-88-6.....	
S. 2157-t.....		S. 5219-a2		R&S. 30-77-6.....	
S. 2157-u.....		S. 5219-a3	‡S. 2179-a...	(See S. '07, 2179-a.)	
2158.....		5318	‡S. 2180.....	R&S. 33-131-1-44..	
2159.....		5319		(See S. '13, 2215-f1 to	
2160.....		5320		2215-f43, inc.)	
2161.....		5321	2181.....	R&S. 28-72-5.....	
2162.....		5322		A. 29-88-7.....	
2163.....		5323		R&S. 30-77-7.....	
2164.....		5324		(See S. '07, 2181-a.)	
S. 2165.....		.....	‡S. 2181-a...		
S. 2165-a.....		5257	2182.....		
S. 2165-b.....		5258	‡S. 2183.....		
S. 2165-c.....		5259	‡S. 2184.....		
S. 2165-d.....		5260	2185.....	R&S. 33-131-1-44..	
S. 2165-e.....		5261	2186.....	(See S. '13, 2215-f1 to	
S. 2165-f.....		5262	2187.....	2215-f43, inc.)	
2166.....	R&S. 32-116-1-7..		‡S. 2188.....		
	(See S. '13, 2165-a to		2189.....	R. 31-91-8.....	
	2165-f, inc.)		‡S. 2190.....		
2167.....	R&S. 33-131-1-44..		‡S. 2191.....		
	(See S. '13, 2215-f1 to		‡S. 2192.....		
	2215-f43, inc.)		2193.....		
2168.....	R&S. 29-88-1.....		2194.....	R&S. 33-131-1-44..	
	(See S. '07, 2168-a.)		2195.....	(See S. '13, 2215-f1 to	
‡S. 2168-a...	R&S. 33-131-1-44..		2196.....	2215-f43, inc.)	
	(See S. '13, 2215-f1 to		2197.....		
	2215-f43, inc.)		2198.....		
			‡S. 2199.....		

‡Appeared for last time in Supplement, 1907.

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2200....			SS. 2215-f31..		328
†S. 2201....			S. 2215-f32..		329
2202....			S. 2215-f33..		330
†S. 2203....			S. 2215-f34..	R&S. 39-163-8....	S. 331
†S. 2204....			S. 2215-f35..		332
†S. 2204-a..			SS. 2215-f36..	R&S. 37-314-10....	333
2205....			S. 2215-f37..	R. 37-314-11....	
2206....			S. 2215-f38..	R. 37-314-12....	
2207....			S. 2215-f39..	R. 37-314-13....	
2208....			S. 2215-f40..		334
2209....				A. 37-314-14....	
2210....			S. 2215-f41..	A. 39-163-5....	S. 335
†S. 2211....	R&S. 33-131-1-44..			A. 39-327-1....	
†S. 2212....	(See S. '13, 2215-f1 to		SS. 2215-f42..	A. 37-314-15....	S. 336
†S. 2213....	2215-f43, inc.)			A. 39-171-2....	
†S. 2213-a..				40-5-1....	S. 336-a1
†S. 2214....			SS. 2215-f43..		337
†S. 2214-a..				39-78-1....	S. 337-a1
2215....				39-78-2....	S. 337-a2
†S. 2215-a..				30-178-1**....	338
†S. 2215-b..				30-178-2**....	339
†S. 2215-c..				30-178-3**....	340
†S. 2215-d..				37-164-1....	
†S. 2215-e..				A. 39-225-1....	S. 341
S. 2215-f....				35-348-1**....	S. 341-a1
S. 2215-f1..		299		40-6-1....	S. 341-a2
S. 2215-f2..	A. 37-314-1....	300		37-378-1....	
S. 2215-f3..		301	2216....		3273
SS. 2215-f4..	R&S. 37-314-2....	302	2217....		3276
S. 2215-f5..		303	2218....		3277
S. 2215-f6..		304	2219....		3278
S. 2215-f7..	A. 37-314-3....	305	2220....		3279
S. 2215-f8..		306	2221....		3280
S. 2215-f9..		307	2222....		3281
S. 2215-f10..	R&S. 37-314-4....	308	2223....		3282
S. 2215-f11..	R&S. 37-314-5....	309	2224....		3283
S. 2215-f12..		310	2225....		3284
S. 2215-f13..	R&S. 37-314-6....	311	2226....		3285
SS. 2215-f14..		312	2227....		3286
SS. 2215-f15..		313	2228....		3287
	39-327-2....	S. 313-a1	2229....		3288
SS. 2215-f16..	A. 37-314-7....		S. 2230....	A. 37-253-1....	3289
	R. 39-209-1....		S. 2231....		3290
SS. 2215-f17..	R. 37-314-8....		2232....		3291
S. 2215-f18..	A. 39-163-1....	S. 316	S. 2233....		3292
S. 2215-f19..		317	S. 2234....		3293
S. 2215-f20..			2235....		3294
S. 2215-f21..		318	2236....		3295
S. 2215-f22..		319	2237....		3296
S. 2215-f23..	R&S. 39-163-3....	S. 320	2238....	A. 38-225-1....	3297
SS. 2215-f24..	R&S. 39-163-4....	S. 322-a1	2239....		3298
	R&S. 37-314-9....		2240....		3299
SS. 2215-f25..	A. 38-362-1....	S. 322-a1	SS. 2241....	R&S. 39-273-1....	S. 3301
	R&S. 39-163-4....		S. 2242....	A. 38-260-1....	S. 3302-a1
S. 2215-f26..	R&S. 39-163-6....	S. 323		R&S. 40-251-1, 2..	S. 3302-a2
SS. 2215-f27..	R&S. 39-163-7....	S. 324	S. 2243....		3303
S. 2215-f28..		325	S. 2244....	R&S. 40-251-3, 4..	S. 3304-a1
S. 2215-f29..		326			S. 3304-a2
S. 2215-f30..		327	S. 2245....		3305

†Appeared for last time in Supplement, 1907.

**This act was omitted from the Supplement of 1913, but is carried in the table the same as new legislation enacted subsequent to said Supplement.

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S. 2246.....		3306	2295.....		2065
S. 2247.....	A. 40-110-1.....	S. 3300	2296.....	R. 27-118-26, 46, 55††.....	
S. 2248.....		3308			
S. 2249.....		3307	2297.....	A. 38-309-1.....	2084
2250.....		3274	S. 2297-a.....		2085
2251.....		3275	2298.....		2073
2252.....		3272	2299.....	R. 27-118-11, 55††.	
2253.....	R&S. 29-91-1..... (See S. '13, 2253-a.)		2300.....		2028
S. 2253-a.....		2018	2301.....		2029
2254.....	R. 27-118-9, 55††.		2302.....		2030
2255.....		2019	2303.....		2037
2256.....	R. 27-118-9, 55††.		2304.....		2074
2257.....	R. 27-118-38, 55††.		2305.....		2075
2258.....		2020	2306.....		2076
2259.....	R. 27-118-41, 42, 46, 55††.....		2307.....		2077
2260.....		2023	S. 2308.....		2088
2261.....		2054	S. 2308-a.....		2080
2262.....		2055	2309.....		2057
2263.....		2056	2310.....	R. 27-118-11, 55††.	
2264.....		2058	S. 2310-a1.....	R. 30-80-1, 5, 17, 22††.....	
2265.....		2059	S. 2310-a2.....	R. 30-80-6-9, 22††.	
2266.....		2061	S. 2310-a3.....	R. 30-80-14, 22††.	
S. 2267.....		2062	S. 2310-a4.....	R. 30-80-6-9, 22††.	
2268.....		2063	S. 2310-a5.....	R. 30-80-10, 22††.	
2269.....		2064	S. 2310-a6.....		1985
S. 2270.....		2079			{ S. 1989-a1 to S. 1989-a4 inc.
S. 2271.....		2066		38-366-1-4 R&S. 39-187-1-4	
2272.....		2067	S. 2310-a7.....		1999
2273.....		2068	S. 2310-a8.....		1990
2274.....		2069	S. 2310-a9.....		....
2275.....		2060	S. 2310-a10.....		1991
2276.....		2034	S. 2310-a11.....		1994
2277.....		2070	S. 2310-a12.....		1995
2278.....		2025	S. 2310-a13.....		1996
2279.....		2071	S. 2310-a14.....		1997
2280.....		2072	S. 2310-a15.....		1998
2281.....		2078	S. 2310-a16.....		1993
2282.....		2086	S. 2310-a17.....		2000
S. 2283.....		2081	S. 2310-a18.....		2001
2284.....		2026	S. 2310-a19.....		2008
2285.....		2039	S. 2310-a19a.....		2009
2286.....		2024	S. 2310-a20.....		2015
S. 2287.....		2031	S. 2310-a21.....		2002
2288.....		2033	S. 2310-a22.....		1992
2289.....		2035	S. 2310-a23.....		....
2290.....		2036	S. 2310-a24.....		2016
2291.....	{ R&S. 27-54-1..... R&S. 29-157-1..... (See S. '13, 2291-b.)		S. 2310-a25.....		....
S. 2291-a.....		....	S. 2310-a26.....		....
			S. 2310-a27.....		....
S. 2291-b.....	{ A. 37-266-1..... R&S. 38-37-1, 2..... A. 40-55-2.....	S. 2038	S. 2310-a28.....		2012
S. 2291-c.....		....	S. 2310-a29.....		2010
S. 2291-d.....		....	S. 2310-a30.....		2013
S. 2292.....		2087	S. 2310-a30a.....		2014
2293.....		2022	S. 2310-a31.....		2017
2294.....		2021	S. 2310-a32.....		2011
			S. 2310-a33.....		2004
			S. 2310-a34.....		2005

††Apparently repealed by implication—at least now obsolete.

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S. 2310-a35		2006			S. 1816-a1 S. 1816-a2	
S. 2310-a36		2007				
SS. 2310-a37		2003			S. 1816-a3	
S. 2310-a38		S. 2341-s..	R&S. 39-267-1-6.. A. 40-235-1-4.....	S. 1816-a4a	
2311		1821	S. 2341-t..		S. 1816-a4b	
2312		1822	S. 2341-u..		S. 1816-a4c	
2313		1823			S. 1816-a4d	
2314		1824			S. 1816-a5	
2315		1825	S. 2341-v..	.....	1817
2316		1826	2342...	R&S. 31-98-1-5.. R&S. 32-120-1-6.. (See S. 1907, 2341-a to 2341-e, inc.)		
2317		1827				
2318		1828				
2319		1829				
2320		1830				
2321		1831	2343....		1751	
2322		1832	2344....		1752	
2323		1833	2345....		1753	
2324		1834	2346....		1754	
2325		1835	2347....		1755	
2326		1836	S. 2348 ⁹⁸ ..			
2327		1837	S. 2348-a..			
2328		1838	S. 2348-b..			
2329		1839	S. 2348-c..			
2330		1840	S. 2348-d..			
2331		1841	S. 2348-e..	R&S. 40-253-1-7..	S. 3369-a1 to S. 3369-a7 inc.	
2332		1842	S. 2348-f..			
2333		1843	S. 2348-g..			
2334		1818	S. 2348-h..			
2335		1819	S. 2348-i..			
2336		1820	S. 2348-j..			
2337		1845	S. 2348-k..			
2338		1846	S. 2348-l..			
2339		1847	2349....		1844	
S. 2340		1851	2350....		1765	
S. 2341		.....	2351....		1766
†S. 2341-a.			2352....		1767	
†S. 2341-b.			2353....		1768	
†S. 2341-c.	R&S. 34-100-1-9 [□] . (See S. '13, 2341-j, l, n, p, r, s, t, u, v; S. S. '15, 2341-g, h, i, k, m, o, q.)		2354....		1769	
†S. 2341-d.			2355... {	A. 38-52-1.....	S. 1187	
†S. 2341-e.			2356....	R&S. 39-76-1.....		
				2357....		1188
				2358....		1189
S. 2341-f.		1802	S. 2358....		1190	
	40-52-1.....	S. 1802-a1	S. 2359....		1191	
SS. 2341-g.		1803	2360....	A. 38-33-1.....	1192	
SS. 2341-h.		1804	2361....		1193	
SS. 2341-i.	A. 40-52-2.....	S. 1805	2362....	A. 38-33-2.....	1194	
S. 2341-j.		1806	2363....	A. 38-33-3.....	1195	
SS. 2341-k.		1807	2364....		1196	
S. 2341-l.		1808	2365....		1197	
SS. 2341-m.		1809	2366....		1198	
S. 2341-n.		1810				
SS. 2341-o.		1811	S. 2367....	R&S. 40-231-1-5..	S. 1199-a1 to S. 1199-a5 inc.	
S. 2341-p.		1813				
SS. 2341-q.	A. 38-262-1.....	1812				
S. 2341-r.		.....	2368....		1200

[□]This act does not state that it is a repeal and substitute, but it is in effect, and has been treated as such.

†Appeared for last time in Supplement, 1907.

⁹⁸Repealed and substituted by 38-249-1.

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2369.....	A. 38-33-4.....	1201			943
2370.....	A. 38-33-5.....	1202			to
2371.....		1203		37-133-1-9.....	951
S. 2372.....		1204			inc.
2373.....		1205			952
S. 2374.....		1206			to
2375.....		1207		38-221-1-10.....	961
2376.....		1208			inc.
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†Appeared for last time in Supplement, 1907.

*Omitted because same as 38-206-7. See C. C. 1459.

⁹⁹Amended by 37-377-3.

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††Apparently repealed by implication—at least now obsolete.

¹Applied as an amendment to various sections.

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	38-287-18 ³	1741			inc.
	38-287-11.....	1742	SS. 2548.....	R&S. 37-81-1.....	1121
	39-194-1.....	S. 1742-a1	2549.....		1122
	38-287-12.....	1743	2550.....		1123
	38-287-13.....	1744		A. 37-202-1.....	
	38-287-16.....	1745		A. 37-233-1.....	
	38-287-18 ⁴	1746		A. 39-25-1.....	S. 1124
	38-287-3.....	1747	SS. 2551.....	A. 39-33-1.....	
	38-287-6.....	1748		A. 40-29-1.....	
	38-287-15.....	1749		A. 40-30-1.....	
	38-287-19.....	1750	S. 2551-a.....		1125
S. 2538-t.....		1716	S. 2551-b.....		1126
S. 2538-u.....	R. 39-209-1.....		SS. 2552.....		1127
S. 2538-v.....				R&S. 37-396-1.....	
SS. 2538-w.....	R&S. 39-274-1.....	S. 2422	SS. 2553.....	A. 39-87-1.....	S. 1128
SS. 2538-w1.....	R&S. 39-274-2.....	S. 2423		A. 40-31-1.....	
SS. 2538-w2.....	R&S. 39-274-3.....	S. 2424			
		S. 1783-a1	SS. 2554.....		1129
SS. 2538-w3.....		to	SS. 2555.....		1130
S. 2538-w4.....		S. 1783-a18	SS. 2556.....		1131
SS. 2538-w5 ⁵		inc.	2557.....		1132
S. 2538-w6.....	R&S. 38-379-1-6.....	S. 1783-a18a	2558.....		1133
S. 2538-w7.....	R&S. 39-173-1-26 ⁶	S. 1783-a18b	SS. 2559.....		1134
SS. 2538-w8.....	A. 40-50-1.....	S. 1783-a19	2560.....	See C. '97, 4821.	
S. 2538-w9.....	A. 40-51-1-9.....	to	S. 2561.....		1135
S. 2538-w10.....		S. 1783-a24	SS. 2562.....	A. 39-209-40.....	S. 1136
S. 2538-w11.....		inc.	SS. 2562-1a.....	
SS. 2538-w12.....		S. 1783-a26	S. 2562-a.....	R. 36-290-11.....	

¹This act does not state that it is a repeal and substitute, but it is in effect, and has been treated as such.
²39-169-3 has been located so as to immediately follow this section and appears in the Supplement as 1740-a7a.
³Part of this citation appears in C.C. 1746.
⁴Part of this citation appears in C.C. 1741.
⁵Amended by 37-329-1.

TABLE OF CORRESPONDING SECTIONS

Read explanatory notes at beginning of table, p. 715.

Code 1497 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement	Code 1397 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement
SS. 2562-b...	A. 40-32-1.....	S. 1137		37-236-2.....	
S. 2562-c...		1138		A. 38-368-1.....	1178
S. 2562-d...		1139		37-236-3.....	1179
2563.....		.....		A. 38-368-2.....	1180
S. 2563-a.....		.....		37-236-4.....	1181
SS. 2563-a1.....		1140		37-236-5.....	1182
S. 2563-a2.....		1141		37-236-6.....	1183
S. 2563-a3.....		1142		A. 38-368-1, 2...	1185
SS. 2563-a4.....		1143		37-236-7.....	S. 1186
S. 2563-a5.....		1144		A. 38-368-2.....	
S. 2563-a6.....		1145		37-236-10.....	
S. 2563-a7.....		1146		A. 38-368-1.....	
S. 2563-a8.....		1147		37-236-11.....	
S. 2563-a9.....		1148		R&S. 38-368-3..	
S. 2563-a10.....		1149		A. 40-34-1.....	
		1150	S. 2564.....	A. 39-209-41.....	S. 1262
	38-98-1-10.....	1159	S. 2564-a.....		1268
		inc.			S. 1268-a1
S. 2563-a11.....		1160		40-37-1-5.....	to
	37-168-1.....	1161			S. 1268-a5
	37-168-2.....	1162			inc.
	37-168-3.....	1163			
S. 2563-a12.....		.....	S. 2564-b.....		.....
‡S. 2563-b..			2565.....		1264
‡S. 2563-c..			2566.....		
‡S. 2563-d..			‡S. 2567.....	R&S. 31-109-1-9..	
‡S. 2563-e..	R&S. 33-154-1-12.			(See S. '13, 2575-a11	
‡S. 2563-f..	(See S. '13, 2563-a to		2568.....	to 2575-a19, inc.)	1269
‡S. 2563-g..	2563-a12, inc.)		2569.....	A. 38-87-1.....	1272
‡S. 2563-h..				37-73-1.....	1273
S. 2563-i.....		1164	S. 2569-a.....		1265
S. 2563-j.....		1165	S. 2569-b.....		.....
S. 2563-k.....		1166	2570.....	R&S. 29-105-1...	
S. 2563-l.....		1167	‡S. 2570-a..	(See S. 1907, 2570-a,	
S. 2563-m.....		1168	‡S. 2570-a1..	a1, b, and 2571.)	
S. 2563-n.....		1169	‡S. 2570-b..		
S. 2563-o.....		1170	‡S. 2571.....	R&S. 33-156-1, 2..	
S. 2563-p.....		1171	SS. 2571-1a..	(See S. '13, 2571-a, b.)	
S. 2563-q.....		1172	SS. 2571-2a..		1276
S. 2563-r.....		1173	SS. 2571-3a..		1277
S. 2563-s.....		1174	S. 2571-a.....	A. 38-80-1.....	1278
S. 2563-t.....		.....		38-397-1.....	1274
SS. 2563-u..	A. 37-111-1.....	S. 1175	S. 2571-b.....		1275
S. 2563-v.....	A. 39-85-1.....	1176	S. 2572.....		1270
			S. 2572-a.....		1271
	37-236-1.....	S. 1177-a3	S. 2572-b.....		1307
	A. 38-368-1.....	to	S. 2572-c.....		1309
	R&S. 40-33-1-16	S. 1177-a17	S. 2572-d.....	A. 39-209-42.....	1308
		inc.	2573.....		S. 1310
					1285
	37-236-9.....	S. 1177-a3		38-299-1-21.....	1286
		to			to
	R&S. 40-33-1-16	S. 1177-a17			1306
		inc.			inc.
				39-40-1-4.....	S. 1306-a1
					to
	39-135-1-3.....	S. 1177-a3			S. 1306-a4
		to	S. 2574.....	A. 39-209-43.....	inc.
	R&S. 40-33-1-16	S. 1177-a17	2575.....	R&S. 38-388-1....	S. 1263
		inc.			1266

□ This act does not state that it is a repeal and substitute, but it is in effect, and has been treated as such.
 † Appeared for last time in Supplement, 1907.

TABLE OF CORRESPONDING SECTIONS

Read explanatory notes at beginning of table, p. 715.

Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement	Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement
S. 2575-a1	38-388-2	1267	S. 2575-a24		1360
S. 2575-a2		1284	S. 2575-a25		1361
S. 2575-a3		1283	S. 2575-a26		1362
S. 2575-a4		1279	S. 2575-a27		1363
S. 2575-a5		1280	S. 2575-a28		1328
S. 2575-a6		1281	S. 2575-a29		1329
S. 2575-a6a		1282	S. 2575-a30	A. 39-249-1	S. 1331
S. 2575-a6b	R. 38-299-1, 23††		S. 2575-a31		1327
S. 2575-a6c	R. 38-299-4, 23††		S. 2575-a32		1334
S. 2575-a6d	R. 38-299-21, 23††			38-290-1	1335
S. 2575-a6e	R. 38-299-18, 23††			38-290-2	1336
SS. 2575-a7		2352		38-290-3	1337
S. 2575-a8		2353	S. 2575-a33		1332
SS. 2575-a9	A. 37-285-1	S. 2354	S. 2575-a34	A. 39-209-44	S. 1330
	A. 39-293-1		S. 2575-a35		1333
		2355	S. 2575-a36		1339
		to	S. 2575-a37		1340
	38-235-1-10	2364	S. 2575-a38		1341
		inc.	S. 2575-a39		1342
			S. 2575-a40		1343
	38-235-11		S. 2575-a41		1344
	A. 39-245-1	S. 2365	S. 2575-a42		1338
		S. 2365-a1	S. 2575-a43		1346
		to	S. 2575-a44	A. 39-209-45	S. 1345
	39-245-1, 3	S. 2365-a7	S. 2575-a45		1347
		inc.	S. 2575-a46		.....
			S. 2575-a47	A. 40-65-1	S. 2425
	38-235-12	S. 2366	S. 2575-a48	A. 38-8-1	2426
	38-235-13	2367	S. 2575-a49		2427
	38-235-14	2368	S. 2575-a50		2428
	39-245-2	S. 2368-a1	S. 2575-a51	A. 38-305-1	2429
	38-235-15		SS. 2575-a52	A. 40-65-2	S. 2430
	A. 39-245-3	S. 2369	S. 2575-a53		
	38-235-16	2370	S. 2575-a54		
	39-245-5	S. 2370-a1	S. 2575-a55		
	38-235-17	2371	S. 2575-a56		
	38-235-18		S. 2575-a57		
	R&S. 39-245-4	S. 2372	S. 2575-a58	R&S. 37-289-1-4 [□]	2418
	39-245-6	S. 2372-a1	S. 2575-a59		to
	38-235-19	2373	S. 2575-a60		2421
	38-235-20	2374	S. 2575-a61		inc.
		S. 2374-a1	S. 2575-a62		
		to	S. 2576		1313
	40-61-1-7	S. 2374-a7	2577		1315
		inc.	S. 2578		1316
		.....	S. 2578-a		1317
S. 2575-a10			S. 2578-b		1318
S. 2575-a11			2579	A. 39-243-1	S. 1311
S. 2575-a12			2580		1321
S. 2575-a13		S. 1376-a1			
S. 2575-a14	R&S. 37-326-1-14 [□]	to			
S. 2575-a15	R&S. 39-229-1 and	S. 1376-a25			
S. 2575-a16	39-222-1-26 [°]	inc.			
S. 2575-a17				39-113-1-9	S. 1321-a1
S. 2575-a18					to
S. 2575-a19					S. 1321-a9
					inc.
S. 2575-a20		1356	S. 2581		1319
S. 2575-a21		1357	S. 2582	A. 39-136-1	S. 1312
S. 2575-a22		1358	S. 2582-a		1320
S. 2575-a23		1359	S. 2583	A. 39-209-46	S. 1314

□ This act does not state that it is a repeal and substitute, but it is in effect, and has been treated as such.
 †† Apparently repealed by implication—at least now obsolete.
 ° These acts in effect constitute a repeal and substitute for 37-326.

TABLE OF CORRESPONDING SECTIONS

Read explanatory notes at beginning of table, p. 715.

Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement	Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement
S. 2583-a..	R&S. 39-77-1-19..	S. 1326-a1 to S. 1326-a19 inc.	S. 2594.....		1424
S. 2583-b..				1425	
S. 2583-c..			2595.....		1426
S. 2583-d..			2596.....	A. 39-282-1.....	S. 1430
S. 2583-e..				39-282-1.....	S. 1430-a1
		39-7-10.....	S. 1326-a20	S. 2596-b..	S. 1431
		39-7-3.....	S. 1326-a21	S. 2596-c..	S. 1432
		39-7-4.....			S. 1432-a1 to S. 1432-a10 inc.
		A. 40-38-2.....	S. 1326-a22		
		39-7-5.....		40-43-1-10.....	
		A. 40-38-3.....	S. 1326-a23	2597....	
		39-7-6.....	S. 1326-a24	2598....	
		39-7-1.....	S. 1326-a25	2599....	R&S. 28-91-1-12..
		A. 40-38-1.....		2600....	(See S. '13, 2600-a to 2600-l, inc.)
		39-7-8.....	S. 1326-a26	S. 2600-a..	
		A. 40-38-5.....		S. 2600-b..
		39-7-2.....	S. 1326-a27	S. 2600-c..	1379
	39-7-9.....	S. 1326-a28	S. 2600-d..	1381	
	39-7-7.....	S. 1326-a29	S. 2600-e..	1384	
	40-38-4.....	S. 1326-a29a	S. 2600-f..	1385	
	39-7-12.....		37-309-3.....	1390	
	A. 40-38-7.....	S. 1326-a30	S. 2600-g..	1382	
	39-7-11.....		R&S. 37-309-5.....	S. 1383	
	A. 40-38-6.....	S. 1326-a31			A. 40-40-1.....
S. 2583-f..		.....	S. 2600-h..	1391
S. 2583-g..		1399	S. 2600-i..		
S. 2583-h..		1400	†S. 2600-j..	R&S. 35-218-9 [□] ..	
S. 2583-i..		1402		(See S. '13, 2600-o3 and 2600-o4.)	
S. 2583-j..		1401	S. 2600-k..	1380	
S. 2583-k..		1403	S. 2600-l..	1397	
S. 2583-l..		1404	S. 2600-m..	1386	
S. 2583-m..		1405	S. 2600-n..	1387	
S. 2583-n..	A. 37-213-1.....	1406	S. 2600-o..	1378	
S. 2583-o..		1407	S. 2600-o1..	1392	
S. 2583-p..	A. 39-209-47.....	S. 1410	S. 2600-o2..	1393	
S. 2583-q..		1408	37-309-1.....	1394	
S. 2583-r..	A. 37-213-2.....	1409	37-309-2.....	1395	
S. 2583-s..		1411	S. 2600-o3..	1388	
SS. 2584..	R&S. 40-41-1.....	S. 1413	S. 2600-o4..	1377	
S. 2585..	A. 38-183-1.....	S. 1414	S. 2600-o5..	A. 37-309-4.....	
2586..			A. 39-209-49.....	S. 2600-o6..	
SS. 2587..	A. 39-209-48.....	S. 1415	S. 2600-o7..	1398	
SS. 2588..		1412	S. 2600-o8..	1396	
S. 2589..		1416	S. 2600-p..	.....
SS. 2589-a..		1417	S. 2600-q..		
S. 2589-b..	R&S. 37-430-1-5..	1418	S. 2600-r..	R&S. 36-202-1-4..	
S. 2589-c..	A. 38-176-1.....	1419	S. 2600-s..	(See S. S. '15, 2600-s2 to 2600-s5, inc.)	
		1423	SS. 2600-s1..	.....
S. 2589-d..	A. 38-95-1.....	S. 1420	SS. 2600-s2..	2040	
2590.....	A. 40-42-1.....		SS. 2600-s3..	2041	
	R&S. 31-115-1-5..		SS. 2600-s4..	2042	
	(See S. '13, 2589-a to 2589-d, inc.)		SS. 2600-s5..	2043	
2591.....		1422	S. 2601.....	R&S. 39-148-1.....	
2592.....		1427	S. 2602.....	R&S. 39-148-2.....	
S. 2593..		1428	S. 2602-a..	S. 1916	
S. 2593-a..		1429	2603.....	1918	
S. 2593-b..		.....	SS. 2604..	1919
			2605.....	1921	
				A. 37-395-1.....	
					1922
				A. 38-307-1.....	
				1923	

□This act does not state that it is a repeal and substitute, but it is in effect, and has been treated as such.

†Appeared for last time in Supplement, 1907.

TABLE OF CORRESPONDING SECTIONS

Read explanatory notes at beginning of table, p. 715.

Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement	Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement
SS. 2606....	A. 38-196-1.....	S. 1920		37-290-6.....	2284
	R&S. 39-148-3....			37-290-1.....	2285
S. 2606-a....	1924		37-290-4.....	2286
S. 2606-b....	1925		37-290-5.....	S. 2287
S. 2606-c....	.....	1926		R&S. 38-337-1..
S. 2606-d....		R&S. 40-60-1...	S. 2288
2607.....	.....	1927		37-290-9.....
S. 2608....	A. 37-266-2.....	S. 1928		37-290-8.....	2289
	R&S. 38-37-1, 3..			37-300-4.....	2290
2609....	A. 39-297-1.....		37-290-10.....	S. 2291	
2610....	.....		A. 38-81-1.....	
2611....	.....		A. 38-337-2.....	S. 2293
2612....	R. 27-118-9, 55††..		A. 39-296-2.....		
2613....	R. 33-170-5, 20††..		R&S. 40-60-2...	S. 2294	
2614....	.....		37-300-5.....	
2615....	.....		37-300-6.....	S. 2294-a1 to S. 2294-a6 inc.
2616....	.....		39-14-1-6.....	
2617....	.....			S. 2295
2618....	R&S. 33-170-1-20 [□]		S. 2627-i.....		
2619....	(See S. '13, 2682-c to		2628....	S. 2296	
2620....	2682-s, inc.; 2682-u to 2682-y, inc.; S. S. '15, 2682-t.)		S. 2629....		
SS. 2620-a..	R&S. 40-233-1-19. (S. S. '15, 2620-f- 2620-k included in R&S.)	S. 1244-a1	2630....	S. 2297	
SS. 2620-b..		to	S. 2630-a....		
SS. 2620-c..		S. 1244-a19	S. 2630-b....	2302	
SS. 2620-d..		inc.	S. 2630-c....	2298	
SS. 2620-e..	.....	.....	S. 2631....	S. 2307
SS. 2620-f..	.....		2632....	
SS. 2620-g..	R&S. 40-233-1-19. (S.S. '15, 2620-a-2620- d included in R&S.)	S. 1244-a1	2633....	S. 2308	
SS. 2620-h..		to	2634....		
SS. 2620-i..		S. 1244-a19	SS. 2634-a... A. 39-209-51.....	S. 2306	
SS. 2620-j..		inc.	S. 2634-a1..	2308	
SS. 2620-k..	.....	.....	S. 2634-b..	.....
2621....	.....		S. 2634-b1..	S. 2309
2622....	R&S. 35-103-1-9 [□] .. (See S. '13, 2627-a to 2627-i, inc.)	S. 2501-a1	S. 2634-b2..	2310	
2623....			S. 2634-b3..	2311
2624....	.....		S. 2634-b4.. A. 39-209-52.....	S. 2312
2625....	.....		S. 2634-b5..	2313
2626....	R&S. 35-103-1-9 [□] ..		SS. 2634-b6.. A. 37-346-1.....	2314	
2627....	(See S. '13, 2627-h.)		S. 2634-b7..	2315	
S. 2627-a...	R&S. 37-318-1, 2 [□] ..	352	S. 2634-b8.. A. 38-230-1.....	2317	
S. 2627-b...	.....	2266	†S. 2634-c..	R&S. 34-131-1-9... (See S. '13, 2634-b to 2634-b5, inc.; 2634- b7, b8; S. S. '15, 2634-b6.)
S. 2627-c...	A. 38-298-1.....	2267	†S. 2634-d..		
S. 2627-d...	.....	2268	S. 2634-e....	2316
S. 2627-e...	.....	2265	S. 2634-f....	2299
S. 2627-f...	.....	2269	S. 2634-f1..	2300
S. 2627-g...	.....	2275	S. 2634-g....	2301
S. 2627-h...	A. 39-209-50.....	2276	S. 2634-h....	2303	
	37-300-1.....	S. 2277	S. 2634-h1..	S. 2304	
	37-300-2.....	2278	S. 2634-h2..	2305	
	37-290-2.....	2279	S. 2634-h3..	
	37-290-3.....	2280			
	37-300-3.....	2281			
	37-290-7.....	2282			
	37-290-3.....	2283			

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2635.....	R&S. 33-170-1-20. (See S. '13, 2682-c to 2682-s, inc.; 2682-u to 2682-y, inc.; S. S. '15, 2682-t.)		2671.....		2412
2636.....			2672.....		2413
2637.....		2343	2673.....		2414
2638.....		2344	2674.....	R. 36-305-2.....	
2639.....		2345	S. 2674-a.....		
2640.....		2346	S. 2674-b.....		
S. 2640-a.....	36-305-1**.....	S. 2346-a1	S. 2674-c.....		
	R&S. 33-109-1-3□.	2348	S. 2674-d.....		2415
	37-214-1.....	S. 2348-a1	S. 2674-e.....		2416
	A. 39-90-1.....		S. 2674-f.....		
S. 2641.....			S. 2675.....		2431
2642.....	R&S. 33-170-1-20. (See S. '13, 2682-c to 2682-s, inc.; 2682-u to 2682-y, inc.; S. S. '15, 2682-t.)		2676.....	36-305-3**.....	S. 2432-a1
2643.....	R. 36-305-1.....		2677.....		2433
S. 2644.....			2678.....		2434
S. 2644-a.....			2679.....		2435
S. 2644-b.....			S. 2680.....		2436
S. 2644-c.....		2342	2681.....	R&S. 33-170-1-20. (See S. '13, 2682-c to 2682-s, inc.; 2682-u to 2682-y, inc.; S. S. '15, 2682-t.)	
2645.....		2395	S. 2682.....	R. 36-305-3.....	
†S. 2646.....	R&S. 33-170-1-20. (See S. '13, 2682-c to 2682-s, inc.; 2682-u to 2682-y, inc.; S. S. '15, 2682-t.)		S. 2682-a.....		
2647.....				S. 2682-b.....		2337
2648.....		2396	S. 2682-c.....	A. 37-160-1.....	2318
2649.....	36-305-2**.....	S. 2396-a1	S. 2682-d.....		2319
†S. 2650.....		2397	S. 2682-e.....		2320
2651.....	R&S. 33-170-1-20. (See S. '13, 2682-c to 2682-s, inc.; 2682-u to 2682-y, inc.; S. S. '15, 2682-t.)		S. 2682-f.....		2321
2652.....				S. 2682-g.....	40-62-1.....	S. 2321-a1
2653.....			S. 2682-h.....		2322
2654.....		2398	S. 2682-i.....		2323
2655.....		2399	S. 2682-j.....		2324
2656.....		2400	S. 2682-k.....		2325
2657.....		2401	S. 2682-l.....	A. 39-209-54.....	S. 2327
2658.....		2402	S. 2682-m.....	A. 38-74-1.....	S. 2328
2659.....		2403	S. 2682-n.....	A. 39-209-53.....	
2660.....		2404	S. 2682-o.....		2329
2661.....		2405	S. 2682-p.....		2330
2662.....		2406	S. 2682-q.....		2331
2663.....		2407	S. 2682-r.....		2332
2664.....		2408	S. 2682-s.....		2333
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2666.....		2410	SS. 2682-t.....		2335
S. 2667.....		2411	S. 2682-u.....		2336
2668.....			S. 2682-v.....		
2669.....	R&S. 33-170-1-20. (See S. '13, 2682-c to 2682-s, inc.; 2682-u to 2682-y, inc.; S. S. '15, 2682-t.)		S. 2682-w.....	See C. C. 2318.	
2670.....			S. 2682-x.....		
			S. 2682-y.....		2338
				38-187-1.....	2339
				38-187-2.....	2340
				38-187-3.....	2341
			SS. 2682-y1.....		2417
				37-289-1-4.....	2418
					to
					2421
					inc.
			S. 2683.....		2447
			2684.....		2448

□This act does not state that it is a repeal and substitute, but it is in effect, and has been treated as such.

**This act was omitted from the Supplemental Supplement of 1915, but is carried in the table the same as new legislation enacted subsequent to said Supplement.

‡Appeared for last time in Supplement, 1907.

TABLE OF CORRESPONDING SECTIONS

Read explanatory notes at beginning of table, p. 715.

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S. 2685.....		2449			1952 to 1977 inc.	
2686.....		2450		38-356-1-26.....		
2687.....		4625				
S. 2688.....		2451				
2689.....		2452	2701.....	R. 27-118-37, 55††.		
S. 2690.....		.....	S. 2701-a.....	A. 37-54-1, 2.....	2149
S. 2690-a.....		2453	S. 2701-b.....		.....
S. 2690-b.....		2454	2702.....	R. 28-100-1.....		
S. 2690-c.....		2455	2703.....			
S. 2690-d.....		2456	S. 2703-a.....		.....
SS. 2691.....	A. 37-266-6.....	S. 2457	S. 2704.....	A. 37-54-1.....	2155	
	R&S. 38-37-1, 6.....		S. 2705.....	R. 28-100-3.....	.....
	A. 39-297-3.....		S. 2705-a.....		.....
	R&S. 40-55-1.....		S. 2705-b.....	A. 37-54-1.....	2154	
SS. 2692.....		2458	2706.....		2152	
		2459	S. 2707.....		2153	
	38-165-1-10.....	2468	S. 2708.....	A. 37-54-1.....	2150	
		inc.	S. 2708-a.....		.....
	38-165-11.....	S. 2469	S. 2709.....	A. 37-54-1.....	2151	
	A. 40-55-4.....		S. 2710.....	A. 37-54-1.....	2157	
	38-165-12.....	S. 2470	S. 2711.....	A. 37-54-1.....	2156	
	A. 40-55-5.....		S. 2711-a.....		.....
	38-165-14.....	2471	2712.....	A. 37-54-1.....	2158	
SS. 2692-a.....	A. 37-54-1.....	S. 1913	SS. 2713.....	A. 37-54-1.....	S. 2159	
	A. 37-349-1.....			R&S. 37-266-7.....		
	A. 37-370-1.....			R&S. 38-37-1, 7.....		
	A. 37-427-1.....			A. 40-55-3.....		
	A. 38-105-1.....					
A. 39-209-22.....		S. 2713-1a.....		.....	
S. 2692-b.....		1914	S. 2713-2a.....	A. 37-54-1.....	2142	
SS. 2692-c.....	A. 37-349-2.....	S. 1915	S. 2713-3a.....		2143	
	R. 38-105-3*.....		S. 2713-4a.....		2144	
	A. 37-370-2.....		S. 2713-a.....			
	A. 38-105-2.....		S. 2713-b.....			
A. 39-209-23.....		S. 2713-c.....				
S. 2692-d.....		.....	S. 2713-d.....		
2693.....		1939	S. 2713-e.....			
2694.....	R. 27-118-24, 55††.		S. 2713-f.....			
2695.....		1941	S. 2713-g.....	R&S. 36-216-1, 19 [□] (See S. S. '15, 2713-n1 to 2713-n19, inc.)		
S. 2695-a.....	A. 39-129-1.....	S. 1943	S. 2713-h.....			
S. 2695-b.....		1944	S. 2713-i.....			
S. 2695-c.....	A. 39-129-2.....	S. 1945	S. 2713-j.....			
S. 2695-d.....		1946	S. 2713-k.....			
2696.....		1942	S. 2713-l.....			
2697.....		1948	S. 2713-m.....			
	38-281-1.....	1949	S. 2713-n.....			
	38-281-2.....	1950	SS. 2713-n1.....		A. 37-427-1.....	2160
2698.....		1947	SS. 2713-n2.....			2161
2699.....		1940	SS. 2713-n3.....		2163	
S. 2700.....	A. 37-266-3.....	S. 1951	SS. 2713-n4.....		
	R&S. 38-37-1, 4.....		SS. 2713-n5.....		2168	
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			SS. 2713-n7.....	A. 37-54-1.....	S. 2165	
		A. 40-58-1.....				
	39-5-1-4.....	S. 1951-a1	SS. 2713-n8.....		2166	
		to	SS. 2713-n9.....	A. 37-54-1.....	2167	
	A. 40-54-1.....	S. 1951-a4	SS. 2713-n10.....	A. 37-54-1.....	2169	
		inc.	SS. 2713-n11.....		2162	

□ This act does not state that it is a repeal and substitute, but it is in effect, and has been treated as such.

* Repeal applies only to the amendment indicated immediately above this citation.

†† Apparently repealed by implication—at least now obsolete.

TABLE OF CORRESPONDING SECTIONS

Read explanatory notes at beginning of table, p. 715.

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SS. 2713-n12.	2170		A. 37-54-1.....	1884	
SS. 2713-n13.	2171	S. 2727-3a	A. 38-75-1.....		
SS. 2713-n14.	2172		A. 38-128-1.....	S. 2443-a1	
SS. 2713-n15.	.....	2173		A. 38-390-1, 2.....	S. 2443-a2
SS. 2713-n16.	.....	2174		A. 40-242-1, 2.....	
SS. 2713-n17	{ R&S. 37-362-1..... A. 38-37-9..... }	2176	S. 2727-a..	{ A. 37-266-4..... A. 38-375-9..... }	2446	
SS. 2713-n18.	2175	S. 2727-a1..	A. 39-209-24.....	S. 1852	
SS. 2713-n19.	S. 2727-a2..	1853	
2714.....	2437	SS. 2727-a3..	A. 39-209-25.....	S. 1854	
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2716.....		S. 2439	S. 2727-a5..	1856	
S. 2717.....	2440	S. 2727-a6..	1857	
2718.....	36-305-4**.....	S. 2440-a1	S. 2727-a7..	1855	
	R&S. 29-121-1.....	.....	S. 2727-a8..	A. 37-160-1.....	1859
	(See S. '13, 2718-a, 2718-b.)	.....	S. 2727-a9..	.....	1860
S. 2718-a..	R. 36-305-4.....	.....	S. 2727-a10.	.....	1903
S. 2718-b..		SS. 2727-a11.	2027
S. 2718-c..	R&S. 38-120-1-7... A. 40-78-1.....	2675	S. 2727-a12.	.....	1909
S. 2718-d..		S. 2676	S. 2727-a13.	.....	1875
S. 2718-e..		2677	S. 2727-a14.	.....	1870
S. 2718-f..		2678	S. 2727-a15.	.....	1911
2719.....		2679	S. 2727-a16.	.....	1912
2720.....	R. 27-118-9, 55††..	2680	S. 2727-a17.	.....	1873
2721.....	R. 28-103-3††.....	.....	S. 2727-a18.	.....	1908
2722.....	.....	.....	S. 2727-a19.	.....	1904
S. 2722-a.	R. 30-80-22††.....	.....	S. 2727-a20.	.....	1878
S. 2722-b..		S. 2727-a21.	1861
S. 2722-c..		S. 2727-a22.	1864
S. 2722-d..		S. 2727-a23.	A. 39-209-27.....	S. 1872
S. 2722-e..		S. 2727-a24.	1881
S. 2722-f..		S. 2727-a25.	2032
S. 2722-g..		S. 2727-a26.	1863
S. 2722-h..		S. 2727-a27.	1907
SS. 2722-i..		S. 2727-a28.
SS. 2722-j ⁹	S. 2727-a28a	2082
SS. 2722-k ⁹ .	R&S. 40-252-1-6..	.....	S. 2727-a28b	.....	2083
SS. 2722-l..		S. 3341-a1	S. 2727-a29.	1862
SS. 2722-m.		to	S. 2727-a30.	1895
SS. 2722-n.		S. 3341-a6	S. 2727-a31.	1885
SS. 2722-o..		inc.	S. 2727-a32.	1887
SS. 2722-p.		S. 2727-a33.	8958
2723.....		A. 37-160-1.....	S. 2443-a1	S. 2727-a34.	8959
S. 2724.....		R&S. 40-242-1, 2..	S. 2443-a2	S. 2727-a35.	1910
		(S. '13, 2727-3a in- cluded in R&S. ¹⁰)	S. 2727-a36.	1906
2725.....		2444	S. 2727-a37.	8951
S. 2726.....	.....	2445	S. 2727-a38.	.....	1882
2727.....	R&S. 29-122-1.....	.....	S. 2727-a39.	.....	1883
	(See S. '13, 2727-a, 2727-2a.)	.....	S. 2727-a40.	.....	.....
S. 2727-1a..	.....	.....	S. 2727-a41.	.....	1891
S. 2727-2a..	.....	.....	S. 2727-a42.	.....	1866
	.....	.....	S. 2727-a43.	R&S. 40-53-1.....	1888
	.....	.....	SS. 2727-a44.	.....	S. 1889
	.....	.....	S. 2727-a45.	.....	1890
	.....	.....	S. 2727-a46.	.....	1871
	.....	.....		.....	1886

**This act was omitted from the Supplemental Supplement of 1915, but is carried in the table the same as new legislation enacted subsequent to said Supplement.

††Apparently repealed by implication—at least now obsolete.

⁹Amended by 37-160-1.

¹⁰Repealed and substituted by 38-200-1.

¹¹Amended by 38-200-2.

¹²R&S. applies only to that part of S. '13, 2727-3a that appeared as C.C. 2442.

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Read explanatory notes at beginning of table, p. 715.

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S. 2727-a47	1868	†S. 2727-b...	See S. '13, 2727-2a.		
S. 2727-a48	1865	†S. 2727-c...	See S. '13, 2727-3a.		
S. 2727-a49	1867	S. 2728	2472	
SS. 2727-a50	1869	S. 2729	.....	2473	
S. 2727-a51	1874	SS. 2730	.....	2474	
S. 2727-a52	S. 2731	.....	2475	
†S. 2727-a53	S. 2732	.....	2476	
†S. 2727-a54	R&S. 33-170-1-20 [□] (See S. '13, 2682-c to 2682-v, inc.)	.....	2733	R&S. 27-84-5	
†S. 2727-a55		.....	.....	(See S. '13, 2733-a.)	
†S. 2727-a56		.....	.....	R&S. 37-156-1	} S. 2578
S. 2727-a57		.....	.....	A. 37-386-1	
S. 2727-a58		.....	2044	A. 38-72-1	
S. 2727-a59	2045	A. 38-160-2			
S. 2727-a60	2046	A. 39-53-1	} S. 2477		
S. 2727-a61	2047	A. 39-94-1			
S. 2727-a62	2048	S. 2733-a	.....	
S. 2727-a63	2049	†S. 2734	R&S. 31-122-1-22.		
S. 2727-a64	2050	.....	(See S. S. '15, 2734-b, 2734-c; S. '13, 2734- d to 2734-v, inc.)		
S. 2727-a65	2051	S. 2734-a	.....	.....
S. 2727-a66	2052	.....	.....	.....
S. 2727-a67	SS. 2734-b	A. 37-317-1	} 2479	
S. 2727-a68	2053	.....	A. 38-303-1		
S. 2727-a69	1879	.....	A. 38-311-1		
S. 2727-a70	1880	S. 2734-b1	.....	2480	
S. 2727-a71	1896	S. 2734-b2	.....	.....
S. 2727-a72	1897	SS. 2734-c	.....	2481	
S. 2727-a73	1898	S. 2734-d	.....	2482	
S. 2727-a74	1899	.....	40-66-1	S. 2482-a1	
S. 2727-a74a	S. 2734-e	.....	.....
S. 2727-a74b	1905	S. 2734-f	.....	2483	
S. 2727-a74c	1892	S. 2734-g	.....	2484	
S. 2727-a74d	1893	S. 2734-h	.....	2485	
S. 2727-a74e	1894	S. 2734-i	.....	2486	
S. 2727-a75	1929	S. 2734-j	.....	2487	
S. 2727-a76	A. 38-171-1	1931	S. 2734-k	.....	2488
S. 2727-a77	1930	S. 2734-l	.....	.....
S. 2727-a78	S. 2734-m	.....	2489	
S. 2727-a79	S. 2734-n	R. 39-209-1	2490	
S. 2727-a80	S. 2734-o	.....	.....
S. 2727-a81	1932	S. 2734-p	.....	2492	
S. 2727-a82	R&S. 38-171-2	1933	S. 2734-q	R&S. 38-156-1	2493	
S. 2727-a83	R. 38-171-3	.....	S. 2734-r	A. 38-408-1	2494
S. 2727-a84	1935	S. 2734-s	R. 38-408-2	.....
S. 2727-a85	A. 38-37-8	} S. 1936	S. 2734-t	.....	2495
S. 2727-a86	A. 39-297-4		S. 2734-u	2496
S. 2727-a87	1937	S. 2734-v	A. 38-408-3	2497	
S. 2727-a88	2498	
S. 2727-a89	1938	S. 2735	.....	2499	
S. 2727-a90	R&S. 31-122-1-22.	2500	
S. 2727-a91	1934	.....	(See S. S. '15, 2734-b, 2734-c; S. '13, 2734- d to 2734-v, inc.)		
S. 2727-a92	
SS. 2727-a93	See SS. '15, 2727-a96	.....	†S. 2736	} R&S. 31-122-1-22.	
S. 2727-a94	†S. 2737		(See S. S. '15, 2734-b, 2734-c; S. '13, 2734- d to 2734-v, inc.)	
S. 2727-a95	1979	.....	.....	.....
SS. 2727-a96	A. 38-37-10	} S. 1978	S. 2738	.....	2501
.....	A. 39-297-5, 6		S. 1980	S. 2739	2503
.....	A. 40-54-1		S. 1981	2740	A. 38-340-1	2504
.....		S. 1982	2741	2505
.....		S. 1983
.....	S. 1984	.....	.....	.....

□ This act does not state that it is a repeal and substitute, but it is in effect, and has been treated as such.
 † Appeared for last time in Supplement, 1907.
 ‡ Appeared for last time in Supplement, 1902.

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S. 2742	R&S. 38-293-6 A. 39-74-1 A. 39-112-1, 2 R&S. 40-250-1-26 (C.'97, 299, 480, 492, 531; S. '13, 297, 303-a, 496, 508; S.S. '15, 298, 298-a, 308, 479, 479-a, 481, 490, 490-a, 491, 495, 510-a, b, c, and 39-132-1 included in R&S.)	S. 3231-a1 to S. 3231-a23 inc.	2776		2560
		S. 3231-a25 to S. 3231-a28 inc.	2777		2559
			SS. 2778		2551 ¹¹
			S. 2778-a		2553
			S. 2778-b	R&S. 38-351-1	2621
				R. 38-351-1	
				38-351-2	2622
				A. 38-351-1	2623
				37-387-1	2624
				37-387-2	2625
		37-387-3	2626		
			2627		
			2643		
			37-229-1		
			A. 37-386-11		
S. 2743		2507			
S. 2744		2508			
S. 2745		2509			
S. 2745-a		2647	S. 2780		2561
S. 2745-b		2648			
S. 2746		2535	2781	A: 37-223-1	S. 2562-a1
S. 2747		2536		R&S. 39-232-1-3	S. 2562-a2
S. 2748		2546		A. 40-69-1, 2	S. 2562-a3
S. 2749	A. 37-386-2	2537	2782		2563
S. 2750		2538	S. 2782-a	A. 37-158-1	2564
S. 2751		2539	S. 2782-b		2565
S. 2752	A. 39-47-1	S. 2541	S. 2782-c		2566
S. 2753		2540	S. 2782-d		2567
S. 2754		2542	S. 2783	A. 37-386-7	
S. 2755	R&S. 37-225-1			A. 38-345-1	2568
S. 2756	A. 37-334-1	2543	2784		2569
SS. 2757	R&S. 40-67-1-5 [□]	S. 2545-a1 to S. 2545-a4 inc.	S. 2785		2570
S. 2758			2786		2571
2759			2787		2572
2760			2788		2619
S. 2761			2789		2620
S. 2762			2790		2511
S. 2763			2791		2512
S. 2763-a			2792		2513
S. 2763-b			S. 2793	A. 38-113-1	2514
S. 2763-c			S. 2793-a		2515
S. 2764		SS. 2794		2517	
S. 2765			A. 37-432-1		
2766			A. 38-116-1	S. 2524-a1	
2767	A. 37-386-3	2603	A. 38-149-1	to	
S. 2768	A. 37-386-4	2604	A. 38-277-1	S. 2524-a40	
S. 2769	A. 37-386-5	2605	A. 39-93-1	inc.	
S. 2770		2547	R&S. 39-175-1-40		
S. 2771	A. 38-201-1	2550	S. 2794-b		S. 2525
S. 2772		2549	S. 2794-c		2526
			S. 2794-d		2527
			S. 2794-e		2528
			S. 2794-f		2529
S. 2773	A. 38-24-1		SS. 2794-g	A. 38-291-1	2530
	A. 38-143-1, 2			2795	2518
	A. 38-160-1	S. 2639		2796	2519
	A. 40-72-1, 2			2797	2520
	A. 40-73-1			2798	2522
2774	A. 37-386-6	2645		2799	2523
2775		2555	S. 2800		2521
	38-91-1	2556	S. 2801		2510
SS. 2775-a	A. 37-319-1	2557	S. 2802		2516
			2803	A. 37-386-8	2577

[□]This act does not state that it is a repeal and substitute, but it is in effect, and has been treated as such.

¹¹At this point in the Compiled Code, part of 38-310-1, 2 appears in section 2552. The proper entry of this section in italics could not be made in the table on account of the bracket involving C.C. 2551 and 2553.

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2804.....	2576	S. 2820-d5..	2638	
S. 2804-a...	2573	S. 2820-e...	2531	
S. 2804-b...	A. 40-70-1.....	S. 2628	S. 2820-f...	2532	
	37-308-1.....	2629	S. 2820-g...	.....	2533
	37-308-2.....		S. 2820-h...	.....	2534
	A. 39-63-1.....	} S. 2630		39-211-1.....	S. 2534-a1	
	A. 39-98-1.....			39-211-2.....	S. 2534-a2	
	A. 40-71-1.....			2821.....	A. 37-386-11.....	2592
	37-308-3.....		2631	2822.....	2579
	37-308-4.....	2632	2823.....	.....	2580
	37-308-5.....	2633		37-97-1.....	2581	
S. 2804-c...	.....	S. 683-a13		37-97-2.....	2582
2805.....	.....	2575		.....	2583
	A. 37-32-1.....	} S. 2650		38-94-1-6.....	to	
S. 2806...	A. 37-386-9.....				2588	
	A. 38-77-1.....				inc.	
	A. 39-93-2.....			38-94-7.....	S. 2589	
2807.....	.....	S. 2651	S. 2823-a...	.....	2663
S. 2808.....	.....	2652	S. 2823-b...	.....	2664
S. 2809.....	.....	2653	S. 2823-c...	.....	2665
2810.....	A. 39-46-1.....	S. 2654	S. 2823-d...	.....	2666
2811.....	.....	2655	S. 2823-e...	A.37-386-11.....	2667
2812.....	R&S. 29-127-1, 2 [†]		S. 2823-f...	.....	2668
	R&S. 32-152-1-5.....		S. 2823-g...	.....	2669
	(See S. '13, 2812-c, d, f; S. S. '15, 2812-e.)		S. 2823-h...	.....	2670
S. 2812-a...	.....	.....	S. 2823-i...	.....	2671
S. 2812-b...	.....	.....	S. 2823-j...	.....	2270
S. 2812-c...	R&S. 37-262-1.....	2659		.....	2271
S. 2812-d...	A. 40-76-1.....	S. 2660		38-406-1-4.....	to	
	A. 37-386-11.....	} S. 2661		.....	2274
SS. 2812-e...	A. 39-6-1.....				39-91-1.....	inc.
	R. 40-77-1*.....				39-91-2.....	S. 2274-a1
S. 2812-f...	.....	2662	†S. 2823-k..	.....	S. 2274-a2
S. 2813.....	A. 39-65-1.....	S. 2656	†S. 2823-l..	R&S. 35-256-1.....		
S. 2813-a...	.....	2657	†S. 2823-m..	(See S. '13, 2823-j.)	
S. 2813-b...	.....	2658	S. 2823-n...	.....	2606
	R&S. 37-26-1.....	} S. 2640	S. 2823-o...	.....	2607
S. 2814...	A. 38-125-1.....			S. 2823-p...	2608
	A. 39-67-1.....			S. 2823-q...	2609
	37-400.....	2641	S. 2823-r...	.....	2610
2815...	R&S. 37-26-2.....	S. 2642		38-364-1, 2.....	S. 2612-a1	
	A. 40-74-1.....			R&S. 40-244-1, 2	S. 2612-a2	
S. 2816...	R&S. 38-342-1.....	S. 2649-a1		38-364-3.....	2613	
	R&S. 39-183-1,2...	S. 2649-a2		38-364-4.....	2614	
	.....	S. 2649-a3		38-364-5.....	} S. 2615
2817.....	.....	2646		R&S. 40-244-3.....	
2818.....	2590		38-364-6.....		2616
2819.....	R&S. 40-243-1, 2..	S. 2591-a1		38-364-7.....	2617	
	.....	S. 2591-a2		38-364-8.....	2618
2820.....	.....	2593	S. 2823-s...	.....	2558
†S. 2820-a..	.....			.....	S. 2558-a1
†S. 2820-b..	.....			40-68-1-3.....	to
†S. 2820-c..	R&S. 33-184-1-5.....			.....	S. 2558-a3
†S. 2820-d..	(See S. '13, 2820-d1 to 2820-d5, inc.)			.....	inc.
S. 2820-d1..	R&S. 38-314-1.....	2634	S. 2823-t...	.....	2502
S. 2820-d2..	.....	2635	S. 2823-u...	.....	2681
S. 2820-d3..	.....	2636	S. 2823-u1..	.....	2682
S. 2820-d4..	A. 38-134-1.....	2637	S. 2823-u2..	.....	2683

□This act does not state that it is a repeal and substitute, but it is in effect, and has been treated as such.
 *Repeal applies *only* to the amendment indicated immediately above this citation.
 †Appeared for last time in Supplement, 1907.

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S. 2823-u3..	2684	2869.....	R. 29-173-8.....
S. 2823-u4..	2685	S. 2869-a..
S. 2823-u5..	2686	2870.....	2741
S. 2823-u6..	2687	2871.....	2742
SS. 2823-u7..	2688	2872.....	.....	2743
	2689	2873.....	.....	2744
	to	2874.....	.....	2745
	38-354-1-5.....	2693		38-367-1.....	2746
	inc.		38-367-2.....	2747
	40-79-1.....	S. 2693-a1		38-367-3.....	S. 2748
2824.....	A. 37-386-11.....	2694		A. 39-209-59.....	.....
2825.....	A. 37-386-10.....	2695		38-367-4.....	2749
2826.....	2696	2875.....	.....	2750
2827.....	2697	2876.....	.....	2751
S. 2828.....	2698	2877.....	.....	2752
2829.....	2699	2878.....	.....	2753
2830.....	2700	2879.....	R. 39-209-1.....	.....
S. 2831.....	A. 38-56-1.....	2701	2880.....	.....	.....
S. 2832.....	2702	S. 2881.....	.....	.....
2833.....	A. 38-56-1.....	2703	S. 2881-a..	.....	2729
2834.....	2704	S. 2881-b..	.....	2732
2835.....	2705	S. 2881-c..	.....	.....
2836.....	A. 37-56-1.....	2706	S. 2881-d..	.....	2763
2837.....	2707	S. 2881-e..	.....	2764
2838.....	2708	S. 2881-f..	R. 39-209-1.....	.....
2839.....	2709	S. 2881-g..	.....	.....
2840.....	2710	S. 2881-h..	.....	2768
S. 2841.....	2711	S. 2881-i..	.....	2767
2842.....	2712	S. 2881-j..	.....	.....
2843.....	2713	S. 2881-k..	.....	.....
2844.....	2714	S. 2881-l..	R&S. 36-163-1....	.....
2845.....	2715	S. 2881-m..	(See S. S. '15, 2881-p	.....
2846.....	R&S. 40-245-1.....	S. 2716	S. 2881-n..	to 2881-t, inc.)	.....
2847.....	2717	SS. 2881-o..	.....	.....
2848.....	2718	SS. 2881-p..	.....	2756
S. 2849.....	2719	SS. 2881-q..	.....	2757
SS. 2850.....	2720	SS. 2881-r..	.....	2758
2851.....	2721	SS. 2881-s..	.....	2759
2852.....	2722	SS. 2881-t..	.....	2760
2853.....	2723		37-333-1.....	2761
2854.....	2724		37-333-2.....	2762
	S. 2725-a1	2882.....	.....	2776
	to	S. 2882-a..	.....	2777
S. 2855.....	R&S. 40-245-2-8..	S. 2725-a7	S. 2882-b..	.....	.....
	inc.	S. 2882-c..	R&S. 35-327-1, 2 nd	2778
2856.....	2726	S. 2882-d..	.....	2779
2857.....	2727		37-252-1.....	2780
2858.....	2728		37-252-2.....	2781
2859.....	2730		39-294-1.....	S. 2781-a1
2860.....	2731		39-294-2.....	S. 2781-a2
2861.....	2733	2883.....	.....	2782
2862.....	2734	2884.....	.....	2783
2863.....	2735	2885.....	.....	2784
2864.....	2736	2886.....	.....	2785
2865.....	2737	2887.....	.....	2786
2866.....	2738	2888.....	.....	2787
2867.....	R. 28-114-5.....	.....	S. 2888-a..	.....	2769
2868.....	2740	S. 2888-b..	.....	.....

²⁰This act was inadvertently disregarded in compiling the Supplement, 1913. Sections 2882-b, c and d should not have appeared in said Supplement. The effect of 35-327 was to repeal 30-117 and 34-149, and to enact a substitute therefor, and it has been so treated in the table.

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S. 2888-c...		2770	2902.....		6451
S. 2888-d...		2771			
S. 2888-e...		2772	2903....		S. 6454-a1
S. 2888-f...		2773	2904....	R&S. 40-239-1-10 ¹³	to
S. 2888-g...		2774	S. 2904-a..		S. 6454-a10
SS. 2888-h...	R&S. 39-235-1....	S. 2775			inc.
2889.....		6455	2905....	R&S. 37-154-1....	6317
S. 2889-a...		6456		A. 38-352-12.....	6318
S. 2889-b...		S. 6457	2906....	R&S. 38-352-1-11..	to
S. 2889-c...		6555			6327
2890.....		6458			inc.
2891.....		6459		39-246-1.....	S. 6327-a1
2892.....		6460	2907.....		6328
2893.....		6461	2908.....		6329
2894.....		6485	2909.....		6330
2895.....		6486	2910.....		6331
2896.....		6487	2911.....		6332
2897.....		6488			
2898.....		6489	SS. 2911-a..		S. 6316-a1
2899.....		6490	SS. 2911-b..	R&S. 37-64-1-3....	to
2900.....		6491	S. 2911-c..		S. 6316-a5
S. 2900-a1..		....			inc.
S. 2900-a2..		6462	2912.....		6336
S. 2900-a3..		6463	2913.....		6337
S. 2900-a4..		6464	2914.....		6338
S. 2900-a5..		6465	2915.....		6339
S. 2900-a6..	R&S. 38-32-1....	6466	2916.....		6340
	38-32-2.....	6467	2917.....		6341
SS. 2900-a7..		6468	2918.....		6342
S. 2900-a8..		6469	2919.....		6343
S. 2900-a9..		6470	2920.....		6344
S. 2900-a10.		6471	2921.....		6345
S. 2900-a11.		6472	2922.....		6346
S. 2900-a12.		6473	2923.....		S. 6347-a1
S. 2900-a13.		6474		37-27-1.....	S. 6347-a2
S. 2900-a14.		6475	2924.....		6348
S. 2900-a15.		6476		40-192-1, 2.....	S. 6348-a1
S. 2900-a16.		6477			S. 6348-a2
S. 2900-a17.		6478	S. 2924-a...		6349
S. 2900-a18.		6479	S. 2924-b...		6350
S. 2900-a19.			S. 2924-c...		6351
S. 2900-a20.			S. 2924-d...		6352
S. 2900-a21.			S. 2924-e...		6353
S. 2900-a22.			S. 2924-f...		6354
S. 2900-a23.	R. 36-112-1.....		2925.....		6355
S. 2900-a24.			2926.....		6356
S. 2900-a25.			2927.....		6357
S. 2900-a26.			2928.....		6358
S. 2900-a27.			2929.....		6359
S. 2900-a28.		S. 6480	S. 2930.....		6360
S. 2900-a29.		6481	2931.....		6361
S. 2900-a30.		6482	2932.....		6362
S. 2900-a31.		6483	2933.....		6363
S. 2900-a32.		6484	2934.....		6364
SS. 2900-b...	A. 38-203-1.....	....	S. 2935.....		6365
SS. 2900-c...		....	2936.....		6366
SS. 2900-d...		....	2937.....		6367
SS. 2900-e...		8739	2938.....		6368
2901.....		6450	S. 2938-a...		6369

¹³40-239-10 impliedly repealed lines 1-49 of S. '13, 740, by reenacting said lines and the same now appear in S.C.C. as 6454-a4-6454-a10. 40-193-1, which directed an amendment to S. '13, 740, as amended by 39-167, has therefore been treated as an amendment to S.C.C. 6454-a10.

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S. 2938-b...	R&S. 37-345-1...	6556	SS. 2963-l...	A. 37-388-2.....	6559
	37-339-1.....	6557	S. 2963-m...		6546
S. 2938-c...		6370	S. 2963-n...		6403
2939.....		6371	S. 2963-o...		6562
S. 2940.....		6372	S. 2963-p...		6404
S. 2941.....		6372	S. 2963-q...		6405
S. 2942.....		6373	S. 2963-r...		6561
S. 2942-a...	See C. C. 6552.....		S. 2963-s...	R&S. 40-240-1....	S. 6561
S. 2942-b...		6539	S. 2963-t...		6558
S. 2942-c...		6553	S. 2963-u...		6542
S. 2942-d...		6540	SS. 2963-v...		6543
S. 2942-e...	38-181-1.....	6541	SS. 2963-w...		6543
		6563	SS. 2963-x...		6558
S. 2942-f...	R&S. 37-351-2....		SS. 2963-x1...		6406
†S. 2942-g...	See S. '13, 2942-a		SS. 2963-x2...		6407
S. 2942-h...		6550	2964.....		6408
S. 2942-i...		6560	2965.....		6409
S. 2942-j...		6538	2966.....		6410
S. 2942-k...		6536	2967.....		6411
S. 2942-l...	38-146-1.....	6537	2968.....		6412
	39-151-1, 2.....	S. 6537-a1	2969.....		6413
S. 2943.....		6374	2970.....		
S. 2943-a...		6375	2971.....		
2944.....		6376	2972.....		
2945.....		6377	2973.....		
2946.....		6378	2974.....		
2947.....		6379	2975.....		
2948.....		6380	2976.....		
2949.....		6381	2977.....		
2950.....		6382	S. 2978.....		
2951.....		6383	S. 2979.....		
2952.....		6384	2980.....	R&S. 40-237-1-19..	S. 6430-a1
2953.....		6385	2981.....	(C. '97, 3166 in-	to
2954.....		6386	2982.....	cluded in R&S.)	S. 6430-a19
2955.....		6387	2983.....		inc.
2956.....		6388	2984.....		
2957.....		6389	2985.....		
2958.....		6390	2986.....		
2959.....		6392	2987.....		
2960.....		6393	2988.....		
2961.....		6394	2989.....		
2962.....		6395	2990.....	R&S. 40-238-1-7..	S. 6434-a1
2963.....		6396	2991.....		to
SS. 2963-a...	A. 37-388-1.....	S. 6551	2992.....		S. 6434-a7
	A. 40-195-1.....	6552	2993.....		inc.
	37-397-1.....		2994.....		6502
SS. 2963-a1...			2995.....		6503
S. 2963-b...			2996.....		6435
S. 2963-c...	40-208-2.....	S. 6569-a1	2997.....		6436
			2998.....		6437
S. 2963-d...			2999.....		6438
S. 2963-e...		6397	3000.....		6439
S. 2963-f...		6398	3001.....		6440
S. 2963-g...		7116	3002.....		6441
S. 2963-h...	R&S. 40-240-2....	S. 6399	3003.....		6442
S. 2963-i...		6400	3004.....		6443
S. 2963-j...		6401	3005.....		6444
S. 2963-k...		6402	3006.....		6445
			3007.....		6446
					6447
					6448

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3008.....		6449	3031.....		1603
3009.....	R&S. 35-266-1-20 [□] (See S. '13, 3009-a to 3009-h, inc.; 3009-k, l, o, q, s; S. S. '15, 3009-i, j, m, n, p, r.)		3032.....		1604
S. 3009-a.....		1568	3033.....		1605
S. 3009-b.....		1569	3034.....	R&S. 35-266-1-20 [□]	
S. 3009-c.....		1570	3035.....	(See S. '13, 3009-a to 3009-h, inc.; 3009-k, l, o, q, s; S. S. '15, 3009-i, j, m, n, p, r.)	
S. 3009-d.....		1571	3036.....		1606
S. 3009-e.....		S. 1572	3037.....		5888
S. 3009-f.....		1573	3038.....		5889
S. 3009-g.....		1574	3039.....		5890
S. 3009-h.....		1575	3040.....		5891
SS. 3009-i.....	37-57-1..... A. 37-251-1.....	1576 1580	3041.....		5892
SS. 3009-j.....	R&S. 38-99-1.....	1581 1582 1583 1593	SS. 3041-a.....	A. 39-35-20.....	S. 5893
S. 3009-k.....		1584	3042.....		5894
S. 3009-l.....	A. 37-80-1.....	1585		39-35-1-19.....	S. 5894-a1 to S. 5894-a19 inc.
SS. 3009-m.....	R&S. 39-182-1.....	S. 1586	3043.....	R&S. 29-130- 1-198 [□]	
SS. 3009-n.....	A. 38-99-2.....	1587		(See S. '13, 3060-a1 to 3060-a119, inc.; 3060-a121 to -a198, inc.; S. S. '15, 3060- a120.)	
S. 3009-o.....		1588	3044.....		5907
SS. 3009-p.....		1589	3045.....	R&S. 29-130- 1-198 [□]	
S. 3009-q.....		1590		(See S. '13, 3060-a1 to 3060-a119, inc.; 3060-a121 to -a198, inc.; S. S. '15, 3060- a120.)	
SS. 3009-r.....		1592	3046.....		5908
S. 3009-s.....		1591	S. 3047.....		5909
S. 3009-t.....		.....	3048.....		5910
3010.....			3049.....		
3011.....			3050.....	R&S. 29-130- 1-198 [□]	
3012.....			3051.....		
3013.....	R&S. 35-266-1-20 [□] (See S. '13, 3009-a to 3009-h, inc.; 3009-k, l, o, q, s; S. S. '15, 3009-i, j, m, n, p, r.)		3052.....	(See S. '13, 3060-a1 to 3060-a119, inc.; 3060-a121 to -a198, inc.; S. S. '15, 3060- a120.)	
3014.....			S. 3053.....	A. 39-62-1.....	S. 5999
3015.....			3054.....		
‡S. 3016.....	R&S. 35-266-8, 20 [□] (See S. '13, 3009-h.)	1579	3055.....	R&S. 29-130- 1-198 [□]	
3017.....		1578		(See S. '13, 3060-a1 to 3060-a119, inc.; 3060-a121 to -a198, inc.; S. S. '15, 3060- a120.)	
3018.....			3056.....		5899
3019.....			3057.....		5900
3020.....			3058.....		5901
3021.....	R&S. 35-266-1-20 [□] (See S. '13, 3009-a to 3009-h, inc.; 3009-k, l, o, q, s; S. S. '15, 3009-i, j, m, n, p, r.)		3059.....		5902
3022.....		1594	3060.....		5903
3023.....		1595	S. 3060-a.....		.....
3024.....		1596	S. 3060-a1.....		5915
3025.....		1597	S. 3060-a2.....		5916
3026.....		1598	S. 3060-a3.....		5917
3027.....		1599	S. 3060-a4.....		5918
3028.....		1600			
3029.....		1601			
S. 3029-a.....					
S. 3029-b.....					
S. 3029-c.....	R. 36-205-7.....				
S. 3029-d.....					
SS. 3029-d1.....		.....		
3030.....		1602			

□This act does not state that it is a repeal and substitute, but it is in effect, and has been treated as such.
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S. 3060-a5.		5919	S. 3060-a67.		5981
S. 3060-a6.		5920	S. 3060-a68.		5982
S. 3060-a7.		5921	S. 3060-a69.		5983
S. 3060-a8.		5922	S. 3060-a70.		5984
S. 3060-a9.		5923	S. 3060-a71.		5985
S. 3060-a10.		5924	S. 3060-a72.		5986
S. 3060-a11.		5925	S. 3060-a73.		5987
S. 3060-a12.		5926	S. 3060-a74.		5988
S. 3060-a13.		5927	S. 3060-a75.		5989
S. 3060-a14.		5928	S. 3060-a76.		5990
S. 3060-a15.		5929	S. 3060-a77.		5991
S. 3060-a16.		5930	S. 3060-a78.		5992
S. 3060-a17.		5931	S. 3060-a79.		5993
S. 3060-a18.		5932	S. 3060-a80.		5994
S. 3060-a19.		5933	S. 3060-a81.		5995
S. 3060-a20.		5934	S. 3060-a82.		5996
S. 3060-a21.		5935	S. 3060-a83.		5997
S. 3060-a22.		5936	S. 3060-a84.		5998
S. 3060-a23.		5937	S. 3060-a85.		6000
S. 3060-a24.		5938	S. 3060-a86.		6001
S. 3060-a25.		5939	S. 3060-a87.		6002
S. 3060-a26.		5940	S. 3060-a88.		6003
S. 3060-a27.		5941	S. 3060-a89.		6004
S. 3060-a28.		5942	S. 3060-a90.		6005
S. 3060-a29.		5943	S. 3060-a91.		6006
S. 3060-a30.		5944	S. 3060-a92.		6007
S. 3060-a31.		5945	S. 3060-a93.		6008
S. 3060-a32.		5946	S. 3060-a94.		6009
S. 3060-a33.		5947	S. 3060-a95.		6010
S. 3060-a34.		5948	S. 3060-a96.		6011
S. 3060-a35.		5949	S. 3060-a97.		6012
S. 3060-a36.		5950	S. 3060-a98.		6013
S. 3060-a37.		5951	S. 3060-a99.		6014
S. 3060-a38.		5952	S. 3060-a100.		6015
S. 3060-a39.		5953	S. 3060-a101.		6016
S. 3060-a40.		5954	S. 3060-a102.		6017
S. 3060-a41.		5955	S. 3060-a103.		6018
S. 3060-a42.		5956	S. 3060-a104.		6019
S. 3060-a43.		5957	S. 3060-a105.		6020
S. 3060-a44.		5958	S. 3060-a106.		6021
S. 3060-a45.		5959	S. 3060-a107.		6022
S. 3060-a46.		5960	S. 3060-a108.		6023
S. 3060-a47.		5961	S. 3060-a109.		6024
S. 3060-a48.		5962	S. 3060-a110.		6025
S. 3060-a49.		5963	S. 3060-a111.		6026
S. 3060-a50.		5964	S. 3060-a112.		6027
S. 3060-a51.		5965	S. 3060-a113.		6028
S. 3060-a52.		5966	S. 3060-a114.		6029
S. 3060-a53.		5967	S. 3060-a115.		6030
S. 3060-a54.		5968	S. 3060-a116.		6031
S. 3060-a55.		5969	S. 3060-a117.		6032
S. 3060-a56.		5970	S. 3060-a118.		6033
S. 3060-a57.		5971	S. 3060-a119.		6034
S. 3060-a58.		5972	S. 3060-a120.		6035
S. 3060-a59.		5973	S. 3060-a121.		6036
S. 3060-a60.		5974	S. 3060-a122.		6037
S. 3060-a61.		5975	S. 3060-a123.		6038
S. 3060-a62.		5976	S. 3060-a124.		6039
S. 3060-a63.		5977	S. 3060-a125.		6040
S. 3060-a64.		5978	S. 3060-a126.		6041
S. 3060-a65.		5979	S. 3060-a127.		6042
S. 3060-a66.		5980	S. 3060-a128.		6043

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S. 3060-a129		6044	S. 3060-a191		6106
S. 3060-a130		6045	S. 3060-a192		6107
S. 3060-a131		6046	S. 3060-a193		6108
S. 3060-a132		6047	S. 3060-a194		6109
S. 3060-a133		6048	S. 3060-a195		6110
S. 3060-a134		6049	S. 3060-a196		6111
S. 3060-a135		6050	S. 3060-a198		6112
S. 3060-a136		6051	S. 3060-a199		6113
S. 3060-a137		6052	S. 3060-a200		6114
S. 3060-a138		6053	3061		5904
S. 3060-a139		6054	3062		5905
S. 3060-a140		6055	3063		5906
S. 3060-a141		6056	3064		5911
S. 3060-a142		6057	3065		5912
S. 3060-a143		6058	3066		5913
S. 3060-a144		6059	3067		5914
S. 3060-a145		6060			5895
S. 3060-a146		6061	S. 3068		6391
S. 3060-a147		6062			6554
S. 3060-a148		6063	S. 3068-a		5896
S. 3060-a149		6064	3069		S. 5897
S. 3060-a150		6065	3070	R&S. 40-262-1	8407
S. 3060-a151		6066	3071		8408
S. 3060-a152		6067	3072		8409
S. 3060-a153		6068	3073		8410
S. 3060-a154		6069	S. 3074		8411
S. 3060-a155		6070	3075		8412
S. 3060-a156		6071	3076		8413
S. 3060-a157		6072	3077		8414
S. 3060-a158		6073	3078		8415
S. 3060-a159		6074	3079		8416
S. 3060-a160		6075	3080		8417
S. 3060-a161		6076	3081		8418
S. 3060-a162		6077	3082		8419
S. 3060-a163		6078	3083		8420
S. 3060-a164		6079	3084		8421
S. 3060-a165		6080	3085		8422
S. 3060-a166		6081	3086		8423
S. 3060-a167		6082	3087		6510
S. 3060-a168		6083	3088		6509
S. 3060-a169		6084	3089		6511
S. 3060-a170		6085	3090		6512
S. 3060-a171		6086	3091		6513
S. 3060-a172		6087	3092	A. 38-380-1	6514
S. 3060-a173		6088	S. 3093	A. 38-380-1	6515
S. 3060-a174		6089	SS. 3094	A. 38-380-1	6516
S. 3060-a175		6090	3095		6507
S. 3060-a176		6091	3096		6508
S. 3060-a177		6092	3097		6519
S. 3060-a178		6093	3098		6523
S. 3060-a179		6094	3099		6517
S. 3060-a180		6095	3100		6518
S. 3060-a181		6096	3101		6532
S. 3060-a182		6097	3102	A. 38-380-2	6533
S. 3060-a183		6098	3103		6534
S. 3060-a184		6099	3104	A. 38-53-1	
S. 3060-a185		6100		39-228-1	S. 6534-a1
S. 3060-a186		6101		A. 40-194-1	S. 6534-a2
S. 3060-a187		6102			to
S. 3060-a188		6103		39-228-2-5	S. 6534-a5
S. 3060-a189		6104			inc.
S. 3060-a190		6105			

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	<i>34-229-1**</i>	6535	S. 3138-a23.	6144
3105.....		6524	S. 3138-a24.	6145
3106.....		6180	S. 3138-a25.	6146
3107.....		6181	S. 3138-a26.	.....	6147
3108.....		6182	S. 3138-a27.	.....	6148
S. 3109.....		6183	S. 3138-a28.	.....	6149
3110.....		6184	S. 3138-a29.	.....	6150
3111.....		6185	S. 3138-a30.	.....	6151
3112.....		6186	S. 3138-a31.	.....	6152
3113.....		6187	S. 3138-a32.	.....	6153
3114.....		6188	S. 3138-a33.	.....	6154
3115.....		6189	S. 3138-a34.	.....	6155
3116.....		6190	S. 3138-a35.	.....	6156
3117.....		6191	S. 3138-a36.	.....	6157
3118.....		6192	S. 3138-a37.	.....	6158
3119.....		6193	S. 3138-a38.	.....	6159
3120.....		6194	S. 3138-a39.	.....	6160
3121.....		6195	S. 3138-a40.	.....	6161
	<i>38-47-1</i>	6196	S. 3138-a41.	.....	6162
	<i>38-47-3</i>	6197	S. 3138-a42.	.....	6163
	<i>38-47-2</i>	6198	S. 3138-a43.	.....	6164
3122.....		6115	S. 3138-a44.	.....	6165
3123.....		6116	S. 3138-a45.	.....	6166
3124.....		6117	S. 3138-a46.	.....	6167
3125.....		6118	S. 3138-a47.	.....	6168
3126.....		6119	S. 3138-a48.	.....	6169
3127.....		6120	S. 3138-a49.	.....	6170
3128.....		6121	S. 3138-a50.	.....	6171
S. 3129.....		.....	S. 3138-a51.	.....	6172
3130.....		6527	S. 3138-a52.	.....	6173
S. 3131.....		6528	S. 3138-a53.	.....	6174
3132.....		6529	S. 3138-a54.	.....	6175
3133.....		6530	S. 3138-a55.	.....	6176
3134.....		6531	S. 3138-a56.	.....	6177
3135.....		5325	S. 3138-a57.	.....	6178
3136.....		5326	S. 3138-a58.	.....	6179
3137.....		6526			
S. 3138.....	A. 39-100-1.....	S. 6525		<i>39-119-1-28</i>	S. 6179-a1 to S. 6179-a28 inc.
S. 3138-a1.....		6122			S. 6179-a29 to S. 6179-a62 inc.
S. 3138-a2.....		6123		<i>40-191-1-34</i>	
S. 3138-a3.....		6124			
S. 3138-a4.....		6125			
S. 3138-a5.....		6126			
S. 3138-a6.....		6127			
S. 3138-a7.....		6128	S. 3138-a59.	.....	5263
S. 3138-a8.....		6129	S. 3138-b.....	.....	5264
S. 3138-a9.....		6130	S. 3138-b1.....	.....	5265
S. 3138-a10.....		6131	S. 3138-b2.....	.....	5266
S. 3138-a11.....		6132	S. 3138-b3.....	.....	5267
S. 3138-a12.....		6133	S. 3138-b4.....	.....	5268
S. 3138-a13.....		6134	S. 3138-b5.....	.....	5269
S. 3138-a14.....		6135	S. 3138-b6.....	.....	5270
S. 3138-a15.....		6136	S. 3138-b7.....	.....	5271
S. 3138-a16.....		6137	S. 3138-b8.....	.....	5272
S. 3138-a17.....		6138	S. 3138-b9.....	.....	5273
S. 3138-a18.....		6139	S. 3138-b10.....	.....	5274
S. 3138-a19.....		6140	S. 3138-b11.....	.....	5275
S. 3138-a20.....		6141	S. 3138-b12.....	.....	5276
S. 3138-a21.....		6142	S. 3138-b13.....	.....	5277
S. 3138-a22.....		6143	S. 3138-b14.....	.....

**This act was omitted from the Supplement of 1913, but is carried in the table the same as new legislation enacted subsequent to said Supplement.

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S. 3138-b15.	5278	3152	6595
S. 3138-b16.	5279	3153	6601
S. 3138-b17.	5280	3154	6602
S. 3138-b18.	5281	3155	6603
S. 3138-b19.	5282	3156	.....	6618
S. 3138-b20.	5283	3157	.....	6604
S. 3138-b21.	5284	3158	.....	6610
S. 3138-b22.	5285	3159	.....	6611
S. 3138-b23.	5286	3160	.....	6612
S. 3138-b24.	5287	3161	.....	6605
S. 3138-b25.	5288	3162	.....	6615
S. 3138-b26.	5289	3163	.....	6616
S. 3138-b27.	5290	3164	.....	6617
S. 3138-b28.	5291	S. 3165	.....	6613
S. 3138-b29.	5292	3166	A. 40-237-14	S. 6430-a14
S. 3138-b30.	5293	.....	.....	6614
S. 3138-b31.	5294	S. 3167	.....	6606
S. 3138-b32.	5295	3168	.....	6607
S. 3138-b33.	5296	S. 3169	.....	6608
S. 3138-b34.	5297	3170	.....	6609
S. 3138-b35.	5298	3171	.....	6619
S. 3138-b36.	5299	3172	.....	6621
S. 3138-b37.	5300	3173	.....	6622
S. 3138-b38.	5301	3174	.....	6623
S. 3138-b39.	5302	3175	.....	6624
S. 3138-b40.	5303	3176	.....	6625
S. 3138-b41.	5304	3177	.....	6626
S. 3138-b42.	5305	3178	.....	6627
S. 3138-b43.	5306	3179	.....	6628
S. 3138-b44.	5307	3180	A. 40-197-1	S. 6629
S. 3138-b45.	5308	S. 3181	.....	6630
S. 3138-b46.	5309	3182	.....	6631
S. 3138-b47.	5310	3183	.....	6632
S. 3138-b48.	5311	3184	.....	6633
S. 3138-b49.	5312	3185	.....	6634
S. 3138-b50.	5313	3186	.....	6635
S. 3138-b51.	5314	3187	.....	6636
S. 3138-b52.	5315	S. 3187-a	.....	6549
S. 3138-b53.	5316	3188	R&S. 40-198-1	S. 6637
S. 3138-b54.	3189	.....	S. 6638
S. 3138-b55.	3190	.....	6639
S. 3138-b56.	5317	3191	.....	6640
S. 3138-c	6199	3192	.....	6641
S. 3138-c1	6200	3193	.....	6642
S. 3138-c2	6201	3194	.....	6643
S. 3138-c3	6202	3195	.....	6644
S. 3138-c4	6203	3196	.....	6649
S. 3138-c5	6204	3197	A. 38-130-1	6645
3139	6587	3198	.....	6662
3140	6588	3199	.....	6646
S. 3141	6589	3200	.....	6647
3142	6590	3201	.....	6661
3143	6591	3202	.....	6663
3144	6592	3203	.....	6658
3145	A. 37-36-1	} S. 6593	3204	.....	6659
	A. 37-313-1		3205	.....	6660
S. 3146	6596	3206	.....	6651
S. 3147	6594	3207	R&S. 39-263-2	S. 6652
3148	6598	3208	6653
3149	6597	3209	6654
3150	6599	3210	6655
3151	6600	3211	6656

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3212		6657	S. 3260-f		2134	
3213		6664	S. 3260-g		2136	
3214		6665	S. 3260-h		2137	
3215		6666	S. 3260-i		2135	
3216		6667	S. 3260-j		2139	
3217		6668	S. 3260-k		2138	
3218		6669	S. 3260-l		2141	
3219	A. 40-199-1	S. 6670	S. 3260-m		.....
3220		6671	S. 3260-n	A. 38-308-1	2140	
3221	R. 30-80-22		3261	A. 38-357-2	7775	
3222		6672	3262		7776	
3223		S. 6673	3263		7777	
3224		6648	3264		7778	
S. 3225		6674	3265		7779	
3226		S. 6650	3266		7780	
3227		6675	3267		7781	
3228		6676		40-270-1	S. 7781-a1	
S. 3228-a		6677		40-270-2	S. 7781-a2	
S. 3228-b		6678		40-270-3	S. 7781-a3	
S. 3228-c		6679	S. 3268		7783	
S. 3228-d		6680	3269		7790	
S. 3228-e		6681	3270		7791	
S. 3228-f		6682	3271		7792	
S. 3228-g		6683	3272		7793	
S. 3228-h		6684	3273		7794	
3229		6690	3274		7795	
3230		6691	3275		7796	
3231		6693	S. 3276		7797	
3232		6692	3277		7798	
3233		6699	3278		7799	
3234		6694	S. 3279		7800	
3235		6700	S. 3279-a		7801	
3236		6701	S. 3279-b		.....
3237		6702	3280		7802	
3238		6703	3281		7803	
3239		6704	3282		7804	
3240		6705	3283	A. 38-357-3	7805	
3241		6706	S. 3284	{ A. 38-83-1	} S. 7806	
3242		6707		{ A. 40-207-1		
3243		6708	3285		7807	
3244		6709	3286		7808	
3245		6710			} S. 7809-a1	
3246		6695	S. 3287			S. 7809-a2
3247		6696				S. 7809-a3
3248		6697	3288		7810	
3249		6698	3289		7811	
3250		6685	3290		7812	
3251		6686	3291		7813	
3252		6687	3292		7814	
S. 3253		6688	3293		7815	
3254		6689	3294		7816	
3255			3295		7817	
3256			S. 3295-a	See S. '13, 3295-b		
3257			S. 3295-b		6564	
3258	} R&S. 29-133-1-13.. (See S. '13, 3060-b to 3060-m, inc.)		S. 3295-c		6565	
3259			3296		7818	
3260			3297		7819	
S. 3260-a			3298		7820
S. 3260-b		2130	3299		7821	
S. 3260-c		2131	3300		7822	
S. 3260-d		2132	3301		7823	
S. 3260-e		2133	3302		7824	

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3303.....		7825	3349.....		7874
3304.....	A. 40-208-1.....	S. 7826	3350.....		7875
S. 3305.....		7827	3351.....		7876
3306.....		7828	3352.....		7877
S. 3307.....		7829	3353.....		7878
S. 3307-a.....		7830	3354.....		7879
S. 3307-b.....		7831	3355.....		7880
SS. 3308.....	R&S. 39-17-1-5 [□]	{ S. 7832-a1 to S. 7832-a4 inc.	3356.....		7881
S. 3308-a.....		S. 6566	3357.....		7882
3309.....		7833	3358.....		7883
3310.....		7834	3359.....		7884
S. 3311.....		7835	3360.....		7885
3312.....		7836	3361.....		7886
3313.....		{ S. 7837-a1 S. 7837-a2 S. 7837-a3	3362.....		7887
3314.....		7838	3363.....		7888
3315.....		7839	3364.....		7889
3316.....		7840	3365.....		7890
3317.....		7841	3366.....		7891
3318.....		7842	3367.....		7892
3319.....		7843	3368.....		7893
3320.....		7844	3369.....		7894
3321.....		7845	3370.....		7895
3322.....		7846	3371.....		7896
3323.....		7847	3372.....		7897
3324.....	R&S. 39-263-3..... 39-174-1.....	S. 7848 S. 7848-a1	3373.....		7898
3325.....		7849	3374.....		7899
3326.....		7850	3375.....		7900
3327.....		7851	S. 3376.....	R&S. 38-192-1.....	{ S. 7901-a1 to S. 7901-a5 inc.
3328.....		7852	S. 3377.....		{ S. 7902-a1 to S. 7902-a4 inc.
3329.....		7853	3378.....		7903
3330.....		7854	S. 3379.....		7904
3331.....		{ S. 7855-a1 S. 7855-a2 S. 7855-a3	37-250-2.....		7905
3332.....	38-166-1.....	7856	37-250-3.....		7906
3333.....		7857	37-250-4.....		7907
3334.....		7858	3380.....		7908
3335.....		7859	3381.....		7909
3336.....		7860	S. 3381-a.....		7910
3337.....		7861	S. 3381-b.....		7911
3338.....		7862	S. 3381-c.....		7912
3339.....		7863	3382.....		7913
S. 3340.....		7864	3383.....		7914
3341.....		7865	3384.....		7915
3342.....		7866	3385.....		7916
3343.....		7867	S. 3386.....		7917
3344.....		7868	3387.....		7918
3345.....		7869	3388.....		7919
3346.....		7870	3389.....		7920
3347.....		7871	3390.....		7921
S. 3348.....		7872	3391.....		7922
		{ S. 7873-a1 S. 7873-a2	3392.....		7923
			3393.....		7924
			3394.....		7925
			3395.....		7926

[□]This act does not state that it is a repeal and substitute, but it is in effect, and has been treated as such.

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3396		7927		38-270-3	7121
3397		7928		38-270-4, 5	7122
3398		7929	S. 3447-c		7124
3399		7930	SS. 3447-d		7125
3400		7931	SS. 3447-e		7126
3401		7932	SS. 3447-f		.....
3402		7933	3448		7127
S. 3403		7934	3449		7128
3404		7935	3450		7129
3405		7936	3451		7130
3406		7937	3452		7131
3407	A. 39-117-1	S. 7938	3453		7132
3408		7939	3454		7133
3409		7940	3455		7134
3410		7941	3456		7135
3411		7786	3457		7136
3412		7787	3458		7137
3413		7788			7138
3414		7789			to
3415	R&S. 38-391-1	S. 7942		37-380-1-4	7141
	A. 39-22-1				inc.
3416		7943	3459		7084
3417		7944	3460	R&S. 40-267-1	S. 7085
3418		7945	3461		7086
3419		7946	3462		7087
3420		7947	3463		7088
3421		7948	3464		7089
3422		7949	3465		7090
3423		7950	3466		7091
3424		7057	3467		7092
3425		7058	3468		7093
3426		7059	3469		7094
3427		7060	3470		7095
3428		7061	3471		7096
3429		6521	3472		7097
3430		6620	3473		7098
3431		7062	3474		7099
3432		7063	3475		7100
3433		7064	3476		7101
3434		7065	3477		7102
3435		7066	SS. 3477-a		S. 6615-a1
3436		7067	3478		7104
3437		7068	3479		7105
3438		7069	3480		7106
S. 3439	A. 38-96-1	7123	3481		7107
S. 3439-a			3482		7108
3440		7071	3483		7109
3441		7072	3484		7110
3442		7073	3485		7111
3443		7074	3486		7112
3444		7075	3487		7113
3445		7076	3488		7114
3446		S. 55-a1	3489		7115
S. 3447	A. 37-63-1	S. 6522	3490		6504
	A. 39-27-1	7116	3491		7142
S. 3447-a		7117	3492		7143
S. 3447-b	A. 37-351-1	S. 7118			6520
	37-351-3	S. 7118-a1	3493		8170
	38-270-1		S. 3494		7144
	A. 39-55-1	S. 7119	3495		7145
	38-270-2	7120	3496		7146

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S. 3497.....	A. 37-424-1.....	7147	3545.....	7078
3498.....	7148	3546.....	7079
3499.....	7149	3547.....	7080
	40-181-1.....	S. 7149-a1	3548.....	7081
S. 3499-a.....	7150	3549.....	.....	7082
3500.....	7151		37-312-1.....	7083
S. 3500-a.....	7152	3550.....	.....	7198
3501.....	7153	3551.....	.....	7203
	37-293-1.....	7154	3552.....	.....	7204
3502.....	7155	3553.....	.....	7199
3503.....	7156	3554.....	.....	7200
3504.....	7157	3555.....	.....	7205
S. 3504-a.....	7158	3556.....	.....	7206
S. 3505.....	7432	3557.....	.....	7190
3506.....	7434	SS. 3558.....	.....	7201
S. 3507.....	7435	3559.....	.....	7191
3508.....	7436	3560.....	.....	7207
3509.....	7437	3561.....	.....	7208
3510.....	7438	3562.....	.....	7209
S. 3511.....	7439	3563.....	.....	7212
3512.....	R&S. 39-106-1.....	S. 7440	3564.....	.....	7210
3513.....	7441	3565.....	.....	7211
3514.....	7159	3566.....	.....	7192
3515.....	7160	3567.....	.....	7193
3516.....	7161	3568.....	.....	7194
3517.....	7162	3569.....	.....	7195
3518.....	7163	3570.....	.....	7213
3519.....	7164	3571.....	.....	7214
3520.....	7165	3572.....	.....	7215
3521.....	A. 37-31-1.....	7166	3573.....	.....	7216
3522.....	7167	3574.....	.....	7217
3523.....	7168	3575.....	.....	7218
3524.....	S. 7169-a1	3576.....	.....	7219
	S. 7169-a2	3577.....	.....	7220
3525.....	A. 37-217-1.....	7170	3578.....	.....	7221
3526.....	7171	3579.....	.....	7222
3527.....	7172	3580.....	.....	7223
3528.....	7173	3581.....	.....	7224
S. 3529.....	7174	3582.....	.....	7225
3530.....	7175	3583.....	.....	7226
3531.....	7176	3584.....	.....	7227
3532.....	7177	3585.....	.....	7228
3533.....	7178	3586.....	.....	7229
S. 3534.....	A. 39-263-1.....	S. 7179	3587.....	.....	7230
S. 3534-a.....	6547	3588.....	.....	7231
S. 3534-b.....	3589.....	.....	7232
3535.....	7180	3590.....	.....	7233
3536.....	7181	3591.....	.....	7234
S. 3536-a.....	R&S. 38-89-1.....	6548	3592.....	.....	8203
S. 3536-b.....			8204
3537.....	7182	SS. 3592-a.....	.....	8205
SS. 3538.....	7183			8206
SS. 3539.....	7184	3593.....	.....	7235
S. 3540.....	7185			8207
SS. 3540-a.....	6544	SS. 3593-a.....	.....	7236
	37-37-1.....	6545	3594.....	.....	7237
	39-83-1.....	S. 6545-a1	3595.....	.....	7238
SS. 3540-b.....	3596.....	.....	7239
S. 3541.....	7186	3597.....	7240
3542.....	7187	3598.....	7241
S. 3543.....	A. 37-324-1.....	7188	3599.....	7242
3544.....	7189	3600.....	7243

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3601.....		7244	3661.....		7456
3602.....		7245	3662.....		7457
3603.....		7246	3663.....		7458
3604.....		7247	3664.....		7459
3605.....		7248	3665.....		7460
3606.....		7249	3666.....		7461
3607.....		7250	3667.....		7462
3608.....		7251	3668.....		7463
3609.....		7252	3669.....		7464
3610.....		7253	3670.....		7465
3611.....		7254	3671.....		7466
3612.....		7255	3672.....		7467
3613.....		7256	3673.....		7468
3614.....		7257	3674.....		7469
3615.....		7258	3675.....		7470
3616.....		7196	3676.....	R&S. 37-310-2.....	7471
3617.....		7197	3677.....		7472
3618.....		7259	3678.....		7473
3619.....		7260	3679.....		7474
3620.....		7261	3680.....		7475
3621.....		7262	3681.....		7476
3622.....		7263	3682.....		7477
3623.....		7264	3683.....		7478
3624.....		7265	3684.....		7479
3625.....		7266	3685.....		7480
3626.....		7267	3686.....	R&S. 37-310-3.....	7481
3627.....		7268	3687.....	R&S. 37-310-4.....	7482
3628.....		7269	3688.....		7483
3629.....		7270	3689.....		7484
3630.....		7202	3690.....		7485
3631.....		7070	3691.....		7486
3632.....		7271	3692.....		7487
3633.....		7272	3693.....		7488
3634.....		7273	3694.....		7489
3635.....		7274	3695.....		7490
3636.....		7275	3696.....		7491
3637.....		7276	3697.....		7492
3638.....		7277	3698.....		7493
3639.....		7278	3699.....		7494
3640.....		7279	3700.....		7495
3641.....		7280	3701.....		7496
3642.....		7281	3702.....		7497
3643.....		7282	3703.....		7498
3644.....		7283	3704.....		7499
3645.....		7284			
3646.....		6964	S. 3705.....		S. 7505-a1
3647.....		7442	S. 3705-a ¹⁴	R&S. 40-268-1-5.....	to
3648.....		7443		(C. '97, 3706-3709 in- cluded in R&S.)	S. 7505-a5
3649.....		7444	S. 3705-b.....		inc.
3650.....		7445	S. 3705-c.....		....
3651.....		7446	3706.....		....
S. 3652.....		7447	3707.....		S. 7505-a1
3653.....		7448	3708.....		to
3654.....		7449	3709 ¹⁵	R&S. 40-268-1-5.....	S. 7505-a5
3655.....		7450		(S. '13, 3705 and 3705-a included in R&S.)	inc.
S. 3656.....		7451	3710.....		
3657.....		7452	3711.....		7506
3658.....		7453	3712.....		7507
3659.....		7454	3713.....		7508
3660.....		7455	3714.....		7509
					7510

¹⁴Repealed and substituted by 37-24-1.¹⁵Amended by 38-11-1.

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3715		7511	3777		7573
3716		7512	3778		7574
3717		7513	3779		7575
3718		7514	3780		7576
3719		7515	3781		7577
3720		7516	3782		7578
3721		7517	3783		7579
3722		7518	3784		7580
3723		7519	3785		7581
3724		7520	3786		7582
3725		7521	3787		7583
3726		7522	3788		7584
3727		7523	3789		7585
3728		7524	3790		7586
3729		7525	3791		7587
3730		7526	3792		7588
3731		7527	3793		7589
3732		7528	3794		7590
3733		7529	3795		7591
3734		7530	3796		7592
3735		7531	3797		7593
3736		7532	3798		7594
3737		7533	3799		7595
3738		7534	3800		7596
3739		7535	3801		7597
3740		7536	S. 3802		7598
3741		7537	3803		7599
3742		7538	3804		7600
3743		7539	3805		7601
3744		7540	3806		7602
3745		7541	3807		7603
3746		7542	3808		7604
3747		7543	3809		7605
3748		7544	3810		7606
3749		7545	3811		7607
3750		7546	3812		7608
3751		7547	3813		8371
3752		7548	3814		8372
3753		7549	3815		8373
3754		7550	3816		8374
3755		7551	3817		8375
3756	A. 38-11-2	7552	3818		8376
3757		7553	3819		8368
3758		7554	3820		8369
3759		7555	3821		8370
3760		7556	3822		8402
3761		7557	3823		8403
3762		7558	3824		8404
3763		7559	S. 3825		8405
3764		7560	S. 3825-a		8406
3765		7561	3826		7609
3766		7562	3827		7610
3767		7563	3828		7611
3768		7564	3829		7612
3769		7565	3830		7613
3770		7566	3831		7285
3771		7567	3832		7286
3772		7568	3833		7287
3773		7569	3834		7288
3774		7570	3835		7289
3775		7571	3836		7290
3776		7572	3837		7291

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3838.....	7292	3898.....	7973
3839.....	7293	S. 7974-a1
3840.....	7294	3899.....	S. 7974-a2
3841.....	7295	S. 7974-a3
3842.....	7296	3900.....	.....	7975
3843.....	7297	3901.....	.....	7976
3844.....	7298	3902.....	.....	7977
3845.....	7299	3903.....	.....	7978
3846.....	7300	3904.....	.....	7979
S. 3847.....	R&S. 37-47-1, 2...	7301	3905.....	.....	7980
3848.....	7302	3906.....	.....	7981
S. 3849.....	7303	3907.....	.....	7982
3850.....	7304	3908.....	.....	7983
3851.....	7305	3909.....	.....	7984
3852.....	7306	3910.....	.....	7985
S. 3852-a.....	7307	3911.....	.....	7986
S. 3853.....	R&S. 40-269-1, 2...	{ S. 7614-a1	3912.....	R&S. 27-101-1.....	
3854.....	S. 7614-a2	S. 3912-a.....	(See S. '13, 3912-a.)	7987
3855.....	7615	3913.....	.....	7988
3856.....	7616	3914.....	.....	7989
3857.....	7617	3915.....	.....	7990
3858.....	7618	3916.....	.....	7991
3859.....	7619	3917.....	.....	7992
3860.....	7620	3918.....	.....	7993
3861.....	7621	3919.....	.....	7994
3862.....	7622	3920.....	.....	7995
3863.....	7623	3921.....	.....	7996
3864.....	7624	3922.....	.....	7997
3865.....	7625	3923.....	.....	7998
3866.....	7626	3924.....	.....	7999
3867.....	7627	3925.....	.....	8000
3868.....	7628	3926.....	.....	8001
3869.....	7629	3927.....	.....	8002
3870.....	7630	3928.....	.....	8003
3871.....	7631	3929.....	.....	8004
3872.....	A. 39-275-1.....	7632	3930.....	R&S. 38-338-1.....	8005
3873.....	S. 7633	3931.....	.....	8006
3874.....	7634	3932.....	.....	8007
3875.....	7635	3933.....	.....	8008
3876.....	7636	3934.....	.....	8009
3877.....	7951	S. 3934-a.....	.....	8010
3878.....	7952	S. 3934-b.....	.....	8011
3879.....	7953	3935.....	.....	8012
3880.....	7954	3936.....	.....	8013
3881.....	7955	3937.....	.....	8014
3882.....	7956	3938.....	.....	8015
3883.....	7957	3939.....	.....	8016
3884.....	7958	3940.....	.....	8017
3885.....	A. 37-75-6.....	7959	3941.....	.....	8018
3886.....	7960	3942.....	.....	8019
3887.....	7961	3943.....	.....	8020
3888.....	7962	3944.....	.....	8021
3889.....	7963	3945.....	.....	8022
3890.....	7964	3946.....	.....	8023
3891.....	7965	S. 3947.....	.....	8024
3892.....	7966	S. 3948.....	.....	8025
3893.....	7967	3949.....	.....	8026
3894.....	7968	3950.....	8027
3895.....	7969	3951.....	8028
3896.....	7970	3952.....	8029
3897.....	7971	3953.....	8030
		7972			

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S. 3954		7637	4014		7733
S. 3955		7638	4015		7734
3956		7639	4016		7735
3957		7640	4017		7736
S. 3958		7641	4018		7737
3959		7642	S. 4019		7690
3960		7643	S. 4020		7691
3961		7644	S. 4021		7692
3962		7645	4022		7693
3963		7646	4023		7694
3964		7647	S. 4024		7695
3965		7648	S. 4025		7696
3966		7649	4026		7697
3967		7650	S. 4027		7698
3968		7651	4028		7699
3969		7652	4029		7700
3970		7653	4030		7701
3971		7654	4031		7702
3972		7655	4032		7703
3973		7656	4033		7704
3974		7657	4034		7705
3975		7658	4035		7706
3976		7659	4036		7707
3977		7660	4037		7708
3978		7661	4038		7709
3979		7662	4039		7710
3980		7663	4040		7711
3981		7664	4041		7712
3982		7665	4042		7713
3983		7666	4043		7738
3984		7667	4044		7714
3985		7668	4045		7739
3986		7669	4046		7740
3987		7670	4047		7741
S. 3988		7671	4048		7742
3989		7672	4049		7743
3990		7673	4050		7744
3991		7674	S. 4051		7745
3992		7675	4052		7746
3993		7676	4053		7747
3994		7677	4054		7748
3995		7678	4055		7749
3996		7679	4056		7750
3997		7680	4057		7751
3998		7681	4058		7752
3999		7682	4059		7753
4000		7683	4060		7754
4001		7684	4061		7755
4002		7685	4062		7715
4003		7686	4063		7716
4004		7687	4064		7717
4005		7688	4065		7718
4006		7689	4066		7719
4007		7726	4067		7720
4008		7727	4068		7721
4009		7728	4069		7722
4010		7729	4070		7723
4011	{ A. 38-65-1	} S. 7730	4071		7724
	{ A. 39-149-1		} S. 7730-a1	S. 4071-a	
4012	{ 40-206-1	7731		4072	
4013		7732	4073		7757
			4074		7758

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4075.....	7759	4137.....	R&S. 30-126-1.....	
4076.....	7760		(See S. '13, 4136.)	
4077.....	7761	4138.....	8517
4078.....	7762	S. 4139.....	{ S. 8518
4079.....	7763		.....	{ S. 8529-a1
4080.....	7764	4140.....	.....	8519
4081.....	7765	4141.....	.....	8520
4082.....	7766	S. 4142.....	.....	8521
4083.....	7767	4143.....	.....	8522
4084.....	7768	4144.....	.....	8523
4085.....	7769	4145.....	.....	8524
4086.....	7770	4146.....	.....	8525
4087.....	7771	4147.....	.....	8526
4088.....	7772	4148.....	.....	8527
4089.....	7773	4149.....	.....	8528
4090.....	7774	4150.....	.....	8529
4091.....	8446	4151.....	.....	8530
4092.....	8447	4152.....	.....	8531
4093.....	8448	4153.....	.....	8532
4094.....	8449	4154.....	.....	8244
4095.....	8450	4155.....	.....	8245
4096.....	8451	4156.....	.....	8246
4097.....	8452	4157.....	.....	8247
4098.....	8453	4158.....	.....	8248
4099.....	8454	4159.....	.....	8249
4100.....	8480	4160.....	.....	8250
4101.....	8481	4161.....	.....	8251
4102.....	8482	4162.....	.....	8252
4103.....	8483	4163.....	.....	8031
4104.....	8484	4164.....	.....	8032
4105.....	8485	4165.....	.....	8033
4106.....	8486	4166.....	.....	8034
4107.....	8487	4167.....	.....	8035
4108.....	8488	4168.....	.....	8036
4109.....	8489	4169.....	.....	8037
4110.....	8490	4170.....	.....	8038
4111.....	8491	4171.....	.....	8039
4112.....	8492	4172.....	.....	8040
4113.....	8493	4173.....	.....	8041
S. 4114.....	8494	4174.....	.....	8042
4115.....	8495	4175.....	.....	8043
4116.....	8496	4176.....	.....	8044
4117.....	8497	4177.....	.....	8045
4118.....	8498	4178.....	.....	8046
4119.....	8499	4179.....	.....	8047
4120.....	8500	4180.....	.....	8048
4121.....	8501	4181.....	.....	8049
4122.....	8502	4182.....	.....	8056
4123.....	8503	4183.....	.....	8057
4124.....	8504	4184.....	.....	8058
4125.....	8505	4185.....	.....	8059
4126.....	8506	4186.....	.....	8060
4127.....	8507	4187.....	.....	8061
4128.....	8508	4188.....	.....	8062
4129.....	8509	4189.....	.....	8063
4130.....	8510	4190.....	.....	8064
4131.....	8511	4191.....	.....	8065
4132.....	8512	4192.....	.....	8066
4133.....	8513	4193.....	8067
S. 4134.....	8514	4194.....	8068
4135.....	8515	4195.....	8069
S. 4136.....	8516	4196.....	8070

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4197.....		8071	4251.....		8132
4198.....		8072	4252.....		8133
4199.....		8073	S. 4253.....		8134
4200.....		8074	4254.....		8135
4201.....		8075	4255.....		8136
4202.....		8076	4256.....		8137
4203.....		8077	4257.....		8138
4204.....		8078	4258.....		8139
4205.....		8079	S. 4259.....		8140
4206.....		8080	4260.....		8141
4207.....		8081	4261.....		8142
4208.....	R&S. 40-271-1.....	S. 8087	4262.....		8143
4209.....		8088	4263.....		8144
4210.....	R&S. 40-271-2.....	S. 8089	4264.....		8145
4211.....	R&S. 37-230-1.....	8090	4265.....		8146
4212.....	{ R&S. 37-230-2..... R&S. 39-193-2..... }	S. 8091	4266.....		8147
4213.....		8092	4267.....		8148
4214.....	R&S. 37-230-3.....	8093	S. 4268.....		8149
4215.....		8094	4269.....		8150
4216.....	R&S. 37-230-4.....	S. 8095	4270.....		8151
4217.....		8096	4271.....		8152
4218.....		8097	4272.....		8153
4219.....		8098	4273.....		8154
4220.....		8099	4274.....		8155
4221.....		8100	4275.....		8156
4222.....		8101	4276.....		8157
4223.....		8102	4277.....		8158
4224.....		8103	4278.....		8159
4225.....		8104	4279.....		8160
4226.....		8105	4280.....		8161
4227.....		8106	4281.....		8162
	37-325-1.....	8107	4282.....		8163
	37-325-2.....	S. 8108	4283.....		8164
S. 4227-a.....		8082	4284.....		8165
S. 4227-b.....		8083	4285.....		8166
S. 4227-c.....		8084	4286.....		8167
S. 4227-d.....		8085		38-231-1.....	8168
SS. 4227-e.....		8086	4287.....		8169
4228.....		8109	4288.....		8171
4229.....		8110	4289.....		8172
4230.....		8111	4290.....		8173
4231.....		8112	4291.....		8174
4232.....		8113	4292.....		8175
4233.....		8114	4293.....		8176
4234.....		8115	4294.....		8177
4235.....		8116	4295.....		8178
4236.....		8117	4296.....		8179
4237.....		8118	4297.....		8180
4238.....		8119	4298.....		8181
4239.....		8120	S. 4299.....		8182
4240.....		8121	S. 4300.....		8183
4241.....		8122	4301.....		8184
4242.....		8123	4302.....		8185
4243.....		8124	4303.....		8193
4244.....		8125	4304.....		8194
4245.....		8126	4305.....		8195
4246.....		8127	4306.....		8196
4247.....		8128	4307.....		8197
4248.....		8129	4308.....		8198
4249.....		8130	4309.....		8199
4250.....		8131	4310.....		8200
			4311.....		8201

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4312.....		8202	4374.....		8316
4313.....		8208	4375.....		8317
4314.....		8209	4376.....		8318
4315.....		8210	4377.....		8377
4316.....		8211	4378.....		8378
4317.....		8212	4379.....		8379
4318.....		8213	4380.....		8380
4319.....		8214	4381.....		8381
4320.....		8215	4382.....		8382
4321.....		8216	4383.....		8383
4322.....		8217	4384.....		8384
4323.....		8218	4385.....		8385
4324.....		8219	4386.....		8386
4325.....		8220	4387.....		8387
4326.....		8221	4388.....		8388
4327.....		8222	4389.....		8389
4328.....		8223	4390.....		8390
4329.....		8224	4391.....		8391
4330.....		8225	4392.....		8392
4331.....		8226	4393.....		8393
4332.....		8227	4394.....		8394
4333.....		8228	4395.....		8395
4334.....		8229	4396.....		8396
4335.....		8230	4397.....		8397
4336.....		8330	4398.....		8398
4337.....		8331	4399.....		8399
4338.....		8332	4400.....		8400
4339.....		8333	4401.....		8401
4340.....		8334	4402.....		8336
S. 4341.....		8231	4403.....		8337
4342.....		8232	4404.....		8338
4343.....		8233	4405.....		8339
4344.....		8234	4406.....		8340
4345.....		8235	4407.....		8341
4346.....		8236	4408.....		8342
4347.....		8237	4409.....		8343
4348.....		8238	4410.....		8344
4349.....		8239	4411.....		8345
4350.....		8240	4412.....		8346
4351.....		8241	4413.....		8347
4352.....		8242	4414.....		8348
4353.....		8243	4415.....		8349
4354.....		8296	4416.....		8350
4355.....		8297	4417.....		8253
4356.....		8298	4418.....		8254
4357.....		8299	4419.....		8255
4358.....		8300	S. 4420.....		8256
4359.....		8301	4421.....		8257
4360.....		8302	4422.....		8258
4361.....		8303	4423.....		8259
4362.....		8304	4424.....		8260
4363.....		8305	4425.....		8261
4364.....		8306	4426.....		8262
4365.....		8307	4427.....		8263
4366.....		8308	4428.....		8264
4367.....		8309	4429.....		8265
4368.....		8310	4430.....		8266
4369.....		8311	4431.....		8267
4370.....		8312	4432.....		8268
4371.....		8313	4433.....		8269
4372.....		8314	4434.....		8270
4373.....		8315	4435.....		8271

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4436		8272	4484		6719
4437		8273	4485		6720
4438		8274	4486		6721
4439		8275	4487		6722
4440		8276	4488		6723
4441		8277	4489		6724
4442		8278	4490		6725
4443		8279	4491		6726
4444		8280	4492		6727
4445		8281	4493		6728
4446		8282	S. 4493-a		6729
4447		8283	4494		6730
4448		8284	4495		6731
4449		8285	4496		6732
4450		8286	4497		6733
4451		8287	4498		6734
4452		8288	4499		6735
4453		8289	4500		6736
4454		8290	4501		6737
4455		8291	4502		6738
4456		8292	4503		6739
4457		8293	4504		6740
4458		8294	4505		6741
4459		8295	4506		6742
4460		8319	4507		6743
4461		8320	4508		6744
4462		8321	4509		6745
4463		8322	4510		6746
4464		8323	4511		6747
4465		8324	4512		6748
4466		8325	4513		6749
4467		8326	4514		6750
4468		8327	4515		6751
4469		8328	4516		6752
4470		8329	4517		6753
4471	R&S. 30-127-1-10.. (See S. '13, 4471-b to 4471-j, inc.)		4518		6754
S. 4471-a			4519		6755
S. 4471-b		8351	4520		6756
S. 4471-c		8352	4521		6757
S. 4471-d		8353	4522		6758
S. 4471-e		8354	4523		6759
S. 4471-f		8355	4524		6760
S. 4471-g		8356	4525		6761
S. 4471-h		8357	4526		6762
S. 4471-i		8358	4527		6763
S. 4471-j		8359	4528		6764
4472			4529		6765
4473			4530		6766
†S. 4474	R&S. 30-127-1-10.. (See S. '13, 4471-b to 4471-j, inc.)		4531		6767
4475			4532		6768
4476		6711	4533		6769
4477		6712	4534		6770
4478		6713	4535		6771
4479		6714	4536		6772
4480		6715	4537	R&S. 37-389-1.. 37-389-2..	6773
S. 4481		6716	S. 4538		6774
4482	R&S. 39-193-1	S. 6717	4539		6775
4483		6718	4540		6776
			4541		6777
					6778

†Appeared for last time in Supplement, 1907.

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4542.....		6779	S. 4600-c.....		6839
4543.....		6780	4601.....		7308
S. 4544.....		6781	4602.....		7309
4545.....		6782	4603.....		7310
4546.....		6783	4604.....		7311
4547.....		6784	4605.....		7312
4548.....		6785	S. 4606.....		7313
4549.....		6786	4607.....		7314
4550.....		6787	S. 4608.....		7315
4551.....		6788	4609.....		7316
4552.....		6789	4610.....		7317
4553.....		6790	4611.....		7318
4554.....		6791	S. 4612.....	R&S. 40-236-1-3... (S. '13, 1279-d and 1641-j included in R&S.)	S. 7319-a1 S. 7319-a2 S. 7319-a3
4555.....		6792			
4556.....		6793			
4557.....		6794			
4558.....		6795			
4559.....		6796	4613.....		7320
4560.....		6797	4614.....		7321
4561.....		6798	4615.....		7322
4562.....		6799	4616.....		7323
4563.....		6800	4617.....		7324
4564.....		6801	4618.....		7325
4565.....		6802	4619.....		7326
4566.....		6803	4620.....		7327
4567.....		6804	4621.....		7328
4568.....		6805	4622.....		7329
4569.....		6806	S. 4623.....	A. 38-393-1.....	7330
4570.....		6807	4624.....		7331
4571.....		6808	4625.....		7332
4572.....		6809	4626.....		7333
4573.....		6810	4627.....		7334
4574.....		6811	4628.....		7335
4575.....		6812	4629.....		7336
4576.....		6813	4630.....		7337
4577.....		6814	4631.....		7338
4578.....		6815	4632.....		7339
4579.....		6816	S. 4633.....		7340
4580.....		6817	4634.....		7341
4581.....		6818	4635.....		7342
4582.....		6819	4636.....		7343
4583.....		6820	4637.....		7344
4584.....		6821	4638.....		7345
S. 4585.....		6822	4639.....		7346
4586.....		6823	4640.....		7347
4587.....		6824	4641.....		7348
4588.....		6825	4642.....		7349
4589.....		6826	4643.....		7350
4590.....		6827	4644.....		7351
4591.....		6828	4645.....		7352
4592.....		6829	4646.....		7353
4593.....		6830	4647.....		7354
4594.....		6831	4648.....		7355
4595.....		6832	4649.....		7356
4596.....		6833	4650.....		7357
4597.....		6834	4651.....		7358
4598.....	A. 38-48-1.....	6835	4652.....		7359
4599.....		6836	4653.....		7360
S. 4600.....	See S. '13, 4600-a.		4654.....		7361
S. 4600-a.....	R&S. 38-216-1.....	S. 6837	4655.....		7362
S. 4600-b.....	A. 39-101-1.....	6838	4656.....		7363
			4657.....		7364

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4658.....		7365	4717.....		7425
4659.....		7366	4718.....		7426
4660.....	A. 38-22-1.....	7367	4719.....		7427
4661.....	{ A. 37-356-1..... } A. 38-61-1.....	7368	4720.....		7428
4662.....		7369	4721.....		7429
4663.....		7370	4722.....		7430
4664.....		7371	4723.....		7431
4665.....		7372	4724.....		8541
4666.....		7373	4725.....		8543
4667.....		7374		37-372-1.....	8544
4668.....		7375		38-199-1.....	8545
4669.....		7376		38-199-3.....	8546
4670.....		7377		38-199-2.....	8547
4671.....		7378		37-372-2.....	8548
4672.....		7379		37-372-3.....	8549
4673.....		7380			8550
4674.....		7381		38-382-1-4.....	{ to
4675.....		7382			8553
4676.....		7383			inc.
4677.....		7384	4726.....		8542
4678.....		7385	4727.....		8554
4679.....		7386	4728.....		8555
4680.....		7387	4729.....		8556
4681.....		7388	4730.....		8557
4682.....		7389	4731.....		8558
4683.....		7390	4732.....		9543
4684.....		7392	4733.....		9544
4685.....		7393	4734.....		9545
4686.....		7394	4735.....		9546
4687.....		7395	4736.....		9547
4688.....		7396	4737.....		9548
4689.....		7397	4738.....		9549
4690.....		7398	4739.....		9550
4691.....		7399	4740.....		9551
4692.....		7400	4741.....		9552
4693.....		7401	4742.....		9553
4694.....		7402	4743.....		9554
4695.....		7403	4744.....		9555
4696.....		7404	4745.....		9556
4697.....		7405	4746.....		{ 9557
4698.....		7406	4747.....		9558
4699.....		7407	4748.....		8566
4700.....		7408	4749.....		8567
4701.....		7409	4750.....		8568
4702.....		7410	S. 4750-a.....		8569
4703.....		7411	S. 4750-b.....	A. 39-231-3.....	S. 8621
4704.....		7412	S. 4750-c.....		.....
4705.....		7413	4751.....		8562
4706.....		7414		40-210-1.....	S. 8562-a1
4707.....		7415	4752.....		8570
4708.....		7416	4753.....		8670
4709.....		7417	4754.....	{ A. 39-231-4..... } A. 40-213-1.....	{ S. 8671
4710.....		7418	4755.....	A. 39-231-5.....	S. 8672
4711.....		7419	4756.....	R&S. 39-192-1, 3 [□]	S. 8606
4712.....		7420	4757.....		8609
4713.....		7421	4758.....	A. 40-212-1.....	S. 8607
4714.....		7422	SS. 4759.....		8613
4715.....		7423	4760.....		8801
4716.....		7424			

□ This act does not state that it is a repeal and substitute, but it is in effect, and has been treated as such.

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S. 4761.....		S. 4790.....	R&S. 37-65-1.....	8640
4762.....		8610	4791.....		8641
4763.....		8611		37-247-1.....	8642
4764.....		8612	4792.....		8643
4765.....		8622	4793.....		9022
4766.....		8851	4794.....		8644
S. 4767.....		8784	4795.....		8604
S. 4768.....		8559	4796.....		8600
4769.....		8608	4797.....		8601
4770.....		8574	4798.....		8602
		S. 8574-a1	4799.....		S. 8715-a1
	40-211-1-3.....	to			8637
		S. 8574-a3	S. 4799-a.....	R&S. 37-169-1-3.....	8638
		inc.			8639
S. 4771.....		8573	4800.....		8728
4772.....		8572	4801.....		8729
4773.....		8561	4802.....		8716
4774.....		8571	4803.....		8731
4775.....		8575	4804.....		8736
S. 4775-1a.....		8576	4805.....		8737
S. 4775-2a.....		8589	4806.....		8735
		8578	S. 4807.....		8743
S. 4775-3a.....	R&S. 37-171-1.....	8579	S. 4808.....		8740
		8580	S. 4808-a.....		8741
		8581	S. 4808-b.....		8742
S. 4775-4a.....		8582	4809.....		8745
		8583	4810.....		8746
S. 4775-5a.....		8591	S. 4810-a.....	A. 39-231-6.....	S. 8673
		8585	4811.....	A. 37-125-1.....	8752
S. 4775-6a.....		8586	4812.....		8747
		8587	4813.....		8748
S. 4775-7a.....		8584		37-355-1.....	8749
S. 4775-8a.....		8588	4814.....		8750
S. 4775-9a.....		8590	4815.....		8751
		8592	4816.....		8744
S. 4775-10a.....		8593	4817.....		9000
		8594	4818.....		8753
S. 4775-11a.....		8577	4819.....		8759
S. 4775-12a.....		8595	4820.....		8758
	37-87-1.....	8596	S. 4821.....		8734
S. 4775-13a.....		....	S. 4822.....		8715
S. 4775-a.....		8845	S. 4823.....		8724
S. 4775-b.....		8846	4824.....		8725
		8847	4825.....		8717
S. 4775-c.....		8848	4826.....		8721
S. 4775-d.....		8849	4827.....		8722
S. 4775-e.....		8850	4828.....		8723
S. 4775-f.....		....	4829.....		8720
4776.....		8624	4830.....		8658
4777.....		8625	S. 4830-a.....		8727
4778.....		8626	S. 4830-b.....		8719
4779.....		8627	S. 4830-c.....		8730
4780.....		8628			S. 8645-a1
4781.....		8629			to
4782.....		8718	4831.....	R&S. 40-273-1-7.....	S. 8645-a7
4783.....		8630			inc.
4784.....		8631	4832.....		8646
4785.....		8632	4833.....		8647
4786.....		8633	4834.....		8655
4787.....		8634	4835.....		8656
4788.....		8635	4836.....		8657
4789.....		8636	4837.....		8649

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4838.....		8678	4886.....		8939
4839.....	37-268-1.....	8679	4887.....		8988
4840.....		8654	4888.....		8940
4841.....		8660	4889.....		8788
4842.....		8661	4890.....		8789
4843.....		8662	4891.....	A. 39-231-15.....	S. 9009
4844.....		8663	4892.....		9010
4845.....		8664	4893.....		9011
4846.....		8665	4894.....		9012
4847.....		8666	4895.....		9013
4848.....		8667	4896.....		9014
4849.....		8674	4897.....	R&S. 29-147-1..... (See S. '13, 4897-a.)	
S. 4850.....		8675	S. 4897-a.....	{ A. 38-83-1..... A. 39-9-1.....	{ 9001 9002 S. 9003 9004
S. 4851.....		8676	S. 4897-b.....		9005
S. 4852.....	R&S. 38-313-1.....	8648	S. 4897-c.....		9006
S. 4852-a.....		8652	S. 4897-d.....		9007
S. 4852-b.....		8653	S. 4898.....	A. 40-217-1.....	S. 9008
S. 4852-c.....		8669	4899.....		8981
S. 4852-d.....		6505	4900.....		8983
S. 4852-e.....		6506	4901.....		8943
S. 4853.....		6506	4902.....		8942
4854.....		8650	4903.....		8944
4855.....	A. 39-231-8.....	8651	4904.....		8952
4856.....		8668	4905.....		8537
4857.....		8760	4906.....		8538
4858.....		8761	4907.....		8950
4859.....	A. 39-231-9.....	S. 8762	4908.....		8941
4860.....	A. 39-231-10.....	S. 8763	4909.....		8945
4861.....	A. 39-231-11.....	S. 8764	4910.....		8947
4862.....		S. 8765	4911.....		8946
4863.....		8774			
4864.....		8767			
4865.....		8768	4912.....	R&S. 40-229-4-6, 5-a.....	{ S. 698-a1 to S. 698-a4 inc.
4866.....		8769	4913.....		8949
4867.....		8770			9015
4868.....		8778			9016
4869.....		8775	S. 4913-a.....	A. 38-217-1.....	9017
4870.....		8776			9018
4871.....		8771			8900
S. 4871-a.....	A. 39-231-16.....	S. 9044	4914.....		8901
S. 4871-b.....		9045	4915.....		8902
S. 4871-c.....		9046	4916.....		8903
S. 4871-d.....		9047	4917.....		8906
4872.....		8785	4918.....		8907
4873.....		8786	4919.....		8923
4874.....		8787	S. 4919-a.....		8924
4875.....		8929	S. 4919-b.....		8925
4876.....		8930	S. 4919-c.....		8926
4877.....		8931	S. 4919-d.....		8927
4878.....		8932			8928
4879.....		8933	4920.....		8908
4880.....		8934	4921.....		8909
4881.....		8935	4922.....		8910
4882.....	R&S. 37-383-1..... 37-383-2.....	8790	4923.....		8911
4883.....		8791	4924.....		8912
4884.....		8936	4925.....		8913
4885.....		8937	4926.....		8914
		8938			

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4927.....		8915			S. 1355-a1 to
4928.....		8916		40-39-1-6.....	
4929.....		8917			
4930.....		8918			
4931.....		8919			
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4950.....		1355		R. 34-174-6††.....	
			4982.....	R&S. 31-166-1-17 [□] (See S. '13, 4999-a18 to 4999-a29, inc.)	

□ This act does not state that it is a repeal and substitute, but it is in effect, and has been treated as such.

†† Apparently repealed by implication—at least now obsolete.

¹⁶ Never enacted into law. See 169 Iowa, 148.

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4984....	R&S. 31-166-1-17 [□] . (See S. '13, 4999-a18 to 4999-a29, inc.)		S. 4999-a13.		8858
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4985.....	R&S. 32-176-1-10 [□] . (See S. S. '15, 4999-a32; S. '13, 4999-a33 to 4999-a43, inc.)		†S. 4999-a15 }	R&S. 34-174-1-5... (See S. '13, 4999-a31b to 4999-a31f, inc.)	
†S. 4984-b..			†S. 4999-a16 }		R&S. 34-113-1-10..
4986.....			†S. 4999-a17.	(See S. S. '15, 2515-2515-f, 2515-g, 2515-h; S. '13, 2515-a to 2515-e, inc.)	
4987.....	R&S. 31-166-1-17 [□] . (See S. '13, 4999-a18 to 4999-a29, inc.)		S. 4999-a18.	A. 38-284-1.....	1473
4988.....	R&S. 32-176-1-10 [□] . (See S. S. '15, 4999-a32; S. '13, 4999-a33 to 4999-a43, inc.)		S. 4999-a19.		1474
†S. 4989.....	R&S. 34-113-1-10.. (See S. S. '15, 2515-2515-f, 2515-g, 2515-h; S. '13, 2515-a to 2515-e, inc.)		S. 4999-a20.		1471
S. 4989-a.....		1465	†S. 4999-a21 }	R&S. 34-174-1-5... (See S. '13, 4999-a31b to 4999-a31f, inc.)	
S. 4989-b.....	A. 37-377-4.....	1466	†S. 4999-a22 }		
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4994.....			S. 4999-a26.		1480
4995.....	R&S. 31-166-1-17 [□] . (See S. '13, 4999-a18 to 4999-a29, inc.)		†S. 4999-a27 }	R&S. 34-174-1-5... (See S. '13, 4999-a31b to 4999-a31f, inc.)	
4996.....			†S. 4999-a28 }		
4997.....			S. 4999-a29.		1479
4998.....			S. 4999-a30.		
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SS. 4999-a10.		1066	S. 4999-a35.		1436
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			S. 4999-a37.		1438
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			5005.....		8597
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□ This act does not state that it is a repeal and substitute, but it is in effect, and has been treated as such.
† Appeared for last time in Supplement, 1902.
‡ Appeared for last time in Supplement, 1907.
†† Apparently repealed by implication—at least now obsolete.
¹⁷S. '07, 4989 and 4990, upon which this section depended, repealed by 34-113-1, making this section obsolete.
¹⁵Part of this citation appears in S.C.C. 4469-a2.

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		S. 913-a1 to	S. 5028-o....		8955
5008....	A. 40-216-1....	S. 913-a16 inc.			8956
5009....		S. 8888	S. 5028-p....		8957
5010....		S. 8889	S. 5028-q....		8958
		3284	S. 5028-r....		8599
5011....		8707	S. 5028-s....	
		8779	S. 5028-t....		S. 913-a23
5012....		8780	SS. 5028-u....		S. 913-a24
5013....		8781	SS. 5028-v....		8964
5014....		1756	SS. 5028-w....		8965
5015....		1757	SS. 5028-x....		8966
5016....	R&S. 27-113-1.... (See S. '13, 5016-a.)	1758	SS. 5028-w1....		8892
		1797	5029....		8829
S. 5016-a....		1798	5030....		8989
5017....		1799	5031....		8990
5018....		1800	5032....		8991
5019....		1801	5033....		8998
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5021....		1760	5035....		8997
5022....		8883	5036....		8830
		8884	5037....		8831
5023....		8885	5038....		8832
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	R&S. 33-96-1-9 [□]		5041....		8677
	R&S. 35-128-1-10 [□]		5042....		8681
	(See S. S. '15, 1565-a, S. '13, 1565-b to 1565-i, inc.)		5043....		8680
5025....		S. 860	5044....	R&S. 35-266-1-20 [□] (See S. '13, 3009-a to 3009-h, inc.; S. S. '15, 3009-i, j, m, n, p, r; S. '13, 3009-k, l, o, q, s.)	
5026....		8890	5045 ¹⁹
5027....		8891	5046....		8689
5028....		8837	5047....		8690
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S. 5028-f....		6209			8693
S. 5028-g....		6210	5053....		8714
		6211	5054....		8726
			5055....		8684

[□]This act does not state that it is a repeal and substitute, but it is in effect, and has been treated as such.
¹⁹C. '97, 5044, upon which this section depended, repealed by 35-266-26, making this section obsolete.

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5060		6219	S. 5077-b3		1248
5061		6220	S. 5077-b4		1249
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5065		6224			
5066		6225			
5067		6226	S. 5077-b5	
S. 5067-a	A. 38-213-1	6227			} S. 1261-a1 to S. 1261-a5 inc.
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S. 5067-e		6231	S. 5077-d	A. 39-59-1	S. 1261-a6
S. 5067-f		6232	5078		8186
S. 5067-g		6233	5079		S. 8605
5068		8686	5080		8187
5069		8685			8188
S. 5070		S. 5081		} S. 8605 8189
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5071		8708	5083		8190
5072	A. 39-231-7	} S. 8709 8710	5084		8191
5073			8711	5085	
5074		8712	5086		8893
5075		8713	5087		8894
5076		8682	5088		8896
5077		8683	5089		8897
†S. 5077-a1	R&S. 34-113-1-10. (See S. S. '15, 2515 2515-f, 2515-g, 2515 h; S. '13, 2515-a to 2515-e, inc.)		5090		8898
			5091		8899
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S. 5077-a3		6234	5093		8534
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S. 5077-a8		1516	5098		9052
S. 5077-a9		1517	5099		9053
S. 5077-a10		1518	5100		9054
S. 5077-a11		1519	5101		9103
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S. 5077-a13		1521	5103		8564
S. 5077-a14			5104		8565
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S. 5077-a16			5106		9157
S. 5077-a17		} S. 1532-a1 to S. 1532-a16 inc.	5107		9158
S. 5077-a18	R&S. 39-236-1-16 ^o			5108	
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S. 5077-a20			5110		9161
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S. 5077-a23			5113		9164
SS. 5077-a24			5114		9165
S. 5077-a25		8695	5115		9166
S. 5077-a26		8696	5116		9167

^oThis act does not state that it is a repeal and substitute but it is in effect, and has been treated as such. Appeared for last time in Supplement, 1907.

²⁰S. '13, 5077-a1, upon which this section depended, repealed by 34-113-1, making this section obsolete.

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5120		9023	5180		9154
5121		9024	5181		9155
5122		9025		40-218-1	S. 9155-a1
5123		9026	5182		9104
5124		9027	5183		9105
5125		9028	5184		9106
5126		9029	5185		9107
5127		9030	5186		9108
5128		9031	5187		9125
5129		9032	5188		9126
5130		9033			9127
5131		9035	5189		9128
5132		9034	5190		9129
5133		9039	5191		9130
5134		9020	5192		9131
5135		9021	5193		9109
5136		9040	5194		9110
5137		9041	5195		9111
5138		9038	5196		9112
5139		9042	5197		9113
5140		9036	5198		9114
5141		9037	5199		9115
5142		9043	5200		9116
5143	A. 39-163-2	S. 8982	5201		9117
5144		8984	5202		9118
5145		8985	5203		9119
5146		8986	5204		9120
5147		8992	5205		9121
5148		8993	5206		9122
5149		8994	5207		9124
5150		8995	5208		9132
5151		8996	5209		9133
5152		8987			9134
5153		9093	5210		9135
5154		9094	5211		9136
5155		9095	5212		9137
5156		9101	5213		9138
5157		9096	5214		9139
5158		9097	5215		9140
5159		9098	5216		9170
5160		9099	5217		9171
5161		9100	5218		9172
5162		9102	5219		9173
5163		9087	5220		9174
5164		9088	5221		9175
5165		9089	5222		9176
5166		9090	5223		9177
5167		9091	5224		9178
5168		9092	5225		9179
		9141	5226		9180
5169	R&S. 37-88-1	9142	5227		9181
	R&S. 38-131-1	9143	5228		9182
		9144	5229		9183
5170		9145	5230		9184
5171		9146	5231		9185
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5174		9149	5234		9188
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5238.....		9192	5274.....	R&S. 27-115-1.....	9333
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S. 5239-b.....		9195	5275.....		9338
S. 5239-c.....		9280	5276.....		9339
S. 5239-d.....		9281	5277.....		9340
S. 5239-e.....	A. 39-204-1.....	9282	5278.....		9341
S. 5239-f.....		9283	5279.....		9342
S. 5239-g.....		S. 9284	5280.....		9343
S. 5239-h.....		9285	5281.....		9344
S. 5239-i.....		9286	5282.....		9345
S. 5239-j.....		9287	5283.....		9346
S. 5239-k.....		9288	5284.....		9347
S. 5239-l.....		9289	5285.....		9348
S. 5239-m.....		9290	5286.....		9349
S. 5239-n.....	R&S. 38-229-1.....	9291	5287.....		9350
S. 5239-o.....	R&S. 38-229-2.....	9292	5288.....	S. 5289.....	9351
S. 5239-p.....		9293	5290.....		9352
S. 5239-q.....		9294	5291.....		9353
S. 5240.....		9295	5292.....		9354
5241.....		9296	5293.....		9355
5242.....		9297	5294.....		9356
5243.....		9298	5295.....		8895
5244.....		9299	5296.....		9357
5245.....		9300	5297.....		9358
S. 5246.....		9301	5298.....		9359
5247.....	40-220.....	9302	5299.....		9361
5248.....		9303	5300.....		8539
5249.....		9304	5301.....		8540
5250.....		9305	5302.....		9362
5251.....		9306	5303.....		9363
5252.....		9307	5304.....		9364
5253.....		S. 9307-a1	5305.....		9365
5254.....		9308	5306.....		9366
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S. 5256.....	A. 38-254-1.....	9310	5308.....		9368
5257.....		9311	5309.....		9369
S. 5258.....		9312	5310.....		9370
5259.....		9316	5311.....		9371
5260.....		9317	5312.....		9372
5261.....		9330	5313.....		9373
5262.....		9324	5314.....		9374
5263.....		9313	5315.....		9375
5264.....		9314	5316.....		9376
5265.....		9315	5317.....		9377
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5267.....		9328	5319.....		9379
5268.....	R&S. 38-68-1.....	9327	5320.....		9380
5269.....		9318	5321.....		9381
5270.....		9322	5322.....		9382
5271.....		9319	5323.....		9383
		9320	5324.....		9384
		9321	5325.....		9385
		9329	5326.....		9386
		9334	5327.....		9387
		9335	5328.....		9388
		9336	5329.....		9389
		9325			9391
		9323			

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Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement	Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement
5330.....		9390	5390.....		9447
5331.....		9392	5391.....		9448
5332.....		9393	5392.....		9449
5333.....		9394	5393.....		9450
5334.....		9395	5394.....		9451
5335.....		9396	5395.....		9452
5336.....		9397	5396.....		9453
5337.....		9398	5397.....		9482
5338.....		9399	5398.....		9483
5339.....		9400	5399.....		9484
5340.....		9401	5400.....		9485
5341.....		9402	5401.....		9486
5342.....	R&S. 40-221-1-5.....	S. 9405-a1 to S. 9405-a5 inc.	5402.....		9494
5343.....				9495	
5344.....				9496	
5345.....		9406	5405.....		9487
5346.....		9407	5406.....		9490
5347.....		9408	5407.....		9491
5348.....		9409	5408.....		9492
5349.....		9410	5409.....		9497
5350.....		9411	5410.....		9498
5351.....		9412	5411.....		9499
5352.....		9413	5412.....		9500
5353.....		9414	5413.....		9501
5354.....		9415	5414.....		9502
5355.....		9416	5415.....		9505
5356.....		9417	5416.....		9503
5357.....		9418	5417.....		9504
5358.....		9419	5418.....		9506
5359.....		9420	5419.....		9507
5360.....		9421	5420.....		9508
5361.....		9422	5421.....		9509
5362.....		9423	5422.....		9510
5363.....	A. 38-40-1.....	9424	5423.....		9513
5364.....		9426	5424.....		9512
5365.....	R&S. 38-40-2.....	9427	5425.....		9511
5366.....	R&S. 38-40-3.....	9428	5426.....		9514
5367.....		9425	5427.....		9516
5368.....		9429	5428.....		9517
5369.....		9430	5429.....		9515
5370.....		9432	5430.....		9518
5371.....		9433	5431.....		9519
5372.....		S. 9434	5432.....		9520
S. 5373.....		9435	5433.....		9521
5374.....		9436	5434.....		9522
5375.....		9437	5435.....		9523
5376.....		9431	5436.....		9524
5377.....		9488	5437.....		9525
5378.....		9489	5438.....		9526
5379.....		9444	5439.....		9527
5380.....		9445	5440.....		9531
5381.....		9438	5441.....		9532
5382.....		9439	5442.....		9533
5383.....		9441	S. 5442-a.....		2145
5384.....		9442	S. 5442-b.....		2146
5385.....		9493	S. 5442-c.....		2147
5386.....		9443	S. 5442-d.....		2148
5387.....		S. 9454	5443.....		9536
5388.....		9455	5444.....		9537
5389.....		9440			9538
		9446	5445.....		9539
					9540

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Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement	Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement
5446.....		9541	S. 5499-d.....		9468
5447.....		9542	S. 5499-e.....		9469
S. 5447-a.....	A. 37-206-1.....	S. 2254	S. 5499-f.....		.....
	A. 39-8-1.....		5500.....		9247
S. 5447-b.....		2255	5501.....		9248
S. 5448.....	A. 40-222-1.....	S. 9559	5502.....		9249
S. 5448-a.....		.....	5503.....		9250
5449.....		9561	5504.....		9251
5450.....		9562	5505.....		9252
5451.....		9560	5506.....		9253
5452.....		9563	5507.....		9254
5453.....	A. 40-222-1.....	S. 9564	5508.....		9255
5454.....		9565	5509.....		9256
5455.....		9566	5510.....		9257
5456.....		9567	5511.....		9258
5457.....		9568	5512.....		9259
5458.....		9569	5513.....		9260
5459.....		9570	5514.....		9261
5460.....		9577	5515.....		
5461.....		9571	5516.....		S. 9272-a1
5462.....		9572	5517.....	R&S. 40-219-1-4.....	to
		9573	S. 5518.....		S. 9272-a6
5463.....		9574	5519.....		inc.
5464.....	A. 38-117-1.....	9575	5520.....		9273
5465.....		9576	5521.....		9274
5466.....		9578	5522.....		9275
5467.....		9579	5523.....		9276
5468.....		9580	5524.....		9262
5469.....		8967	5525.....		9263
5470.....		8968	5526.....		9264
5471.....		8969	5527.....		9265
5472.....		8970	5528.....		9277
5473.....		8971	5529.....		9278
5474.....		8972	5530.....		9279
5475.....		8973	5531.....		9534
5476.....		8974	5532.....		9535
5477.....		8975	5533.....		9266
5478.....		8976	5534.....		9267
5479.....		8977	5535.....		9585
5480.....		8978	5536.....		9586
5481.....		8979	5537.....		9587
5482.....		8980	5538.....		9588
5483.....		9470	5539.....		9589
5484.....		9464	5540.....		9477
5485.....		9465	5541.....		9478
5486.....		9471	5542.....		9479
5487.....		9472	5543.....		9480
5488.....		9473	5544.....		9481
5489.....		9474	5545.....		9063
5490.....		9360	5546.....		9064
5491.....		9475	5547.....		9065
5492.....		9456	5548.....		9066
5493.....		9457	5549.....		9067
5494.....		9458	5550.....		9068
5495.....		9459	5551.....		9069
5496.....		9460	5552.....		9070
5497.....		9461	5553.....		9071
5498.....		9462	5554.....		9072
5499.....		9463	5555.....		9073
S. 5499-a.....		9476	5556.....		9074
S. 5499-b.....		9466	5557.....		9075
S. 5499-c.....		9467	5558.....		9076

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Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement	Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement
5559		9077	5612		9236
5560		9078	5613		9237
5561		9079	5614		9238
5562		9080	5615		9239
5563		9081	5616		9240
5564		9082	5617		9241
5565		9083	5618		9242
5566		9084	5619		9243
5567		9085	5620		9244
5568		9086	5621		9245
5569		8050	5622		9581
5570		8051	5623		9582
5571		8052	5624		9583
5572		8053	5625		9584
5573		8054	S. 5626	{ A. 38-173-1..... R&S. 39-73-1.....	{ S. 2258
	40-209-1	{ S. 8054-a1 to S. 8054-a5 inc.	5627		2259
			5628	A. 39-24-1	S. 2260
5574		8055	5629		8360
5575		9196	5630		8361
5576		9197	5631		8362
5577		9198	5632		8363
5578		9199	5633		8364
5579		9200	5634		8365
5580		9201	5635	R&S. 40-272-1	S. 8366
5581		9202	5636		8367
5582		9203	5637		3400
5583		9204	5638		
5584		9205	5639		
5585		9206	5640		{ S. 3408-a1 to
5586		9207	5641	R&S. 40-255-1-7...	{ S. 3408-a7 inc.
5587		9208	5642	(C. '97, 501 included in R&S.)	
5588		9209	5643		
5589		9210	5644		
5590		9211	5645		3409
5591		9212	5646		3410
5592		9213	5647	R&S. 40-255-8	S. 3411
5593		9214	5648		3412
5594		9215	5649		3413
5595		9216	5650		{ S. 3414
5596		9217	5651	R&S. 40-255-9, 10	{ S. 3415
5597		9218	S. 5652		3416
5598		9219	5653		3417
5599		9220	5654	R&S. 40-255-11, 12	{ S. 3418-a1 S. 3418-a2
5600		9221	5655		3419
5601		9222	5656	R&S. 40-255-13	S. 3420
5602		9223	5657		3421
5603		9224	5658		3422
5604		9225			
5605		9226			{ S. 3423-a1 S. 3423-a2
		9227			
5606		9228			S. 3423-a3
		9229		40-112-1-5	{ to S. 3423-a7 inc.
5607		9230			
5608		9231	5660		3644
5609		9232	5661		2177
5610		9233	S. 5662		2178
5611		9234	S. 5663	A. 38-27-1	2179
		9235			

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Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement	Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement	
5664....	R. 27-118-12, 15, 16, 41, 55††		SS. 5709-d....	A. 38-27-1.....	2205	
5665....			SS. 5709-e....		2206	
5666....			5710....	A. 38-27-1.....	2207	
S. 5667....	A. 38-27-1.....	2180	S. 5711....		....
5668....	R. 27-118-14, 55††.		5712....	A. 38-27-1.....	2192	
S. 5669....		2181	5713....	A. 38-27-1.....	2196.	
†S. 5669-a....	R&S. 35-316-2.... (See S. S. '15, 5717.)		5714 ²¹....		....
5670....	A. 38-27-1.....	2183	5715 ²²....		....
5671....	A. 38-27-1.....	2187	SS. 5716....	A. 38-27-1.....	S. 2189	
5672....	A. 38-27-1.....	2188		R&S. 38-207-1....		A. 40-59-1.....
5673....		2184	SS. 5717....		2190	
5674....		2185	S. 5718....	A. 37-266-5....	2232	
5675....		2210		A. 38-27-1.....		
5676....	A. 38-27-1.....	2197		R&S. 38-37-5....		
5677....		2218	S. 5718-a1....		1900	
5678....	R. 27-118-40, 47, 48, 55††		S. 5718-a2....		1901	
5679....			S. 5718-a3....		1902	
5680....			S. 5718-a4....	R. 38-27-1*....		
5681....	A. 38-27-1.....	2215	S. 5718-a5....		9530	
5682....	A. 38-27-1.....	2222	S. 5718-a6....		....
5683....		2217	S. 5718-a7....	A. 38-27-1.....	2200	
5684....		2228	S. 5718-a8....	A. 38-27-1.....	2201	
†S. 5685....	R&S. 30-140-1.... (See S. '13, 5685-a.)		S. 5718-a9....	A. 38-27-1.....	2198	
S. 5685-a....	A. 38-27-1.....	2229	S. 5718-a10....	A. 38-27-1.....	2199	
5686....	A. 38-27-1.....	2230	SS. 5718-a11....	A. 38-27-1.....	1876	
5687....	R. 27-118-42, 55††.		SS. 5718-a11a....		2208	
5688....	A. 38-27-1.....	2231	SS. 5718-a11b....	A. 38-27-1.....	1877	
5689....	R. 27-118-55††....		SS. 5718-a11c....		2226	
5690....	A. 38-27-1.....	2182	S. 5718-a12....	A. 38-27-1.....	2227	
5691....	A. 38-27-1.....	2186	S. 5718-a13....		9528	
5692....	A. 38-27-1.....	2193				9529
5693....	A. 38-27-1.....	2216		S. 5718-a14....	A. 39-209-55....	S. 2242
5694....	A. 38-27-1.....	2194	S. 5718-a15....	A. 39-209-56....	S. 2245	
5695....	A. 38-27-1.....	2213	S. 5718-a16....	A. 38-27-1.....	2243	
5696....	A. 38-27-1.....	2214	S. 5718-a17....		2244	
5697....	R. 27-118-9, 55††		S. 5718-a18....	A. 38-27-1.....	2247	
5698....				39-10-1.....		S. 2247-a1
5699....	R. 27-118-24, 55††.		S. 5718-a19....		2248	
5700....	A. 38-27-1.....	2195	S. 5718-a20....	A. 38-219-1.....	2251	
5701....	A. 38-27-1.....		S. 5718-a21....		2253	
5702....	R. 36-257-1, 4††....		S. 5718-a22....		2250	
S. 5702-a....	A. 38-27-1.....	2209		39-217-1.....	S. 2250-a1	
S. 5702-b....		....		39-217-2.....	S. 2250-a2
5703....	A. 38-27-1.....	2223		39-217-3.....	S. 2250-a3	
5704....	A. 38-27-1.....	2224	S. 5718-a23....		2252	
5705....		2225	S. 5718-a24....		2262	
5706....		2261		38-198-1.....	2263	
S. 5707....	A. 38-27-1.....	2211		38-198-2.....	2264	
5708....	A. 38-27-1.....	2212	S. 5718-a25....		2246	
SS. 5709....		....	S. 5718-a26....		2249
SS. 5709-a....	A. 38-27-1.....	2202	S. 5718-a27....	A. 37-427-1.....	2164	
SS. 5709-b....	A. 38-27-1.....	2203	†S. 5718-a28....	R&S. 35-316-2....		
SS. 5709-c....	A. 38-27-1.....	2204		(See S. S. '15, 5717.)		

†Appeared for last time in Supplement, 1907.

††Apparently repealed by implication—at least now obsolete.

‡Appeared for last time in Supplement, 1902.

*This act is really a repeal and substitute, but the substitute has been applied as an amendment to a number of sections.

²¹C. '97, 5697, upon which this section depended, repealed by 27-118-9, 55, making this section obsolete.²²C. '97, 5698, upon which this section depended, repealed by 27-118-9, 55, making this section obsolete.

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Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement	Code 1897 S. 1913 S. S. 1915	Amendments, Substitutes, Repeals, and New Legislation	Compiled Code and Supplement
S. 5718-a28a	2233	S. 5718-a28i	A. 38-27-1.....	2241
S. 5718-a28b	2234	S. 5718-a29	.....	....
S. 5718-a28c	2235	‡S. 5718-a30	R&S. 33-232-1-4 [□] ..	
S. 5718-a28d	2236		(See S. '13, 2727-a74c, 2727-a74-d, 2727- a74e.)	
S. 5718-a28e	2237	S. 5718-b....	.....	2219
S. 5718-a28f	2238	S. 5718-c....	.....	2220
S. 5718-a28g	2239	S. 5718-d....	.....	2221
S. 5718-a28h	2240			

□This act does not state that it is a repeal and substitute, but it is in effect, and has been treated as such.

‡Appeared for last time in Supplement, 1907.

TABLE OF CORRESPONDING SECTIONS

TABLE OF
CORRESPONDING SECTIONS

OF THE

THIRTY-SEVENTH GENERAL ASSEMBLY

This table shows the sections of the compiled code and of the supplement to said code which correspond in subject matter with the sections of the acts of the 37th general assembly, which constituted *new* or *substituted* legislation. The table also shows the sections of said code and supplement which contain the *amendments* of said general assembly as applied to the sections of the code of 1897, supplement of 1913, supplemental supplement of 1915, and acts of the 37th general assembly.

[The omission of a chapter or section number from either of the two left-hand columns shows that the same is temporary, special, legalizing, or repealing in character and, therefore, does not appear in the compiled code or supplement to said code.

An asterisk (*) indicates that the session law citation thus marked is an *amendment* to some section of the code of 1897, supplement of 1913, supplemental supplement of 1915, or acts of the 37th general assembly, and that the compiled code or supplement section indicated in the right-hand column shows such section of law as amended by said session law citation, plus such changes as are indicated in the right-center column. The session law citations which are not marked with an asterisk (*) consist of either *new* or *substituted* legislation.

An entry in the right-center column shows an amendment, substitute, or repeal of the session law citation in the left-hand column. "A." indicates an amendment; "R&S." indicates a repeal and substitution; "R." indicates a repeal.

"S." before a number in the right-hand column indicates supplement to the compiled code; other numbers indicate compiled code.]

Chapter	Section	Amendments, Repeals, and Substitutes	Compiled Code and Supplement	Chapter	Section	Amendments, Repeals, and Substitutes	Compiled Code and Supplement
3...	1 ...	R. 38-275-1.....	....				S. 3231-a1
5...	1 ..}	R&S. 40-224-1-3 ...	S. 57-a1				to
	2 ..}		S. 57-a2				S. 3231-a23
	3 ...		S. 57-a3	21...	1*...	R&S. 40-250-1-26..	inc.
	4 ...	R&S. 40-224-4.....	S. 58				S. 3231-a25
	5 ..}	R&S. 38-14-1.....	S. 59				to
	6 ..}		R&S. 40-224-6.....	S. 60			
	7 ...		62				inc.
	8 ...		63	23...	1 ..}	A. 38-45-1.....	S. 4105-a1
	9 ...	R&S. 40-224-5.....	64			A. 39-31-1.....	to
6...	1*...		S. 61			R&S. 40-261-1-16..	S. 4105-a16
7...	1 ...		2870				inc.
9...	1*...	R&S. 39-286-73, 79	3639	24...	1 ...	R&S. 40-268-1-5...	S. 7505-a1
	2 ..}	R&S. 39-286-60, 79	4355				to
	3 ..}		R&S. 40-275-22....	S. 241-a72			
12...	1*...		S. 241-a59	25...	1*...		inc.
15...	1*...		664	26...	1 ...	A. 38-125-1.....	4936
17...	1 ...		4276		2 ...	A. 40-74-1.....	S. 2640
	2 ...		4325	27...	1 ...		S. 2642
	3 ...		6894	28...	1*...	A. 39-137-3.....	S. 6347-a2
	4 ...		6895	30...	1*...		S. 4886
	5 ...		6896	31...	1*...		2795
	6 ...		6897	32...	1 ...	R. 37-386-9.....	7166
			6898	33...	1*...		S. 3130
			6899				to
20...	1 ...	R&S. 40-225-1-16.	S. 175-a1	34...	1*...}	R&S. 40-254-1-16..	S. 3376-a1
			to		2*...}		S. 3376-a16
			S. 175-a16				inc.
			inc.	36...	1*...		S. 6593
				37...	1 ...		6545

*Indicates citation is only an amendment which as applied to existing law appears in section found in right-hand column, plus such changes as are shown in the right-center column.

¹In the compiled code, 37-386-9 is treated as repealing 37-32-1, although neither refers to the other and both took effect July 4, 1917.

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Read explanatory notes at beginning of table, p. 816.

Chapter	Section	Amendments, Repeals, and Substitutes	Compiled Code and Supplement	Chapter	Section	Amendments, Repeals, and Substitutes	Compiled Code and Supplement
40...	1 ...	.....	5741	56...	1*...	.....	2706
	2 ...	.....	5742	57...	1 ...	.....	1576
	3 ...	.....	5743	58...	1*...	.....	3190
	4 ...	A. 39-209-60.....	S. 5744	59...	1*...	.....	7016
	5 ...	{ R&S. 38-335-1.....	{ S. 5745				{ S. 3376-a1
		{ A. 39-209-60.....	{ S. 5746	62...	1*...	R&S. 40-254-1-16..	{ S. 3376-a16
			S. 5747				{ inc.
			5748				{ 7116
	6 ...	.....	5749	63...	1*...	.....	{ S. 6316-a1
	7 ...	.....	5750	64...	1 ...	.....	{ S. 6316-a2
	8 ...	.....	5751		2 ...	.....	{ S. 6316-a3
	9 ...	.....	5753			.....	{ S. 6316-a4
41...	1*...	.....	409		3 ...	.....	{ S. 6316-a5
42...	1*...	{ R&S. 39-120-1, 16.	{ S. 5696-a1				{ 8640
		{ A. 40-182-1.....		65...	1 ...	.....	{ 423
43...	1*...	.....	4032	66...	1*...	.....	{ 828
45...	1*...	.....	S. 4038	67...	1 ...	.....	{ 829
47...	2 ...	.....	7301		2 ...	.....	{ 830
48...	1*...	.....	3773		3 ...	.....	{ 4272
	2*...	.....	3774	68...	1*...	.....	{ 4471
	3*...	.....	3777		2*...	.....	{ 4273
	4*...	.....	3778			.....	{ 4471
49...	1 ...	{ A. 38-256-1.....	{ S. 3206	73...	1 ...	.....	{ 1273
		{ A. 40-102-1, 2.....		75...	1*...	.....	{ 6857
			S. 3139-a1		2*...	.....	{ 6862
50...	1 ...	R&S. 39-140-1-15..	S. 3139-a2		3*...	.....	{ 6863
	2 ...	A. 40-99-1-5.....	S. 3139-a3		4*...	.....	{ 6886
	3 ...	A. 40-100-1.....	S. 3139-a3a		5*...	.....	{ 6887
			S. 3139-a4		6*...	.....	{ 7960
			to		7*...	.....	{ 6848
			S. 3139-a14		8 ...	.....	{ 6892
			inc.		9 ...	.....	{ 6893
51...	1 ...	A. 38-184-1.....	3720		10 ...	.....	{ 6884
	2 ...	.....	3721	76...	1*...	.....	{ 3457
	3 ...	.....	3722		2*...	.....	{ 3458
	4 ...	.....	3723		3*...	.....	{ 3459
	5 ...	.....	3724			.....	{ S. 3231-a1
	6 ...	.....	3725			.....	{ to
	7 ...	.....	3726			.....	{ S. 3231-a23
	8 ...	.....	3727			.....	{ inc.
	9 ...	.....	3728	77...	1*...	{ R&S. 38-278-1-4...	{ S. 3231-a25
	10 ...	.....	3729		2*...	{ R&S. 40-250-1-26..	{ to
53...	1*...	.....	4377		3*...		{ S. 3231-a28
			1884		4 ...		{ inc.
			S. 1913			.....	{ 6578
			S. 2103	79...	1 ...	.....	{ 1585
			S. 2104	80...	1*...	.....	{ 1121
			2149	81...	1 ...	.....	{ 5066
			to	82...	2 ...	.....	{ 3673
			2151	84...	1*...	.....	{ 4054
			inc.	85...	1*...	A. 38-250-2.....	{ 8596
54...	1*...	2154	87...	1	{ 9141
			to			{ to
			2158			{ 9143
			inc.	88...	1 ...	R&S. 38-131-1.....	{ inc.
			S. 2159			{ S. 1637
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			2167			{ A. 39-213-1.....	
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	4	1659				S. 2443-a2	
91...	1*... }	S. 6937	161...	1*...	2845	
	2*... }	164...	1 ...	A. 39-225-1	S. 341	
94...	1*...	3855	168...	1	1161	
96...	1	6574		2	1162	
97...	1	2581		3	1163	
	2	2582	169...	1	8637	
111...	1*...	A. 39-85-1.....	S. 1175		2	8638	
113...	1*...	5581		3	8639	
	2*...	5583		171...	1	8578	
114...	1	3350				to	
	2	3351				8580	
	3	R&S. 39-142-1	S. 3352		inc.			
	4	3353	172...	1	3923	
125...	1*...	8752		2	4395	
126...	1*...	A. 39-96-1.....	S. 4038				3	3924
	2*...	4053				3	3925
127...	1*...	S. 4851		4 ...	A. 39-242-1.....	S. 3926	
128...	1*...	A. 40-165-1.....	S. 5347		5	3927	
131...	1 ...	A. 38-148-1.....	3630	174...	1*...	3928	
		A. 38-159-1.....					4411	
133...	1	943		2*...	4415	
	2	944	180...	1	5708	
	3	945		2	5709	
	4	946		3	5710	
	5	947		4	5711	
	6	948		5	5712	
	7	949		6	5713	
	8	950		7	5714	
	9	951		8	5715	
136...	1	1026		9	5716	
	2	1027		10	5717	
137...	1*...	4632		11	5718	
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	2	S. 4351		13 ...	A. 40-184-1, 2.....	S. 5720	
	3	S. 4213-a24		14	5721	
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139...	1*...	4607		16	5723	
140...	1	3798	181...	1*...	S. 3734	
	2	4332		2*...	3738	
	3	3799	182...	1*...	A. 39-21-1.....	S. 3740	
	4	3800		2*...	3741	
	5	3801	3*...	R&S. 38-247-1.....	3742	
	6	3802				S. 4328	
		3803				3640	
		5440				S. 4356	
143...	1*...	5440	183...	1	S. 241-a1	
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150...	1*...	S. 2104		3	S. 241-a29	
151...	1*...	R&S. 38-259-1.....	3631		4	inc.	
152...	1*...	R&S. 39-61-1.....	S. 6888		5	R&S. 39-286.....	S. 241-a30a	
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		A. 38-72-1.....	S. 2578		7	12-a1, 12-a2, 13,	S. 241-a31	
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		A. 39-94-1.....				9	S. 241-a35
157...	1*...	3582		10	inc.	
158...	1*...	2564					

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	15 ..		inc.		2 ..		5214
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	20 ..	14, 17-22.....	inc.	215...	1*...		3160
	21 ..		S. 241-a64a	217...	1*...		7170
	22 ..		to	218...	1 ..		5815
	23 ..		S. 241-a64k	220...	1 ..	R&S. 38-247-1.....	{ 3742
	24 ..		inc.				S. 4328
	25 ..		S. 241-a65	221...	1*...		3865
			S. 241-a67				3937
			to				to
			S. 241-a77				3943
			inc.				inc.
184...	1 ..		3594				S. 3944
185...	1*...	R&S. 40-180-1 ..	S. 5662		2*..		3945
186...	1*...		6916		3*..	R&S. 38-285-1-19..	to
187...	1 ..		1676		4*..	A. 40-128-1-3.....	3948
	2 ..		1677		5*..		inc.
	3 ..	{ A. 38-350-2.....	S. 1678				S. 3949
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	4 ..		1679				3951
	5 ..		1680				to
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	7 ..	{ A. 38-350-3.....	S. 1682				inc.
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	8 ..	R. 38-350-1.....		222...	1*...		3910
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²This act amended S. '13, 2755 which was repealed and substituted by 37-225-1. The amendment, however, has been applied to the substitute section in the compiled code.

³This act did not specifically amend the citation indicated but has been treated in the compiled code as such an amendment.

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	6	A. 38-368-1, 2.....	1182					
	7	A. 38-368-2.....	1183					
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244...	1*	3956	270...	4*		
247...	1	8642	270...	5*		
248...	1*	S. 914	270...	6*		
249...	1	2902	270...	7*		
				2	2903	270...		8*
249...	2	2904	270...	9*		821
249...	3	2905	270...	10*		823
249...	4	2906	270...	11*		
249...	5	2907	270...	12*		
249...	6	2908	270...	14*	831	
249...	7	2908	270...	15*	833	
250...	2	7905	270...	16*	834	
250...	3	7906	270...	17	842	
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251...	1*	1580	270...	19*	845	
252...	1	2780	270...	20*	850	
252...	2	2781	282...	1	2349	
253...	1*	3289	282...	2	2350	
255...	1*	282...	3	2351	
256...	1*	S. 6937	285...	1*	A. 39-293-1.....	S. 2354	
257...	1*	289...	1	2418	
258...	1*	4520	289...	2	2419	
262...	1	2659	289...	3	2420	
262...	2	6583	289...	4	2421	
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	5		2293	322...	1*	R&S. 40-23-1-4...	S. 974-a1
	6		2294				S. 974-a2
302...	1		4862				S. 974-a3
	2		4863		2*	R&S. 40-23-7-13...	S. 976-a1
	3		4864				to
303...	1*		4054				S. 976-a6
	2*		4055	323...	1*		inc.
	3*		4056	324...	1*		995
304...	1*		3243	325...	1		7188
	2*		3248		2		8107
	3		6586	326...	1		S. 8108
307...	1		4905		2		
	2		4906		3		
	3		4907		4		
	4		4909		5		
	5		4910		6		
308...	1		2629		7	R&S. 39-229-1 and	S. 1376-a1
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	3		2631		9		S. 1376-a25
	4		2632		10		inc.
	5		2633		11		
309...	1		1394		12		
	2		1395		13		
	3		1385		14		
	4*		1389	327...	1*		5103
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310...	1	A. 38-223-1.....	7009				to
	2		7471				S. 1783-a18
	3		7481	329...	1*	{ R&S. 38-379-2.... R&S. 39-173..... A. 40-50-1..... A. 40-51-1-9..... }	inc.
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311...	1*		3207				S. 1783-a18b
312...	1		7083				to
313...	1*		S. 6593				S. 1783-a24
314...	1*		300				inc.
	2		302	330...	1	R. 39-48-1.....	S. 1783-a26
	3*		305				
	4		308				S. 3231-a1
	5		309				to
	6		311				S. 3231-a23
	7	R. 39-209-1.....					inc.
	9	{ A. 38-362-1..... R&S. 39-163-4..... }	S. 322-a1	331...	1	{ R&S. 38-278-3.... R&S. 40-250-1-26.. }	S. 3231-a25
	10		333				to
	14*		S. 335	332...	1*	A. 38-73-1.....	S. 3231-a28
	15*		S. 336	333...	1		inc.
315...	2	R. 39-209-20.....	2964		2		3242
316...	1		2965	334...	1*		2761
	2		2966		2		2762
	3		2966	335...	1*		2543
	4		2967		2*	R&S. 39-172-1....	S. 3000-a1
	5		2968		3*	A. 40-246-6.....	to
317...	1*	A. 38-311-1.....	2479		4*		S. 3000-a4
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337...	1*		4648		9		1690
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	2		3022				S. 3593
	3		3023	367...	1	A. 40-108-1	4346
	4		3024		2		6576
339...	1		6557	370...	1*	A. 38-105-1	S. 1913
340...	1*		S. 2295		2	R. 39-209-23	
341...	1*		8756	372...	1		8544
			S. 1740-a7a		2		8548
			S. 3595-a1		3		8549
342...	1	R&S. 39-169-1-4	S. 3595-a2	374...	1	R. 39-209-1	
			S. 3595-a4	375...	1*		S. 4038
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343...	1		4618	377...	1	R. 39-209-36	
	2		4619		2*		1448
	3	A. 38-57-1	4620		3*	R&S. 38-206-2	S. 1445
	4		4621		4*		1466
	5		4622	378...	1		342
	6		4623	379...	1*		5582
344...	1*		S. 4837	380...	1		7138
	2*		S. 4851		2		7139
	3*		4854		3		7140
	4*		4859		4		7141
	5*	A. 38-64-1	S. 4874	383...	1		8790
	6*	A. 38-64-2	S. 4875		2		8791
	7*		S. 4880	385...	1		1537
	8*	A. 38-54-1	4885		2		1538
345...	1		6556		3		1539
346...	1*		2314		4		1540
349...	1*	R. 39-209-22			5		1541
	2*	R. 38-105-3			6		1542
350...	1		165		7		1543
351...	1*		S. 7118		8		1544
	2		6563		9		1545
	3		S. 7118-a1		10		1546
353...	1		5082		11		1547
	2		5083		12		1548
354...	1		5441	386...	1*		S. 2578
	3		5442		2*		2537
	4		5443		3*		2603
355...	1		8749		4*		2604
356...	1*		7368		5*		2605
	3		3149		6*		2645
	4		3150		7*		2568
	5		3151		8*		2577
	6		3152		9*	A. 38-77-1	S. 2650
	7		3153			A. 39-93-2	
	8		3154		10*		2695
357...	1*		5769				2592
358...	1		S. 3467-a9				2644
	2	R&S. 40-98-1-3	S. 3467-a10				S. 2661
362...	1	A. 38-37-9	2176		11*		2667
363...	1		1683				2694
	2	A. 38-279-1	1684	387...	1		2625
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	2*		6559				3937
389...	1		6773				to
	2		6774				3943
390...	1*		5205				inc.
391...	1*	A. 40-12-1.....	S. 649				S. 3944
392...	1*		3646				3945
393...	1		3607				to
394...	1*		3624	414...	1*	R&S. 38-285-1-19..	3948
395...	1*		1922			A. 40-128-1-3.....	inc.
396...	1	{ A. 39-87-1.....	S. 1128				S. 3949
		{ A. 40-31-1.....					S. 3950
397...	1		6552				3951
398...	1*		2877				to
399...	1*		5096				3954
400...			2641				inc.
401...	1*		38				4371
	2	A. 38-215-1.....	668	415...	1*		S. 4837
			S. 175-a1	416...	1*		4608
			to		2*		4548
402...	1*	R&S. 40-225-1-16..	S. 175-a16	417...	1	A. 39-277-1.....	S. 3010
			inc.		2		3011
403...	1		5100		3		3012
404...	1*		5532		4		3013
405...	1		2092	418...	1*		807
	2	A. 39-156-1.....	S. 2094	419...	1*		525
	3		2093		2*		S. 529
	4		2096		3*		521
	5		2095		4*		S. 522
	6		2097		5*		523
406...	1				6*		526
	2				7*		527
	3				8*		528
	4				9*		530
	5						
	6		S. 1250-a1				S. 2864-a3
	7	R&S. 40-36-1-10...	to	421...	1*	R&S. 40-246-1-5...	to
	8		S. 1250-a9				S. 2864-a7
	9		inc.				inc.
	10			422...	1*		937
	11				2		940
	12			423...	1*		
407...	1*		4983		2*	R. 38-275-36.....	
408...	1*		3354	424...	1*		7147
409...	1*		833				
410...	1*		3015	425...	1		3608
			8837				4348
			to				
411...	1		8841				S. 3231-a1
			inc.				to
			8844				S. 3231-a23
	2		8842				inc.
	4		8843	426...	1	R&S. 38-293-5.....	S. 3231-a25
412...	1*	R&S. 39-120-1-16..	S. 5696-a1			A. 38-293-6.....	to
		A. 40-182-1.....	to			R&S. 40-250-1-26..	S. 3231-a28
	2*	A. 40-183-1-3.....	S. 5696-a15				inc.
			inc.		2		6984

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*Repealed by implication. The provisions of these sections were reenacted by 38-275-36 and now appear in S.O.C. 3079.

TABLE OF CORRESPONDING SECTIONS

Read explanatory notes at beginning of table, p. 816.

Chapter	Section	Amendments, Repeals, and Substitutes	Compiled Code and Supplement	Chapter	Section	Amendments, Repeals, and Substitutes	Compiled Code and Supplement
427...	1*	S. 1913 2160	429...	11	5615
428...	1*	R&S. 38-348-1.....	S. 5627	430...	12	5617
		R&S. 40-177-1.....			13	5618
	2*... A. 38-330-1, 2.....	14			A. 40-176-3.....	S. 5623	
	3*.....	16*			.....	S. 5627
	4*... A. 38-348-2.....	18			A. 38-346-1.....	5637	
5	.	R&S. 40-177-4.....	S. 5628	19	.....	5639
		A. 38-348-3.....		20	.....	5616
		A. 39-261-1.....		2	.....	1417
429...	1	A. 40-179-1, 2.....	5608 5606 5607 5608 5609 5610 5611 5612 5613 5614	431...	3	1418
		2			.....	1423
		3			.....	1419
		4			A. 38-176-1.....	5592	
		5			.....	5593
		6			.....	5594
		7			.....	5595
		8			.....	5596
		9			.....	5597
		10			.....	5597
432...	1*	A. 38-149-1.....	5615 5617 5618 S. 5623 S. 5627 5637 5639 5616 1417 1418 1423 1419 5592 5593 5594 5595 5596 5597	432...	1*	A. 38-149-1.....	S. 2524-a1 to S. 2524-a40 inc.
		R&S. 39-175.....				R&S. 39-175.....	

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TABLE OF CORRESPONDING SECTIONS

TABLE OF CORRESPONDING SECTIONS

OF THE

THIRTY-EIGHTH GENERAL ASSEMBLY

This table shows the sections of the compiled code and of the supplement to said code which correspond in subject matter with the sections of the acts of the 38th general assembly, which constituted *new* or *substituted* legislation. The table also shows the sections of said code and supplement which contain the *amendments* of said general assembly as applied to the sections of the code of 1897, supplement of 1913, supplemental supplement of 1915, and acts of the 37th and 38th general assemblies.

[An asterisk (*) indicates that the session law citation thus marked is an *amendment* to some section of the code of 1897, supplement of 1913, supplemental supplement of 1915, or acts of the 37th or 38th general assemblies, and that the compiled code or supplement section indicated in the right-hand column shows such section of law as amended by said session law citation, plus such changes as are indicated in the right-center column. The session law citations which are not marked with an asterisk (*) consist of either *new* or *substituted* legislation.

The omission of a chapter or section number from either of the two left-hand columns shows that the same is temporary, special, legalizing, or repealing in character and, therefore, does not appear in the compiled code or supplement to said code.

An entry in the right-center column shows an amendment, substitute, or repeal of the session law citation in the left-hand column. "A." indicates an amendment; "R&S." indicates a repeal and substitution; "R." indicates a repeal.

"S." before a number in the right-hand column indicates supplement to the compiled code; other numbers indicate compiled code.]

Chapter	Section	Amendments, Repeals, and Substitutes	Compiled Code and Supplement	Chapter	Section	Amendments, Repeals, and Substitutes	Compiled Code and Supplement
1...	1...		21				1876
8...	1*		2426				2177
11...	1*	R&S. 40-268-1-5...	S. 7505-a1 to S. 7505-a5 inc.				2180 inc. 2182 2183 2186
	2*		7552				2187
12...	1*		S. 2104				2188
14...	1	R&S. 40-224-6...	S. 60				S. 2189
15...	1*		3143				2192
16...	1*		6842				to 2205 inc.
	2*		S. 6844				2207
	3*		6856				2209
19...	1*	R&S. 40-261-1-16...	S. 4105-a1 to S. 4105-a16 inc.	27...	1*		2211 to 2216 inc.
21...	1*		3575				2222
22...	1*		7367				to 2224 inc.
23...	1*	R&S. 40-250-1-26...	S. 3231-a1 to S. 3231-a23 inc. S. 3231-a25 to S. 3231-a28 inc.				2226 2227 2229 to 2232 inc.
24...	1*		S. 2639				2241
25...	1*		S. 3849				2243
26...	1*		S. 3123				2247

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TABLE OF CORRESPONDING SECTIONS

Read explanatory notes at beginning of table, p. 825.

Chapter	Section	Amendments, Repeals, and Substitutes	Compiled Code and Supplement	Chapter	Section	Amendments, Repeals, and Substitutes	Compiled Code and Supplement
28...	1		3185	64...	2*		S. 4875
29...	1*		2853	65...	1*	A. 39-149-1	S. 7730
30...	1*		2850				5819
32...	1		6466	66...	1		5820
	2		6467				5821
33...	1*		1192	67...	1		5795
	2*		1194	68...	1		9335
	3*		1195	69...	1*		426
	4*		1201	70...	1*		6938
	5*		1202	71...	1*		3242
34...	1	R&S. 38-62-1	3183	72...	1*	A. 39-53-1	S. 2578
	2	R&S. 38-62-1, 2	3184	73...	1*		3242
36...	1*		1658	74...	1	R. 39-209-53	
37...	2	A. 40-55-2	S. 2038	75...	1*		1884
	3	A. 39-297-1	S. 1928	76...	1*		S. 4890
	4	A. 39-297-2	S. 1951	77...	1*	A. 39-93-2	S. 2650
	5		2232	78...	1		2386
	6	{ A. 39-297-3	} S. 2457		2		2387
		R&S. 40-55-1			3		2388
	7	A. 40-55-3	S. 2159		4		2389
	8*	A. 39-297-4	S. 1936		5		2390
	9*		2176		6		2391
	10*	A. 39-297-5	S. 1984		7		2392
40...	1*		9424		8		2393
	2		9427		9		2394
	3		9428	79...	1*	R&S. 40-236-4	S. 28
41...	1*		2091	80...	1*		1274
42...	1*		6868	82...	1*		3354
			{ S. 4105-a1		2		3355
45...	1*	R&S. 40-261-1-16	} S. 4105-a16	83...	1*		9004
				inc.	85...	1	A. 40-129-1	S. 3974
47...	1		6196		2		3975
	2		6198		3		3976
	3		6197		4		3977
48...	1*		6835		5	A. 40-129-1	S. 3978
50...	6		S. 173-a1	86...	1*		397
	7		S. 173-a4		2*		S. 432
	14		S. 173-a5		3*		478
52...	1*	R&S. 39-76-1	S. 1187		4*		479
53...	1*		6534		5*		485
54...	1*		4885		6		S. 535
55...	1*		6494		7		447
			2701		8		448
56...	1*		2703		9		365
	2*		2478	87...	1*		1269
57...	1*		4620	88...	1*	A. 40-207-1	S. 7806
59...	1*		3858	89...	1		6548
60...	1*		5771	91...	1		2556
61...	1*		7368	92...	1*		3873
62...	1		3183	94...	1		2583
	2		3184		2		2584
63...	2		403		3		2585
	3		404		4		2586
	4		405		5		2587
	5		406		6		2588
	6		408		7		S. 2589
	7		407	95...	1*	R&S. 40-42-1	S. 1420
64...	1*		S. 4874	96...	1*		7123
				97...	1*	R&S. 40-259-2	S. 3708

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TABLE OF CORRESPONDING SECTIONS

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Chapter	Section	Amendments, Repeals, and Substitutes	Compiled Code and Supplement	Chapter	Section	Amendments, Repeals, and Substitutes	Compiled Code and Supplement
98...	1		1150	123...	3		4108
	2		1151		4		4109
	3		1152		5		4110
	4		1153		6		4111
	5		1154		7		4112
	6		1155		8		4113
	7		1156		9		4114
	8		1157		10		4115
	9		1158		11		4116
	10		1159		12		4117
			1581		13		4118
99...	1		1582		14		4119
			1583		15		4120
			1593		16		4121
	2*		1587		17		4122
100...	1*	A. 39-105-1	S. 400		18		4123
101...	1		S. 4241		19		4124
102...	1*		5458		20		4125
103...	1	A. 39-23-1	S. 3547		21		4126
104...	1*		3127		22		4127
105...	1*	A. 39-209-22	S. 1913		23		4128
	2*	R. 39-209-23			24		4129
106...	1*		3818		25		4130
107...	1*		S. 2104		26		4131
108...	1*		5235		27		4132
109...	2				28		4133
	3		2348		29		4134
111...	1		4253		30		4135
112...	1		4041		31		4136
	2		4042		32		4137
	3		4043		33		4138
113...	1*		2514		34		4139
115...	1*		S. 4482		35		4140
116...	1*	A. 39-93-1	S. 2524-a22		36		4141
117...	1*		9575		37		4142
120...	1		2675		38		4143
	2	R&S. 40-78-1	S. 2676		39		4144
	3		2677		40		4145
	4		2678		41		4146
	5		2679		42		4147
	7		2680		43		4148
121...	1*		4861		44		4149
122...	1*		3229		45		4150
	2		3230		46		4151
			S. 3231-a1		47		4152
			to		48		4153
			S. 3231-a23		49		4154
			inc.		50		4155
	3	R&S. 40-250-1-26	S. 3231-a25		51		4156
			to		52		4157
			S. 3231-a28		53		4158
			inc.		54		4159
			S. 3221-a1		55		4160
			to		56		4161
	4*	R&S. 40-249-1-5	S. 3221-a5		57		4162
			inc.		58		4163
			4106		59		4164
123...	1		S. 4469		60		4165
	2		4107		61		4166

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Chapter	Section	Amendments, Repeals, and Substitutes	Compiled Code and Supplement	Chapter	Section	Amendments, Repeals, and Substitutes	Compiled Code and Supplement
123...	62	.....	4167	134...	1*	.....	2637
	63	.....	4168		2	.....	6585
	64	.....	4169	135...	1	.....	2849
	65	.....	4170				6584
	66	.....	4171	138...	1*	.....	4838
	67	.....	4172	139...	1	.....	886
	68	.....	4173		2	.....	887
	69	.....	4174	140...	1*	.....	S. 1637
	70	.....	4175	141...	1*	.....	S. 4837
	71	.....	4176	142...	1*	.....	S. 6840
	72	.....	4177	143...	1*	A. 40-73-1.....	S. 2639
	73	.....	4178		2*		
	74	.....	4179	144...	1	.....	5822
	75	.....	4180	145...	1	.....	3615
	76	.....	4181				4350
	77	.....	4182		2	.....	3616
	78	.....	4183	146...	1	.....	6537
	79	.....	4184	147...	1*	.....	3520
	80	.....	4185	148...	1*	.....	3630
	81	.....	4186				S. 2524-a1
	82	.....	4187	149...	1*	A. 38-277-1..... R&S. 39-175.....	to S. 2524-a40
	83	.....	4188				
	84	.....	4189				inc.
	85	.....	4190	150...	1*	.....	3845
	86	.....	4191	151...	1	.....	4506
	87	.....	4192		2	.....	4507
	88	.....	4193		3	.....	4508
	89	.....	4194	156...	1	.....	2493
	90	.....	4195	158...	1	.....	6573
	91	.....	4196	159...	1*	.....	3630
	92	.....	4197	160...	1*	.....	S. 2639
	93	.....	4198		2*	.....	S. 2578
	94	.....	4199	161...	1*	.....	6883
	95	.....	4200	162...	1	.....	4845
	96	.....	4201		2	.....	4846
	97	.....	4202		3	.....	4847
	98	.....	4203	163...	1	.....	6845
	99	.....	4204		2	.....	6846
	100	.....	4205	165...	1	.....	2459
	101	.....	S. 4206		2	.....	2460
	102	.....	4207		3	.....	2461
	103	.....	4208		4	.....	2462
	104	.....	4209		5	.....	2463
	105	.....	4210		6	.....	2464
	106	.....	4211		7	.....	2465
	107	.....	4212		8	.....	2466
	108	.....	4213		9	.....	2467
125...	1*	A. 39-67-1.....	S. 2640		10	.....	2468
127...	1	.....	1460		11	A. 40-55-4.....	S. 2469
	2	.....	1461		12	A. 40-55-5.....	S. 2470
	3	.....	1462		14	.....	2471
	4	.....	1463	166...	1	.....	7856
	5	.....	1464				4039
128...	1*	1884	168...	1	4424
130...	1*	6645		2	4040
			9141				3765
			to	170...	1	4330
131...	1	9143		2	3766
			inc.		3	A. 39-81-1.....	S. 3767

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170...	4		3768				
	5	A. 39-81-2	S. 3769	200...	1	R&S. 40-252-1-6	S. 3341-a1
	6		3770		2*		to
171...	1*		1931				S. 3341-a6
	2		1933	201...	1*		inc.
173...	1*	R&S. 39-73-1	S. 2258	202...	1*		2550
174...	1*		5221		2*		1488
175...	2			205...	1*		1490
	3		S. 1636-a1		2*		5339
	4	R&S. 39-264	to		3*		5340
	5		S. 1636-a12		4*		5341
	6		inc.		5		5345
176...	1*		1423	206...	1*	A. 39-209-36	5342
177...	1*		4313		2	A. 40-44-4	S. 1442
178...	1*		4315		4*		S. 1445
179...	1		8886		5		1470
	2		8887		6		1446
180...	1*		409		7		1447
181...	1		6541	207...	1	A. 40-59-1	1459
			1068	210...	1		S. 2189
182...	1		to	211...	1*		8706
			1072		2*		7017
			inc.		3*	A. 39-278-1	7019
			1077		4*		S. 7020
	2		to		5*		7022
			1083		6*		7024
	3		1087	213...	1*		7029
	4		1089	214...	1*	R&S. 39-144-2-6	6227
	5		1090	215...	1*		S. 4482
	6*		1091	216...	1	A. 39-101-1	668
	7*		1093	217...	1*		S. 6837
183...	1	R. 39-209-49		218...	1*		9015
184...	1*		3720	219...	1*		3445
185...	1*		4303	220...	1*		2251
187...	1		2339		2*		
	2		2340		3*		
	3		2341		4*		816
189...	1*		4994		5*		
190...	1*		6953		6*		
			S. 7901-a1		7*		822
192...	1		to	221...	8		838
			S. 7901-a5		1		952
			inc.		2		953
193...	1*		7019		3		954
194...	1*		2973		4		955
	2		3009		5		956
196...	1*	R&S. 39-148-3	S. 1920		6		957
197...	1		5502		7		958
	2		5503		8		959
	3		5504		9		960
			5505	222...	10		961
	4		5506		1*		4327
	5		5507	223...	1*		7009
198...	1		2263	224...	1*	R&S. 40-234-4	S. 1700
	2		2264		2*	R&S. 40-234-6	S. 1705
199...	1		8545	225...	1*		3297
	2		8547	227...	1*		5581
	3		8546	228...	1*		3001
				229...	1		9294

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229...	2		9295	237...	12		2920	
			9296		13	A. 40-85-1	S. 2921	
230...	1*		2317		14	A. 40-85-2	S. 2922	
231...	1		8168			A. 40-86-1		
			S. 3231-a1		15		2923	
			to		16	A. 39-50-1	S. 2924	
			S. 3231-a23		17	A. 40-85-3	S. 2925	
232...	1	R&S. 40-250-1-26	inc.		18	A. 40-85-4	S. 2926	
			S. 3231-a25		19		2927	
			to		20		2928	
			S. 3231-a28		21		2929	
			inc.		22		2930	
	2*		3190		23		2931	
					24		2932	
234...	1	A. 39-2-1	S. 3878		25		2933	
		R&S. 39-210-1			26		2934	
		A. 40-124-1			27		2935	
235...	1		2355		28		2936	
	2		2356		29		2937	
	3		2357		30		2938	
	4		2358		31		2939	
	5		2359		32		2940	
	6		2360		33		2941	
	7		2361		34		2942	
	8		2362					
	9		2363					
	10		2364		35	A. 39-56-1	S. 2943	
	11	A. 39-245-1	S. 2365			A. 39-104-1		
	12		S. 2366		36	R&S. 40-87-1	S. 2944	
	13		2367		37	A. 40-85-5	S. 2945	
	14		2368		38	A. 39-145-1	S. 2946	
	15	A. 39-245-3	S. 2369		39	A. 39-56-2	S. 2947	
	16		2370		40	A. 40-89-1-4	2948	
	17		2371		41		2949	
	18	R&S. 39-245-4	S. 2372		42		2950	
	19		2373		43		2951	
	20		2374		44		2952	
236...	1	See sections 5757 to 5761, inc. of the Supplement to the Compiled Code.			45		2953	
					46		2954	
	2		5762		47		2955	
			5763		48		2956	
	3		S. 5764		49		2957	
	4		S. 5765		50		2958	
237...	1		2909		51		2959	
	2		2910		52		2960	
	3	A. 40-83-1	S. 2911		53		2961	
		A. 39-20-1	S. 2912	238...	1*		1729	
	4	A. 39-188-2			239...	1*	A. 40-108-13	S. 3309
		R&S. 40-84-1			240...	1*	A. 39-240-1	S. 5556
	5		2913	241...	1*		4072	
	6	A. 39-20-2	S. 2914	242...	1*		2982	
		A. 40-84-2			243...	1		3962
	7		2915		2		3963	
	8		2916				4407	
	9		2917	244...	1*		S. 4599	
	10		2918	245...	2		6922	
	11		2919		3		6923	

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246...	1*		S. 2103	270...	3		7121
247...	1		3742		4		7122
248...	1		S. 4328		5		
	2		1786	271...	1*		S. 4874
	3		1791		2*		S. 4875
	4		1787	274...	1		1484
	5		1788		2		1485
	6		1789		3		1486
	7		1790		4		1482
	8		1792		5		1483
	9		1793		6		1487
	10	A. 39-99-2	1784	275...	2	A. 39-159-1	S. 3045
	11		S. 1794		3	A. 39-159-2	S. 3046
	12	A. 39-99-1	1785		4		3047
	13		S. 1795		5	A. 39-159-3	S. 3048
			1796		6		3049
249...	1	R&S. 40-253-1-7	S. 3369-a1 to S. 3369-a7 inc.		7	A. 39-159-4	S. 3050
					8		3051
250...	1*		4054		9	A. 39-159-5	S. 3052
	2*		4055			A. 39-16-1	
	3*		4056	10		A. 39-72-1	S. 3053
	4*		6919			A. 39-159-6	
251...	1*		6920			A. 39-253-1	
	2*		S. 3760			A. 40-93	
252...	1		3761			A. 40-94-1, 2	
	2		3762	11			3054
			to	12			3055
	3		3764	13	A. 39-168-1		S. 3056
			inc.	14	A. 40-93		S. 3057
253...	1*		384	15	A. 39-159-7		3058
254...	1*		9314	16	A. 39-155-1		S. 3059
255...	1*		3577		A. 39-159-8		
	2*		3578	17	A. 40-95-1		S. 3060
256...	1*		S. 3206	18	A. 39-159-9		S. 3061
257...	1*	R. 39-15-1		19	A. 39-159-10		S. 3062
258...	1			20	A. 39-159-11		S. 3063
	2				A. 39-159-12		
	3		S. 1234-a1	21	A. 40-95-2		S. 3064
	4	R&S. 40-232-1-9	to	22	A. 39-159-13		S. 3065
	5		S. 1234-a9	23	A. 39-159-14		S. 3066
	6		inc.	24	A. 39-159-15		3067
				25			3068
259...	1		3631	26			3069
			4354	27	A. 39-159-17		S. 3070
260...	1*	R&S. 40-251-1, 2	S. 3302-a1	28			3071
			S. 3302-a2	29			3072
261...	1*		3450	30	A. 39-154-1		S. 3073
262...	1*		1812		A. 40-96-1		
			S. 977-a1	31			3074
			to	32			3075
266...	1*	R&S. 40-23-14-21	S. 977-a7	33			3076
			inc.	34			3077
267...	1*		S. 3038	35	A. 39-155-2		S. 3078
268...	1*		S. 6941-a1		A. 39-188-1		
			S. 6941-a2	36	A. 39-159-18		S. 3079
270...	1	A. 39-55-1	S. 7119	37	A. 39-209-4		S. 3080
	2		7120	39			3081

*Indicates citation is only an amendment which as applied to existing law appears in section found in right-hand column, plus such changes as are shown in the right-center column.

TABLE OF CORRESPONDING SECTIONS

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Chapter	Section	Amendments, Repeals, and Substitutes	Compiled Code and Supplement	Chapter	Section	Amendments, Repeals, and Substitutes	Compiled Code and Supplement
277...	1*	R&S. 39-175-2.....	S. 2524-a1	287...	7	1735
278...	1	A. 39-97-1..... A. 39-260-1-5..... R&S. 40-250-1-26..	S. 3231-a1	8	1739
	2		to	9	A. 39-209-38.....	S. 1733	
	3		inc.	S. 3231-a23	10	A. 39-44-1.....	S. 1740
	4		S. 3231-a25	11	A. 40-49-1.....	1742	
	5		to	S. 3231-a28	12	1743
	6		inc.	1684	13	1744
279...	1*	.....	1687	14	.....	1737
	2*	.....	2296	15	.....	1749
280...	1*	.....	1949	16	.....	1745
281...	1	.....	1950	17	A. 39-302-1.....	S. 1734
	2	.....	4898	18	.....	1741
283...	1	4899	288...	19	1746
	2	4900		1	1750
	3	4901		2	3994
284...	4	.....	1473	3	.....	3995
	1*	.....	1472	4	A. 39-82-1.....	S. 3997
	2*	1477	5	A. 40-108-6.....		3998
	3*	.....	1443	6	.....	3999
285...	4*	.....	3937	7	.....	4000
	2	.....	4371	8	.....	4001
	3	.....	3938	9	R&S. 40-130-1.....	S. 4002
	4	.....	3939	10	A. 39-82-3.....	S. 4003
	5	.....	3940	11	R&S. 40-130-2.....	S. 4004
	6	.....	3941	12	A. 39-82-2.....	S. 4005
	7	.....	3942		A. 40-108-7.....	
	8	.....	3943	13	A. 40-130-3.....	S. 4006
	9	R&S. 40-128-1.....	S. 3944	14	A. 40-130-4.....	S. 4007	
	10	.....	3945	15	.....	4008
	11	.....	3946	16	.....	4009
	12	.....	3947	17	.....	4487
	13	.....	3948	18	.....	4010
	14	A. 40-128-2.....	S. 3949	290...	1	1335
	15	A. 40-128-3.....	S. 3950	2	.....	1336
	16	.....	3951	3	.....	1337
	17	3952	291...	1*	2530
	18	3953	292...	1*	S. 4968-a1
	19	3954	293...	1	S. 3231-a1
286...	1	5697		2	to
			5699		3*	A. 39-74-1.....	S. 3231-a23
			inc.		4	A. 39-112-1, 2.....	inc.
			5700		5	R&S. 40-250-1-26..	S. 3231-a25
			5701		6	to
			5702	.....	inc.	S. 3231-a28
3	.....	5703	298...	1*	.....	2267
4	.....	5704	299...	1	.....	2268
5	.....	S. 5705		2	.....	1286
6	.....	5706		3	.....	1287
7	.....	5707		4	.....	1288
8	.....	1732		5	.....	1289
287...	1		1713	6	1290
2	A. 39-209-37.....	S. 1713	1747	7	1291	
3	1736	1738	8	1292	
4	1738	1748	9	1293	
5	1738				1294	
6	1748					

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299...	10		1295	327...	1*		9059
	11		1296		2		9062
	12		1297	328...	1		5135
	13		1298		2		5136
	14		1299		3		5137
	15		1300		4		5138
	16		1301	329...	1*	A. 39-209-35	S. 903
	17		1302	330...	1*		S. 5627
	18		1303		2*		
	19		1304	332...	1		4852
	20		1305	334...	1		4833
	21		1306		2		4834
300...	1	A. 39-209-58	S. 4743		3		4835
301...	1*	A. 39-209-6	S. 135				5745
	2*		136	335...	1	A. 39-209-61	S. 5746
302...	1		5587				S. 5747
	2		5588		2	A. 40-185-1	S. 5748
	3		5589				S. 5754
	4		5590		3		5755
			5591				5756
303...	1*		2479	336...	1	R&S. 39-107-1	S. 2894
304...	1		5501	337...	1	R&S. 40-60-1	S. 2287
305...	1		2429	338...	1		8005
307...	1*		1922	339...	1*		4428
308...	1*		2140	340...	1*		2504
309...	1*		2084	341...	1		3330
			2551				S. 2649-a1
310...	1*		2552	342...	1	R&S. 39-183-1, 2	S. 2649-a2
			2553				S. 2649-a3
	2		2552	343...	1*		5553
311...	1*		2479				S. 4105-a1
			S. 3667	344...	1	R&S. 40-261-1-16	to
312...	1	A. 39-125-1	S. 3669				S. 4105-a16
		A. 39-162-1	3670				inc.
		A. 40-258-1	3671	345...	1*		2568
	2	A. 40-108-3	S. 3674	346...	1*		5637
		A. 40-120-1	S. 3675	347...	1	A. 39-28-1	S. 8427
313...	1		8669		2	A. 39-147-1	S. 8428
314...	1		2634		3		8429
315...	1		3929		4		8430
	2		3930	348...	1*	R&S. 40-177-1	S. 5627
	3		3931		2*	R&S. 40-177-4	
	4		3932		3*		S. 5628
	5		3933		5*		5660
	6		3934		6*		5661
	7		3935		7*		5492
	8		3936		8*	A. 39-133-1	S. 5495
316...	1	A. 40-118-1	S. 3653		9*		
			4357		10*		5514
	2	A. 40-118-1	S. 3654		11		5539
	3		3655		12	R. 39-209-18	
317...	1		3126		13		5497
	2				14*	A. 39-209-17	S. 5470
318...	1*		5669	350...	2*	A. 39-304-1	S. 1678
319...	1		5788		3*	A. 39-304-2	S. 1682
320...	1		2898		4*		S. 1674
			3966	351...	1'		2621
326...	1*		4335				2623

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'Part of this section is amendatory to one section of law and part of it repeals another section of law and enacts a substitute therefor.

TABLE OF CORRESPONDING SECTIONS

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Chapter	Section	Amendments, Repeals, and Substitutes	Compiled Code and Supplement	Chapter	Section	Amendments, Repeals, and Substitutes	Compiled Code and Supplement
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352...	2		6318		6		2616
	3		6319		7		2617
	4		6320		8		2618
	5		6321	365...	1*		S. 1622
	6		6322		2*		1623
	7		6323		3*		1624
	8		6324		4*		1620
	9		6325	366...	1		S. 1989-a1
	10		6326		2		to
	11		6327		3	R&S. 39-187-1-4	S. 1989-a4
	12*		6317		4		inc.
353...	1			367...	1		2746
	2	R. 39-19-1			2		2747
	3				3	A. 39-209-59	S. 2748
	4				4		2749
354...	1		2689				S. 1177-a3
	2		2690				to
	3		2691				S. 1177-a17
	4		2692	368...	1*	A. 40-33-1-16	inc.
	5		2693				1178
355...	1*		2870				1182
356...	1		1952				1185
	2		1953				1179
	3		1954		2*		1182
	4		1955				1183
	5		1956		3	A. 40-34-1	S. 1186
	6		1957	369...	1*		2110
	7		1958	370...	1*	A. 39-159-19	S. 3045
	8		1959	371...	1*		4521
	9		1960	372...	1*		S. 5627
	10		1961	377...	1*	R&S. 39-144-2-6	S. 4482
	11		1962	378...	1*		3647
	12		1963		2		3648
	13		1964				4357
	14		1965		3		3649
	15		1966		4		3650
	16		1967		5		3651
	17		1968		6		3652
	18		1969				S. 1783-a1
	19		1970				to
	20		1971	379...	1		S. 1783-a18
	21		1972		2		inc.
	22		1973		3	R&S. 39-173-1-26	S. 1783-a18a
	23		1974		4	A. 40-50-1	S. 1783-a18b
	24		1975		5	A. 40-51-1-9	S. 1783-a19
	25		1976		6		to
	26		1977				S. 1783-a26
357...	1*		7782				inc.
	2*		7775				6513
	3*		7805				to
361...	1*		2859	380...	1*		6515
362...	1*	R&S. 39-163-4	S. 322-a1				inc.
363...	1*	R&S. 39-178-7, 8	S. 1653-a7		2*		6532
		R. 39-209-1		382...	1		8550
364...	1	R&S. 40-244-1, 2	S. 2612-a1		2		8551
	2		S. 2612-a2		3		8552
	3		2613		4		8553
	4		2614	383...	1*		3877

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384...	1*		3874	396...	28		6266
385...	1*	A. 39-268-1	S. 4595		29		6267
386...	1*		3887		30		6268
387...	1		3144		31		6269
388...	1		1266		32		6270
	2		1267		33		6271
389...	1*		4668		34		6272
390...	1*				35		6273
	2*		1884		36		6274
391...	1	A. 39-22-1	S. 7942		37		6275
392...	1		1214		38		6276
	2		1215		39		6277
	3		1216		40		6278
	4		1217		41		6279
	5		1218		42		6280
	6	A. 40-35-1	S. 1219		43		6281
	7		1220		44		6282
	8		1221		45		6283
	9		1222		46		6284
	10		1223		47		6285
	11		1224		48		6286
	12		1225		49		6287
	13		1226		50		6288
	14		1227		51		6289
	15		1228		52		6290
393...	1*		7330		53		6291
394...	1*		S. 4038		54		6292
			S. 4423		55		6293
395...	1	R&S. 39-254-3 A. 40-234-1-3	S. 1698-a1		56		6294
	2		S. 1698-a4		57		6295
	3		S. 1698-a5		58		6296
			S. 1698-a6		59		6297
396...	1		6239		60		6298
	2		6240		61		6299
	3		6241		62		6300
	4		6242		63		6301
	5		6243		64		6302
	6		6244		65		6303
	7		6245		66		6304
	8		6246		67		6305
	9		6247		68		6306
	10		6248		69		6307
	11		6249		70		6308
	12		6250		71		6309
	13		6251		72		6310
	14		6252		73		6311
	15		6253		74		6312
	16		6254		75		6313
	17		6255		76		6314
	18		6256		76a		6315
	19		6257		76b		6316
	20		6258	397...	1		1275
	21		6259	398...	1*		3311
	22		6260		2*		3312
	23		6261		3*		3325
	24		6262				3329
	25		6263		4*		3332
	26		6264				3333
	27		6265		5		3327

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Chapter	Section	Amendments, Repeals, and Substitutes	Compiled Code and Supplement	Chapter	Section	Amendments, Repeals, and Substitutes	Compiled Code and Supplement
399...	1 ...	.....	3039	407...	3 ...	.....	4244
			S. 2864-a3		4 ...	.....	4245
400...	1 ..	R&S. 39-207-1-3...	to	408...	1*	.....	2494
	2 ..	R&S. 40-246-1-5...	S. 2864-a7		3*	.....	2497
			inc.	409...	1 ...	.....	272
405...	1*...	.....	2876		2 ...	.....	273
406...	1 ...	.....	2271	410...	1 ...	.....	3394
	2	2272		2	3395
	3	2273		3	3396
	4	2274		4	3397
407...	1	4242		5	3398
	2	4243	413...	1 ...	R. 39-286-79.....	

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TABLE OF CORRESPONDING SECTIONS

TABLE OF
CORRESPONDING SECTIONS
OF THE
THIRTY-NINTH GENERAL ASSEMBLY

This table shows the sections of the compiled code and of the supplement to said code which correspond in subject matter with the sections of the acts of the 39th general assembly, which constituted *new* or *substituted* legislation. The table also shows the sections of said code and supplement which contain the *amendments* of said general assembly as applied to the sections of the code of 1897, supplement of 1913, supplemental supplement of 1915, and acts of the 37th, 38th and 39th general assemblies.

[An asterisk (*) indicates that the session law citation thus marked is an *amendment* to some section of the code of 1897, supplement of 1913, supplemental supplement of 1915, or acts of the 37th, 38th, or 39th general assemblies, and that the compiled code or supplement section indicated in the right-hand column shows such section of law as amended by said session law citation, plus such changes as are indicated in the right-center column. The session law citations which are not marked with an asterisk (*) consist of either *new* or *substituted* legislation.

The omission of a chapter or section number from either of the two left-hand columns shows that the same is temporary, special, legalizing, or repealing in character and, therefore, does not appear in the compiled code or supplement to said code.

An entry in the right-center column shows an amendment, substitute, or repeal of the session law citation in the left-hand column. "A." indicates an amendment; "R&S." indicates a repeal and substitution; "R." indicates a repeal. "S." before a number in the right-hand column indicates supplement to the compiled code; other numbers indicate compiled code.]

Chapter	Section	Amendments, Repeals, and Substitutes	Compiled Code and Supplement	Chapter	Section	Amendments, Repeals, and Substitutes	Compiled Code and Supplement
2...	1*	R&S. 39-210-1....	S. 3878	17...	3		S. 7832-a3
		A. 40-124-1.....			4		S. 7832-a4
3...	1*		S. 4049	18...	1*		S. 4051
4...	1*		S. 617				S. 411
5...	1		S. 1951-a1	19...	1*		S. 432
	2		to				S. 535
	3	A. 40-54-1.....	S. 1951-a4	20...	1*	R&S. 40-84-1.....	S. 2912
	4		inc.		2*	R&S. 40-84-2.....	S. 2914
7...	1	A. 40-38-1.....	S. 1326-a25	21...	1*		S. 3740
	2		S. 1326-a27	22...	1*		S. 7942
	3		S. 1326-a21	23...	1*		S. 3547
	4	A. 40-38-2.....	S. 1326-a22	24...	1*		S. 2260
	5	A. 40-38-3.....	S. 1326-a23	25...	1*		S. 1124
	6		S. 1326-a24	27...	1*		S. 6522
	7		S. 1326-a29	28...	1*		S. 8427
	8	A. 40-38-5.....	S. 1326-a26				S. 6198-a1
	9		S. 1326-a28				to
	10		S. 1326-a20	29...	1		S. 6198-a6
	11	A. 40-38-6.....	S. 1326-a31				inc.
	12	A. 40-38-7.....	S. 1326-a30				S. 4105-a1
8...	1*		S. 2254	30...	1*	R&S. 40-261-1-16.	to
9...	1*		S. 9003				S. 4105-a16
10...	1		S. 2247-a1				inc.
11...	1*		S. 4423				S. 4105-a1
12...	1*		S. 4681	31...	1*	R&S. 40-261-1-16.	to
13...	1*		S. 4080				S. 4105-a16
14...	1		S. 2294-a1				inc.
	2		S. 2294-a2	32...	1*		S. 3130
	3		S. 2294-a3	33...	1*	A. 40-29-1.....	S. 1124
	4		S. 2294-a4	34...	1*		S. 5241
	5		S. 2294-a5		2		
	6		S. 2294-a6		3		S. 5241-a1
15...	1*		S. 4482	35...	1		S. 5894-a1
16...	1*		S. 3053		2		S. 5894-a2
17...	1		S. 7832-a1		3		S. 5894-a3
	2		S. 7832-a2		4		S. 5894-a4

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Chapter	Section	Amendments, Repeals, and Substitutes	Compiled Code and Supplement	Chapter	Section	Amendments, Repeals, and Substitutes	Compiled Code and Supplement		
35...	5		S. 5894-a5	40...	2		S. 1306-a2		
	6		S. 5894-a6		3		S. 1306-a3		
	7		S. 5894-a7		4		S. 1306-a4		
	8		S. 5894-a8		41...	1		S. 4281-a1	
	9		S. 5894-a9		42...	1*			
	10		S. 5894-a10			2*			
	11		S. 5894-a11						
	12		S. 5894-a12		43...	1		S. 4065-a1	
	13		S. 5894-a13					S. 4440-a1	
	14		S. 5894-a14		44...	1*		S. 1740	
	15		S. 5894-a15		45...	1		S. 4836-a1	
	16		S. 5894-a16		46...	1*		S. 2654	
	17		S. 5894-a17		47...	1*		S. 2541	
	18		S. 5894-a18		48...	1*		S. 7037	
	19		S. 5894-a19		49...	1*		S. 3981	
	20*		S. 5893			2*		S. 3982	
	37...	1			S. 3729-a1		3*		S. 3984
		2			S. 4326-a1		4*		S. 3985
		3			S. 3729-a2		5*		S. 3988
		4			S. 3729-a3	50...	1*		S. 2924
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		5		S. 4704-a8		2*		S. 5518	
	6*		S. 4704-a9	59...	1†		S. 1261-a1		
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40...	1		S. 1306-a1	64...	1*		S. 3957		
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¹40-266-4 repealed § 6982 of the compiled code and enacted a substitute therefor. As to whether the amendment to said § 6982 contained in 39-42-1, 2 was thereby repealed, *quære*.

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70...	1*		S. 5794		2		S. 2274-a2
71...	1*		S. 5801	92...	1*		S. 4590
72...	1*		S. 3053		2*		S. 4595
73...	1		S. 2258		3*		S. 4599
			S. 3231-a1	93...	1*		S. 2524-a22
			to		2*		S. 2650
74...	1*	R&S. 40-250-1-26.	S. 3231-a23	94...	1*		S. 2578
			inc.	95...	1*		S. 3318
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	3		S. 1326-a3				S. 3231-a28
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81...	1*		S. 3767				S. 3231-a1
	2*		S. 3769				to
82...	1*	A. 40-108-6	S. 3997				S. 3231-a23
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86...	1		S. 5172-a1		2		S. 1321-a2
	2		S. 5172-a2		3		S. 1321-a3
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			S. 4378††		3		S. 5408-a3
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			S. 4378††		5		S. 5408-a5
	4		S. 3814-a4		6		S. 5408-a6
			S. 4378††		7		S. 5408-a7
	5		S. 3814-a5		8		S. 5408-a8
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	4		S. 6179-a4		17		S. 5408-a17
	5		S. 6179-a5		18		S. 5408-a18
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	17		S. 6179-a17	131...	1*		S. 4890
	18		S. 6179-a18				S. 5331
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	24		S. 6179-a24				to
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	27		S. 6179-a27	133...	1*		S. 5495
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	3		S. 5696-a3				inc.
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39 G. A.

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139...	1*				6*		S. 3053
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	3 ^a	R&S. 40-99-2	S. 3139-a3		12†		S. 3063
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	5	R&S. 40-99-3	S. 3139-a4		14*		S. 3064
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	10	R&S. 40-99-4	S. 3139-a9				S. 3066-a3
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³39-140-3 was twice repealed and substitutes enacted by the 40 G. A. Section 3139-a3 is the substitute enacted by 40 G. A. ch. 99, § 2; section 3139-a3a is the substitute enacted by 40 G. A. ch. 100.

⁴40-239-10 impliedly repealed 39-167-1 by reenacting said section and the same now appears in the S. C. C. as 6454-a10.

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	8	S. 1783-a8		4	S. 5408-a23
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	25	S. 2524-a25		5	to
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		S. 4036-a1	204...	1*...	S. 9284
		to	205...	1	S. 4858-a1
191...	1 ...	A. 40-131-1.....	S. 4036-a3	206...	1*...	S. 4837
		A. 40-246-7.....	inc.		2*...	S. 4858
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	3 ...}	S. 6717		2 ...}	S. 2864-a7
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195...	1*...	S. 3887-a1		4*...	S. 5429
196...	1	S. 540		5*...	S. 3080
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	15	S. 1094-a15		20*...	S. 5576
200...	1	S. 3619-a1		21*...	S. 5044
	2	S. 3619-a2		22*...	S. 5047
	3	S. 3619-a3		23*...	S. 1913
	4	S. 3619-a4		24*...	S. 1915
201...	1	S. 41-a1		25*...	S. 1852
	2	S. 41-a2		26*...	S. 1854
	3	S. 41-a3		27*...	S. 1858
	4	S. 41-a4		28*...	S. 1872
202...	1*...	S. 6840		29*...	A. 40-27-1.....	S. 1039
	2*...}	S. 6844		30*...	S. 1053
	3*...}	S. 913-a1		31*...	S. 1049
203...	1	S. 913-a2		32*...	S. 881
	2	S. 913-a3		33*...	S. 891
	3	S. 913-a4		34*...	S. 832
	4	S. 913-a5		35*...	A. 40-19-1.....	S. 732
	5	S. 913-a6		36*...	S. 903
	6	S. 913-a7		37*...	S. 1442
	7	S. 913-a8		38*...	S. 1713
	8	S. 913-a9		39*...	S. 1733
	9			40*...	S. 1106
		S. 1136

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TABLE OF CORRESPONDING SECTIONS

Read explanatory notes at beginning of table, p. 837.

Chapter	Section	Amendments, Repeals, and Substitutes	Compiled Code and Supplement	Chapter	Section	Amendments, Repeals, and Substitutes	Compiled Code and Supplement
209...	41*		S. 1262	219...	1		S. 3068-a2
	42*		S. 1310		2		S. 3068-a3
	43*		S. 1263		3		S. 3068-a4
	44*		S. 1330		4		S. 3068-a5
	45*		S. 1345		5		S. 3068-a6
	47*		S. 1410	220...	1		S. 2921-a1
	48*		S. 1415		2		S. 2921-a2
	49*		S. 1414		3		S. 2921-a3
	50*		S. 2277		4		S. 2921-a4
	51*		S. 2306	221...	1		S. 118-a1
	52*		S. 2312	222...	1		S. 1376-a1
	53*		S. 2328		2		S. 1376-a2
	54*		S. 2327		3		S. 1376-a3
	55*		S. 2242		4		S. 1376-a4
	56*		S. 2245		5		S. 1376-a5
	57*		S. 5856		6		S. 1376-a6
	58*		S. 4743		7		S. 1376-a7
	59*		S. 2748		8		S. 1376-a8
	60*		S. 5744		9		S. 1376-a9
	61*		S. 5746		10		S. 1376-a10
			S. 5747		11		S. 1376-a11
	62*		S. 729		12		S. 1376-a12
	63*		S. 899		13		S. 1376-a13
	64*		S. 780		14		S. 1376-a14
210...	1	A. 40-124-1	S. 3878		15		S. 1376-a15
211...	1		S. 2534-a1		16		S. 1376-a16
	2		S. 2534-a2		17		S. 1376-a17
212...	1*				18		S. 1376-a18
	2*		S. 1110		19		S. 1376-a19
213...	1*		S. 1637		20		S. 1376-a20
214...	1*		S. 4851		21		S. 1376-a21
215...	1		S. 2936-a1		22		S. 1376-a22
			S. 4297-a2		23		S. 1376-a23
			S. 4297-a3		24		S. 1376-a24
			S. 4297-a5		26		S. 1376-a25
216...	1		to	223...	1*		S. 5493
			S. 4297-a8	224...	1		S. 5463-a1
			inc.		2		S. 5463-a2
	2		S. 4297-a4		3		S. 5463-a3
			S. 4297-a9	225...	1*		S. 341
			to	226...	1		S. 276
	3		S. 4297-a12	227...	1		S. 2997-a1
			inc.	228...	1	A. 40-194-1	S. 6534-a1
			S. 4297-a16		2		S. 6534-a2
			to		3		S. 6534-a3
	4		S. 4297-a19		4		S. 6534-a4
			inc.		5		S. 6534-a5
	5		S. 4297-a13	230...	1		S. 3922-a1
			S. 4297-a14		2	A. 40-127-1	S. 3922-a2
	6		S. 4297-a15		3		S. 3922-a3
217...	1		S. 2250-a1		4		S. 3922-a4
	2		S. 2250-a2		5		S. 3922-a5
	3		S. 2250-a3	231...	1*		S. 8618
218...	2		S. 39-a1		2*		S. 8620
	3		S. 39-a2		3*		S. 8621
	4		S. 39-a3		4*		S. 8671
	5		S. 39-a4		5*		S. 8672
	6		S. 39-a5		6*		S. 8673
	7		S. 39-a6		7*		S. 8709

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TABLE OF CORRESPONDING SECTIONS

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Read explanatory notes at beginning of table, p. 837.

Chapter	Section	Amendments, Repeals, and Substitutes	Compiled Code and Supplement	Chapter	Section	Amendments, Repeals, and Substitutes	Compiled Code and Supplement
231...	8*		S. 8762	245...	3†		S. 2365-a6
	9*		S. 8766		4		S. 2369
	10*		S. 8772		5		S. 2372
	11*		S. 8773		6		S. 2370-a1
	12*		S. 8794	246...	1		S. 2372-a1
	13*		S. 8799	247...	2		S. 6327-a1
	14*		S. 8800		3		S. 5079-a1
	15*		S. 9009		4		S. 5079-a2
	16*		S. 9044		5		S. 5079-a3
	17*		S. 9048		5		S. 5079-a4
232...	1	R&S. 40-69-1	S. 2562-a1	248...	1*		S. 2295
	2	A. 40-69-2	S. 2562-a2	249...	1*		S. 1331
	3		S. 2562-a3	250...	1		S. 93
233...	2		S. 693-a6	251...	1*		S. 5396
	3		to	252...	1*	R&S. 40-57-1	S. 2104
	4	R&S. 40-276-1-17	S. 693-a22	253...	1*		S. 3053
	5		inc.	254...	1		S. 1691
	6				2		S. 1692
234...	1		S. 3752		3		S. 1698-a1
235...	1		S. 2775		4*	A. 40-234-1-3	S. 1698-a4
236...	1		S. 1532-a1		5*		S. 1698-a5
	2		S. 1532-a2				S. 1698-a6
	3		S. 1532-a3	255...	1*		S. 3889
	4		S. 1532-a4	256...	1		S. 1120-a1
	5		S. 1532-a5		2		S. 1120-a2
	6		S. 1532-a6		3		S. 1120-a3
	7		S. 1532-a7		4		S. 1120-a4
	8		S. 1532-a8	257...	1*		S. 4880
	9		S. 1532-a9	258...	1*		S. 5844
	10		S. 1532-a10		2*		S. 5845
	11		S. 1532-a11		3*		S. 5850
	12		S. 1532-a12	259...	1*		S. 6990
	13		S. 1532-a13				S. 3231-a1
	14		S. 1532-a14		1*		to
	15		S. 1532-a15	260...	2*		S. 3231-a23
	16		S. 1532-a16		3*	R&S. 40-250-1-26	inc.
	17*		S. 1514		4*		S. 3231-a25
237...	1		S. 4912-a1		5		to
	2		S. 4912-a2				S. 3231-a28
	3		S. 4912-a3				inc.
	4		S. 4912-a4	261...	1*		S. 5628
	5		S. 4912-a5		2*	R&S. 40-263-1	S. 5478
238...	1		S. 2113-a1		4*		S. 5496
	2		S. 2113-a2	262...	1*		S. 3038
			S. 2113-a3	263...	1*		S. 7179
239...	1*		S. 3123		2		S. 6652
240...	1*		S. 5556		3		S. 7848
241...	1*		S. 1064	264...	2		S. 1636-a1
242...	1*		S. 3926		3		S. 1636-a2
243...	1*		S. 1311		4		S. 1636-a3
244...	1		S. 6890		5		S. 1636-a4
			S. 2365		6		S. 1636-a5
			S. 2365-a1		7		S. 1636-a6
245...	1†		to		8		S. 1636-a7
			S. 2365-a5		9		S. 1636-a8
			inc.		10		S. 1636-a9
			S. 2365-a7		11		S. 1636-a10
	2		S. 2368-a1		12		S. 1636-a11

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TABLE OF CORRESPONDING SECTIONS

Read explanatory notes at beginning of table, p. 837.

Chapter	Section	Amendments, Repeals, and Substitutes	Compiled Code and Supplement	Chapter	Section	Amendments, Repeals, and Substitutes	Compiled Code and Supplement
264...	13		S. 1636-a12	286...	3		S. 241-a3
			S. 3750-a1		4		S. 241-a4
			to		6		S. 241-a5
265...	1		S. 3750-a7		7		S. 241-a6
			inc.		8		S. 241-a7
266...	1*		S. 4329††		9		S. 241-a8
267...	2		S. 508		10		S. 241-a9
	3		S. 1816-a1		11		S. 241-a10
	4		S. 1816-a2		12		S. 241-a11
			S. 1816-a3		13		S. 241-a12
			S. 1816-a4a		14		S. 241-a13
	5	R&S. 40-235-1-4...	S. 1816-a4b		15		S. 241-a14
			S. 1816-a4c		16		S. 241-a15
			S. 1816-a4d		17		S. 241-a16
	6		S. 1816-a5		18		S. 241-a17
268...	1*		S. 4595		19		S. 241-a18
269...	1		S. 5852-a1		20		S. 241-a19
	2		S. 5852-a2		21		S. 241-a20
270...	1*		S. 5564		22	R&S. 40-275-18...	S. 241-a21
271...	1*		S. 968		23		S. 241-a22
272...	1*		S. 2841		24		S. 241-a23
273...	1		S. 3301		25		S. 241-a24
274...	1		S. 2422		26		S. 241-a25
	2		S. 2423		27		S. 241-a26
	3		S. 2424		28		S. 241-a27
275...	1*		S. 7633		29		S. 241-a28
276...	1*		S. 6492		30	R&S. 40-275-19...	S. 241-a29
277...	1*		S. 3010		31	R&S. 40-275-2, 3...	S. 241-a30a
278...	1* }		S. 7020				S. 241-a30b
	2* }				32		S. 241-a31
279...	1*	R&S. 40-11-1.....	S. 529		33		S. 241-a32
280...	1* }		S. 3003		34		S. 241-a33
	2* }				35		S. 241-a34
281...	1* }		S. 4482		36		S. 241-a35
	2* }				37		S. 241-a36
282...	1†		S. 1430		38		S. 241-a37
			S. 1430-a1		39		S. 241-a38
283...	1		S. 87-a1		40		S. 241-a39
	2		S. 87-a2		41		S. 241-a40
	3		S. 87-a3		42		S. 241-a41
	4		S. 87-a4		43		S. 241-a42
	5		S. 87-a5		44		S. 241-a43
	6		S. 87-a6		45		S. 241-a44
	7		S. 87-a7		46		S. 241-a45
	8		S. 87-a8		47		S. 241-a46
	9		S. 87-a9		48		S. 241-a47
284...	1*		S. 3849		49		S. 241-a48
285...	1		S. 5230-a1		50		S. 241-a49
	2		S. 5230-a2		51		S. 241-a50
	3		S. 5230-a3		52		S. 241-a51
	4		S. 5230-a4		53		S. 241-a52
	5		S. 5230-a5		54		S. 241-a53
	6		S. 5230-a6		55		S. 241-a54
	7		S. 5230-a7		56	R&S. 40-275-17...	S. 241-a55b
286...	1		S. 241-a1		57		S. 241-a56
	2		S. 241-a2		58		S. 241-a57

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39 G. A.

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Chapter	Section	Amendments, Repeals, and Substitutes	Compiled Code and Supplement	Chapter	Section	Amendments, Repeals, and Substitutes	Compiled Code and Supplement	
286...	59 ...	.....	S. 241-a58	286...	78 ..	.....	S. 241-a77
	60 ...	R&S. 40-275-22...	S. 241-a59		79* ..	.....	S. 297
	61 ...	.....	S. 241-a60	293...	1*...	.....	S. 2354
	62 ...	.....	S. 241-a61	294...	1 ..	.....	S. 2781-a1
	63 . }	R&S. 40-275-4-12, 12-a1, 12-a2, 14..	S. 241-a64a		2 ..	.....	S. 2781-a2
	64 . }		to	296...	2 ..	R&S. 40-60-2.....	S. 2291	
	65 . }		inc.	S. 241-a64k	297...	1*...	S. 1928
	66 ...	.....	S. 241-a65		2*...	.....	S. 1951
			S. 241-a64a		3*...	R&S. 40-55-1.....	S. 2457	
	67 . }	R&S. 40-275-4-12, 12-a1, 12-a2, 14..	to		4*...	.....	S. 1936
			S. 241-a64k		5*.. }
			inc.	S. 241-a67	302...	6*.. }	S. 1984
	68 ...	.....	S. 241-a67		1*...	.....	S. 1734
	69 ...	R&S. 40-275-20, 21	S. 241-a35a	304...	1*...	.....	S. 1678
			S. 241-a68		2*...	.....	S. 1682
	70 ...	.....	S. 241-a69	309...	3*...	.....	S. 1674
	71 ...	.....	S. 241-a70	323...	1 ..	A. 40-160-1.....	S. 5044-a1
	72 ...	.....	S. 241-a71		1 ..	.....	S. 173-a2
	73 ...	.....	S. 241-a72		2 ..	.....	S. 173-a3
	74 ...	.....	S. 241-a73	327...	1*.. }	.....	S. 335
	75 ...	R&S. 40-275-13...	S. 241-a74		2	S. 313-a1	
	76	S. 241-a75	347...	1	S. 6584-a1	
	77	S. 241-a76	398...	1 . }	R&S. 40-380-1, 2..	S. 6571	
					2 . }	

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TABLE OF CORRESPONDING SECTIONS

**TABLE OF
CORRESPONDING SECTIONS
OF THE
FORTIETH GENERAL ASSEMBLY**

This table shows the sections of the supplement to the compiled code which correspond in subject matter with the sections of the acts of the 40th general assembly, which constituted *new* or *substituted* legislation. The table also shows the sections of said supplement which contain the *amendments* of said general assembly as applied to the sections of the code of 1897, supplement of 1913, supplemental supplement of 1915, and the acts of the 37th, 38th, 39th and 40th general assemblies.

[The omission of a chapter or section from the left-hand column shows that the same is temporary, special, legalizing, or repealing in character and does not appear in the supplement to the compiled code.

An asterisk (*) indicates that the session law citation thus marked is an *amendment* to some section of the code of 1897, supplement of 1913, supplemental supplement of 1915, or acts of the 37th, 38th, 39th, or 40th general assemblies, and that the supplement section indicated in the right-hand column shows such section of law as amended by said session law citation. The session law citations which are not marked with an asterisk (*) consist of either *new* or *substituted* legislation.]

Chapter	Section	Supplement Compiled Code	Chapter	Section	Supplement Compiled Code	Chapter	Section	Supplement Compiled Code
1....	1....	S. 282-a1	23....	3....	S. 974-a2	33....	13....	S. 1177-a14
	2....	S. 282-a2		4....	S. 974-a3		14....	S. 1177-a15
	3....	S. 282-a3		6....	S. 975		15....	S. 1177-a16
	4....	S. 282-a4		8....	S. 976-a1		16....	S. 1177-a17
2....	1*....	S. 175-a9		9....	S. 976-a2	34....	1*....	S. 1186
3....	1*....	S. 248		10....	S. 976-a3	35....	1*....	S. 1219
	2*....	S. 262		11....	S. 976-a4	36....	1....	S. 1250-a1
4....	1....	S. 683-a3b		12....	S. 976-a5		2....	S. 1250-a2
5....	1....	S. 336-a1		13....	S. 976-a6		3....	S. 1250-a3
6....	1....	S. 341-a2		15....	S. 977-a1		4....	S. 1250-a4
7....	1*....	S. 388		16....	S. 977-a2		5....	S. 1250-a5
	2*....	S. 390		17....	S. 977-a3		6....	S. 1250-a6
8....	1*....	S. 414		18....	S. 977-a4		7....	S. 1250-a7
10....	1*....	S. 522		19....	S. 977-a5		8....	S. 1250-a8
	2*....	S. 524		20....	S. 977-a6		9....	S. 1250-a9
11....	1*....	S. 529		21....	S. 977-a7	37....	1....	S. 1268-a1
12....	1*....	S. 649	24....	1....	S. 1020-a1		2....	S. 1268-a2
14....	1....	{ S. 683-a3a S. 4408-a1	25....	1*....	S. 1019		3....	S. 1268-a3
				2*....			4....	S. 1268-a4
15....	1....	S. 679-a9	26....	1*....	S. 1052		5....	S. 1268-a5
	2....	S. 679-a10	27....	1*....	S. 1053	38....	1*....	S. 1326-a25
16....	1....	S. 731-a1	28....	1....	S. 1114		2*....	S. 1326-a22
	2....	S. 731-a2	29....	1*....	S. 1124		3*....	S. 1326-a23
	3....	S. 731-a3	30....	1*....	S. 1124		4....	S. 1326-a29a
17....	1....	S. 823-a1	31....	1*....	S. 1128		5*....	S. 1326-a26
18....	1....	S. 1067-a1	32....	1*....	S. 1137		6*....	S. 1326-a31
	2....	S. 1067-a2	33....	2....	S. 1177-a3	39....	7*....	S. 1326-a30
	3....	S. 1067-a3		3....	S. 1177-a4		1....	S. 1355-a1
	4....	S. 1067-a4		4....	S. 1177-a5		2....	S. 1355-a2
	5....	{ S. 1067-a5 S. 4469-a2		5....	S. 1177-a6		3....	S. 1355-a3
	6....	S. 1067-a6		6....	S. 1177-a7		4....	S. 1355-a4
19....	1*....	S. 903		7....	S. 1177-a8		5....	S. 1355-a5
20....	1*....	S. 914		8....	S. 1177-a9	40....	1*....	S. 1383
21....	1....	S. 1024		9....	S. 1177-a10	41....	1....	S. 1413
	3*....	S. 915		10....	S. 1177-a11	42....	1*....	S. 1420
23....	2....	S. 974-a1		11....	S. 1177-a12	43....	1....	S. 1432-a1
				12....	S. 1177-a13		2....	S. 1432-a2

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TABLE OF CORRESPONDING SECTIONS

Read explanatory notes at beginning of table, p. 848.

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43....	3	S. 1432-a3	51....	9	S. 1783-a18a	81....	1	S. 2829
	4	S. 1432-a4			S. 1783-a18b	82....	1*....	S. 2872
	5	S. 1432-a5	52....	1	S. 1802-a1	83....	1*....	S. 2911
	6	S. 1432-a6		2*....	S. 1805	84....	1	S. 2912
	7	S. 1432-a7	53....	1	S. 1889		2*....	S. 2914
	8	S. 1432-a8			S. 1951-a1	85....	1*....	S. 2921
	9	S. 1432-a9			S. 1951-a2		2*....	S. 2922
	10	S. 1432-a10			S. 1951-a3		3*....	S. 2925
44....	1	S. 1445-a1			S. 1951-a4		4*....	S. 2926
	2	S. 1445-a2	54....	1*....	S. 1978		5*....	S. 2944
	3	S. 1445-a3			S. 1980		6	S. 2922-a1
	4*....	S. 1445			S. 1981	86....	1*....	S. 2922
45....	1*....	S. 1622			S. 1982	87....	1	S. 2943
46....	1	S. 1631-a1			S. 1983		2	S. 2943-a1
	2	S. 1631-a2			S. 1984	88....	1	S. 2943-a2
	4	S. 1631-a3	55....	1	S. 2457	89....	1*....	
	5	S. 1631-a4		2*....	S. 2038		2*....	
	6	S. 1631-a5		3*....	S. 2159		3*....	S. 2947
	7	S. 1631-a6		4*....	S. 2469		4*....	
	8	S. 1631-a7		5*....	S. 2470	90....	1	S. 2961-a1
	9	S. 1631-a8	56....	1*....	S. 2103			S. 4305-a1
	10	S. 1631-a9	57....	1*....	S. 2104	91....	1	S. 3020-a1
	11	S. 1631-a10	58....	1*....	S. 2165		2	S. 3020-a2
	12	S. 1631-a11	59....	1*....	S. 2189	93....	*....	S. 3053
	13	S. 1631-a12	60....	1	S. 2287			S. 3056
	14	S. 1631-a13		2	S. 2291	94	1*....	S. 3053
	15	S. 1631-a14	61....	1	S. 2374-a1		2*....	
	16	S. 1631-a15		2	S. 2374-a2	95	1*....	S. 3059
47....	2	S. 1678-a1		3	S. 2374-a3		2*....	S. 3063
	3	S. 1682-a1		4	S. 2374-a4	96....	1*....	S. 3073
	4	S. 1674-a1		5	S. 2374-a5	97....	1	S. 3081-a1
		S. 1740-a2		6	S. 2374-a6		2	S. 3081-a2
		S. 1740-a3		7	S. 2374-a7		3	S. 3081-a3
		S. 1740-a4	62....	1	S. 2321-a1		4	S. 3081-a4
		S. 1740-a5	65....	1*....	S. 2425		5	S. 3081-a5
		S. 1740-a6		2*....	S. 2430		6	S. 3081-a6
		S. 1740-a7	66....	1	S. 2482-a1		7	S. 3081-a7
		S. 1740-a8	67....	2	S. 2545-a1		8	S. 3081-a8
		S. 1740-a9		3	S. 2545-a2			S. 4378-a1
48....	1	S. 1740-a10		4	S. 2545-a3		9	S. 3081-a9
		S. 1740-a11		5	S. 2545-a4		10	S. 3081-a10
		S. 1740-a12	68....	1	S. 2558-a1		11	S. 3081-a11
		S. 1740-a13		2	S. 2558-a2		13	S. 3081-a12
		S. 1740-a14		3	S. 2558-a3	98....	1	S. 3467-a9
		S. 1740-a15	69....	1	S. 2562-a1		3	S. 3467-a10
		S. 1740-a16		2*....	S. 2562-a2	99....	1*....	S. 3139-a1
		S. 1740-a17	70....	1*....	S. 2628		2	S. 3139-a3
49....	1*....	S. 1740	71....	1*....	S. 2630		3	S. 3139-a4
	2	S. 1740-a1	72....	1*....	S. 2639		4	S. 3139-a10
50....	1*....	S. 1783-a2		2*....			5*....	S. 3139-a12
51....	2	S. 1783-a11	73....	1*....	S. 2639	100....	1	S. 3139-a3a
	3	S. 1783-a12	74....	1*....	S. 2642	101....	1	S. 3185-a1
	4	S. 1783-a15	75....	1*....	S. 4624	102....	1*....	
	5	S. 1783-a16	76....	1*....	S. 2660		2*....	S. 3206
	6	S. 1783-a17	78....	1	S. 2676	103....	1	S. 3207-a1
	7	S. 1783-a18	79....	1	S. 2693-a1		2	S. 3207-a2
	8*....	S. 1783-a22	80....	1*....	S. 2827		4	S. 3207-a3

*Indicates citation is only an amendment which as applied to existing law appears in section found in right-hand column.

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	6	S. 3207-a5	131....	1*.....	S. 4036-a2	158....	1	S. 4911-a1
104....	1 ¹	S. 3241-a1			S. 4036-a3	159....	1	S. 4935-a1
	2 ²	S. 3241-a2	132....	1	S. 4427-a1		2	S. 4935-a2
105....	1*.....	S. 3241-a1			S. 4105-a17		3	S. 4935-a3
	2*.....	S. 3241-a2	133....	1	S. 4468-a1		4	S. 4935-a4
106....	1	S. 3241-a3			S. 4213-a1		5	S. 4935-a5
	2		134....	1	S. 4351-a1		6	S. 4935-a6
107....	1	S. 3242-a1			S. 4213-a2		7	S. 4935-a7
108....	1*.....	S. 3593			S. 4213-a3		8	S. 4935-a8
	2*.....	S. 3638			S. 4213-a4		9	S. 4935-a9
	3*.....	S. 3675			S. 4213-a5		10.....	S. 4935-a10
	4*.....	S. 3796			S. 4213-a6		11.....	S. 4935-a11
	5*.....	S. 3957			S. 4213-a7	160....	1*.....	S. 5044-a1
	6*.....	S. 3997				161....	1	S. 5177
	7*.....	S. 4005			S. 4213-a19 inc.	162....	2	S. 5179-a1
	8*.....	S. 4061					3	S. 5179-a2
	9*.....	S. 4403			S. 4213-a20		4	S. 5179-a3
	10*.....	S. 4795			S. 4213-a21		5	S. 5179-a4
	11*.....	S. 4875			S. 4213-a22		6	S. 5179-a5
	12*.....	S. 3261			S. 4219		7	S. 5179-a6
	13*.....	S. 3309	135....	2*.....	S. 4264		8	S. 5179-a7
109....	1	S. 3266-a1	136....	1*.....	S. 4269-a1		9	S. 5179-a8
110....	1*.....	S. 3300	137....	1	S. 4269-a2		10.....	S. 5179-a9
111....	1*.....	S. 3345			S. 4269-a3		11.....	S. 5179-a10
112....	1	S. 3423-a3			S. 4269-a4		12.....	S. 5179-a11
	2	S. 3423-a4			S. 4269-a5		13.....	S. 5179-a12
	3	S. 3423-a5			S. 4335-a1		14.....	S. 5179-a13
	4	S. 3423-a6	138....	1	S. 4335-a2	163....	1	S. 6238-a1
	5	S. 3423-a7			S. 4385	164....	1*.....	S. 5334
113....	1*.....	S. 3445-a1	140....	1*.....	S. 4421	165....	1*.....	S. 5347
			141....	1*.....	S. 3506-a1	166....	1*.....	S. 5408-a15
	2	S. 3445-a2	142....	1	S. 4298-a1	167....	1*.....	S. 5417
114....	1*.....	S. 3485	143....	1	S. 4482	168....	1*.....	S. 5433
115....	1	S. 3511-a1	144....	1*.....	S. 4482	169....	1	S. 5460
116....	1	S. 3580	145....	1*.....	S. 4493	170....	1	S. 5597-a5
117....	1*.....	S. 3596	146....	1*.....	S. 4496		2	S. 5597-a6
		S. 3653	147....	1*.....	S. 4499	171....	1*.....	S. 5512
118....	1*.....				S. 4499-a1		2*.....	S. 5513
		S. 3654			S. 4602		3*.....	S. 5523
120....	1*.....	S. 3675	148....	1*.....	S. 4609	172....	1	S. 5597-a2
122....	1*.....	S. 3734	149....	1*.....	S. 4653		2	S. 5597-a3
	2*.....		151....	1*.....	S. 4701-a1		3	S. 5597-a4
123....	1	S. 3737-a1	152....	1	S. 4701-a2	173....	1*.....	S. 5605
124....	1*.....	S. 3878			S. 4701-a3	174....	1*.....	S. 5619
125....	1	S. 3903			S. 4701-a4	175....	1*.....	S. 5622
126....	1	S. 4394-a1			S. 4701-a5	176....	1*.....	S. 5632
127....	1*.....	S. 3922-a2			S. 4701-a6		2*.....	S. 5640
128....	1	S. 3944			S. 4701-a7		3*.....	S. 5623
	2*.....	S. 3949			S. 4701-a8	177....	1*.....	S. 5627
	3*.....	S. 3950			S. 4769-a1		2*.....	
129....	1*.....	S. 3974	153....	1	S. 4769-a2		3*.....	
		S. 3978			S. 4769-a3		4*.....	
130....	1	S. 4002			S. 4769-a4	178....	1	S. 5681-a1
	2	S. 4004	154....	1	S. 4837-a1		2	S. 5681-a2
	3*.....	S. 4006	155....	1	S. 4857-a1		3	S. 5681-a3
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¹Amended by 40-105-1.²Amended by 40-105-2.

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	2*...}		198....	1....	S. 6637		6....	S. 60
180....	1....	S. 5662	199....	1*....	S. 6670	225....	1....	S. 175-a1
181....	1....	S. 7149-a1	200....	1....	S. 6910		2....	S. 175-a2
182....	1*....	S. 5696-a1	201....	1*....	S. 6937		3....	S. 175-a3
183....	1*....	S. 5696-a4	202....	1*....	S. 6937		4....	S. 175-a4
	2*....	S. 5696-a11	203....	1*....	S. 6937		5....	S. 175-a5
	3*....	S. 5696-a12	204....	1*....	S. 6990		6....	S. 175-a6
184....	1*...}	S. 5720	205....	1*...}	S. 6992		7....	S. 175-a7
	2*...}			2*...}			8....	S. 175-a8
185....	1*....	S. 5754	206....	1....	S. 7730-a1		9....	S. 175-a9
186....	1*....	S. 5777	207....	1*....	S. 7806		10....	S. 175-a10
	2*....	S. 5831	208....	1*....	S. 7826		11....	S. 175-a11
	3....	S. 5815-a1		2....	S. 6569-a1		12....	S. 175-a12
187....	1*....	S. 5801			S. 8054-a1		13....	S. 175-a13
188....	1....	S. 5803-a1			S. 8054-a2		14....	S. 175-a14
	2....	S. 5803-a2	209....	1....	S. 8054-a3		15....	S. 175-a15
189....	1*....	S. 5803			S. 8054-a4		16....	S. 175-a16
191....	1....	S. 6179-a29			S. 8054-a5	226....	1....	S. 292-a1
	2....	S. 6179-a30	210....	2....	S. 8562-a1		2....	S. 292-a2
	3....	S. 6179-a31	211....	1....	S. 8574-a1		3....	S. 292-a3
	4....	S. 6179-a32		2....	S. 8574-a2		4....	S. 292-a4
	5....	S. 6179-a33		3....	S. 8574-a3		5....	S. 292-a5
	6....	S. 6179-a34	212....	1*....	S. 8607		6....	S. 292-a6
	7....	S. 6179-a35	213....	1*....	S. 8671		7....	S. 292-a7
	8....	S. 6179-a36	214....	1*....	S. 8803		8....	S. 292-a8
	9....	S. 6179-a37	215....	1....	S. 8824-a1		9....	S. 292-a9
	10....	S. 6179-a38		2....	S. 8824-a2		10....	S. 292-a10
	11....	S. 6179-a39		3....	S. 8824-a3		11....	S. 292-a11
	12....	S. 6179-a40	216....	1*....	S. 8889		12....	S. 292-a12
	13....	S. 6179-a41	217....	1*....	S. 9008		13....	S. 292-a13
	14....	S. 6179-a42	218....	1....	S. 9155-a1		14....	S. 292-a14
	15....	S. 6179-a43	219....	1....	S. 9272-a1		15....	S. 292-a15
	16....	S. 6179-a44		2....	S. 9272-a2		16....	S. 292-a16
	17....	S. 6179-a45		3....	S. 9272-a3		17....	S. 292-a17
	18....	S. 6179-a46		4....	S. 9272-a4		18....	S. 292-a18
	19....	S. 6179-a47		5....	S. 9272-a5		19....	S. 292-a19
	20....	S. 6179-a48		6....	S. 9272-a6		20....	S. 292-a20
	21....	S. 6179-a49	220....	1....	S. 9307-a1		21....	S. 292-a21
	22....	S. 6179-a50	221....	1....	S. 9405-a1	227....	1....	S. 679-a3
	23....	S. 6179-a51		2....	S. 9405-a2		2....	S. 679-a4
	24....	S. 6179-a52		3....	S. 9405-a3		3....	S. 679-a5
	25....	S. 6179-a53		4....	S. 9405-a4		4....	S. 679-a6
	26....	S. 6179-a54		5....	S. 9405-a5		5....	S. 679-a7
	27....	S. 6179-a55			S. 9559		6....	S. 679-a8
	28....	S. 6179-a56	222....	1*....	S. 9564	228....	1....	S. 680-a1
	29....	S. 6179-a57	223....	1....	S. 43-a1		2....	S. 680-a2
	30....	S. 6179-a58		2....	S. 43-a2		3....	S. 680-a3
	31....	S. 6179-a59		3....	S. 43-a3		4....	S. 680-a4
	32....	S. 6179-a60		4....	S. 43-a4	229....	1....	S. 694-a1
	33....	S. 6179-a61		5....	S. 43-a5		2....	S. 694-a2
	34....	S. 6179-a29		6....	S. 43-a6		3....	S. 694-a3
		S. 6179-a62		7....	S. 43-a7		4....	S. 698-a1
192....	1....	S. 6348-a1		8....	S. 43-a8		5....	S. 698-a2
	2....	S. 6348-a2		9....	S. 43-a9		5-a....	S. 698-a3
193....	1*....	S. 6454-a10	224....	1....	S. 57-a1		6....	S. 698-a4
194....	1*....	S. 6534-a1		2....	S. 57-a2		7....	S. 700-a1
195....	1*....	S. 6551		3....	S. 57-a3		8....	S. 700-a2
196....	1*....	S. 6572		4....	S. 59		9....	S. 700-a3

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	2	S. 865-a2		4	S. 6430-a4		5	S. 2864-a7
	3	S. 868-a1		5	S. 6430-a5		6	S. 3000-a1
	4	S. 868-a2		6	S. 6430-a6		7 ^a	S. 4036-a1
	5	S. 871-a1		7	S. 6430-a7	247....	1	S. 3158-a1
	6	S. 871-a2		8	S. 6430-a8		2	S. 3158-a2
231....	1	S. 1199-a1		9	S. 6430-a9		3	S. 3158-a3
	2	S. 1199-a2		10	S. 6430-a10		4	S. 3231-a24
	3	S. 1199-a3		11	S. 6430-a11	248....	1	S. 3174-a1
	4	S. 1199-a4		12	S. 6430-a12	249....	1	S. 3221-a1
	5	S. 1199-a5		13	S. 6430-a13		2	S. 3221-a2
232....	1	S. 1234-a1		14	S. 6430-a14		3	S. 3221-a3
	2	S. 1234-a2		15	S. 6430-a15		4	S. 3221-a4
	3	S. 1234-a3		16	S. 6430-a16		5	S. 3221-a5
	4	S. 1234-a4		17	S. 6430-a17		6	S. 3225
	5	S. 1234-a5		18	S. 6430-a18		7	S. 3226
	6	S. 1234-a6		19	S. 6430-a19		8	S. 3228
	7	S. 1234-a7	238....	1	S. 6434-a1	250....	1	S. 3231-a1
	8	S. 1234-a8		2	S. 6434-a2		2	S. 3231-a2
	9	S. 1234-a9		3	S. 6434-a3		3	S. 3231-a3
233....	1	S. 1244-a1		4	S. 6434-a4		4	S. 3231-a4
	2	S. 1244-a2		5	S. 6434-a5		5	S. 3231-a5
	3	S. 1244-a3		6	S. 6434-a6		6	S. 3231-a6
	4	S. 1244-a4		7	S. 6434-a7		7	S. 3231-a7
	5	S. 1244-a5	239....	1	S. 6454-a1		8	S. 3231-a8
	6	S. 1244-a6		2	S. 6454-a2		9	S. 3231-a9
	7	S. 1244-a7		3	S. 6454-a3		10	S. 3231-a10
	8	S. 1244-a8		4	S. 6454-a4		11	S. 3231-a11
	9	S. 1244-a9		5	S. 6454-a5		12	S. 3231-a12
	10	S. 1244-a10		6	S. 6454-a6		13	S. 3231-a13
	11	S. 1244-a11		7	S. 6454-a7		14	S. 3231-a14
	12	S. 1244-a12		8	S. 6454-a8		15	S. 3231-a15
	13	S. 1244-a13		9	S. 6454-a9		15-a....	S. 3231-a16
	14	S. 1244-a14		10 ^b	S. 6454-a10		16	S. 3231-a17
	15	S. 1244-a15	240....	1	S. 6561		17	S. 3231-a18
	16	S. 1244-a16		2	S. 6399		18	S. 3231-a19
	17	S. 1244-a17	241....	1	S. 2438		19	S. 3231-a20
	18	S. 1244-a18		2	S. 2439		20	S. 3231-a21
	19	S. 1244-a19	242....	1	S. 2443-a1		21	S. 3231-a22
234....	1	S. 1698-a4		2	S. 2443-a2		22	S. 3231-a25
	2	S. 1698-a5	243....	1	S. 2591-a1		23	S. 3231-a26
	3	S. 1698-a6		2	S. 2591-a2		24	S. 3231-a27
	4	S. 1700	244....	1	S. 2612-a1		25	S. 3231-a28
	5	S. 1701		2	S. 2612-a2		26	S. 3231-a23
	6	S. 1705		3	S. 2615	251....	1	S. 3302-a1
	7	S. 1711	245....	1	S. 2716		2	S. 3302-a2
235....	1	S. 1816-a4a		2	S. 2725-a1		3	S. 3304-a1
	2	S. 1816-a4b		3	S. 2725-a2		4	S. 3304-a2
	3	S. 1816-a4c		4	S. 2725-a3	252....	1	S. 3341-a1
	4	S. 1816-a4d		5	S. 2725-a4		2	S. 3341-a2
236....	1	S. 7319-a1		6	S. 2725-a5		3	S. 3341-a3
	2	S. 7319-a2		7	S. 2725-a6		4	S. 3341-a4
	3	S. 7319-a3		8	S. 2725-a7		5	S. 3341-a5
	4	S. 28	246....	1	S. 2864-a3		6	S. 3341-a6
237....	1	S. 6430-a1		2	S. 2864-a4	253....	1	S. 3369-a1

^a40-193-1 has been placed as an amendment to 40-239-10 instead of 39-167-1, as directed by said chapter. See note following S. C. C. 6501.

^bSection 4036-a1 of the 1921 supplement was repealed by 40-246-7 and a substitute enacted. Said section was also amended by 40-131-1, and this amendment has been applied to the substitute enacted by 40-246-7.

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	4	S. 3369-a4	260....	1	S. 3730	274....	1 ⁵	S. 8803
	5	S. 3369-a5	261....	1	S. 4105-a1	275....	1	S. 101-a1
	6	S. 3369-a6		2	S. 4105-a2		2	S. 241-a30a
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