

SEC. 7. Appropriation for improvements and maintenance. In cities exercising the rights by this act, the council may appropriate each year, not exceeding five per cent. of its general fund for the improvement and maintenance of any hospital so established.

SEC. 8. Indebtedness. Cities of the second class shall be allowed to become indebted for the purposes provided in this act to an amount aggregating with all other indebtedness of the said city, in a sum not exceeding two and one-half per centum of the actual value of the property within said city, to be ascertained by the last state and county tax list previous to the incurring of such indebtedness, provided that before an indebtedness shall be contracted in excess of one and one-fourth per centum of the actual value of the taxable property ascertained as provided in section two of chapter 41 as found in section 1306-b of the supplement to the code, a petition signed by a majority of the qualified electors of such city shall be filed with the council of such city, asking that an election shall be called, stating the purposes for which the money is to be used and that the said hospital cannot be purchased, built or maintained within the limit of one and one-fourth per centum of valuation of the taxable property of such city. If two-thirds of all the electors voting at such election, vote in favor of such indebtedness at such election, the council of such city shall issue the bonds as provided in this act to the limit as herein provided.

SEC. 9. In effect. This act, being deemed of immediate importance, shall be in force from and after its publication in the Register and Leader and in the Des Moines Daily Capital, newspapers published in the city of Des Moines.

Approved April 9, A. D. 1906.

I hereby certify that the foregoing act was published in the Des Moines Daily Capital April 13, 1906 and the Register and Leader, April 16, 1906.

W. B. MARTIN,
Secretary of State.

CHAPTER 23.

PURCHASE AND CONSTRUCTION OF WATERWORKS.

S. F. 124.

AN ACT to amend the law as it appears in section seven hundred and forty-five (745) of the supplement to the code, relating to the purchase or erection of water works by cities and conferring additional powers with reference thereto.

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

SECTION 1. Additional powers for cities of first class. The law, as it appears in section seven hundred and forty-five (745) [of] the supplement to the code, is hereby amended by adding thereto the following:

"Cities of the first class which have adopted or may adopt an ordinance availing themselves of the privileges conferred herein, shall in addition thereto have and possess the following powers:

A—In addition to mortgage on the water plant to secure the bonds hereinafore authorized, the said city may in addition to the security of said mortgage and as a part thereof, grant a franchise to maintain and operate said plant on foreclosure sale under said mortgage, said franchise to become effective only on the passing of title under the said foreclosure sale and to continue for a period of not exceeding twenty-five (25) years thereafter, providing that the granting of such franchise shall be approved by a majority of the electors of said city, voting at an election thereon, which election shall be held as provided in section seven hundred and forty-six (746), supplement of the code.

B—They shall have power to issue the general bonds of the city creating an indebtedness of said city to an amount which, with its other existing

indebtedness, shall not exceed five per cent (5%) of the actual value of the taxable property of said city, as shown by the last preceding assessment. The said bonds or proceeds of sale thereof to be used in the purchase or construction of a water plant, as herein provided, provided, however, that such bonds can be issued by order of the city council of said city only after a contract for the purchase or construction of a water plant and providing for the issuance of such bonds has been approved by the majority of the electors of said city voting at an election thereon to be held in accordance with the provisions of section seven hundred and forty-six (746), supplement of the code. Neither the said bonds nor the proceeds thereof shall be diverted to an other purpose than as herein provided. Said cities may purchase or contract a water plant and pay for the same partly out of the water bonds and partly out of the general bonds herein provided, or wholly out of either class of bonds or proceeds thereof, as such city may determine. The general bonds of the city herein provided shall bear interest at not exceeding five per (5%) cent per annum, payable semi-annually, and shall be payable not more than twenty (20) years after date and in the general form of bonds provided by section four hundred and three (403) of the code, with such changes as may be necessary to conform the same to this statute and the ordinances or contract of the city under which they are issued.

SEC. 2. Acts in conflict repealed. All acts and parts of acts, so far as the same are in conflict with the foregoing, are hereby repealed.

SEC. 3. In effect. This act, being deemed of immediate importance, shall be in effect from and after its publication in the Register & Leader and the Des Moines Daily Capital, newspapers published in the city of Des Moines, Iowa.

Approved April 5, A. D. 1906

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Daily Capital April 11, 1906.

W. B. MARTIN,
Secretary of State.

CHAPTER 24.

SEWERS IN CITIES AND TOWNS.

H. F. 187.

AN ACT to repeal chapter thirty-one (31) of the laws of the Thirtieth General Assembly and to enact a substitute therefor relating to sewers in cities and in incorporated towns.

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

SECTION 1. Statutes applicable to towns. That chapter thirty-one (31) of the laws of the Thirtieth General Assembly be and the same is hereby repealed and the following enacted in lieu thereof:

"That all of the provisions of section[s] seven hundred and ninety-two (792) to section eight hundred and forty-nine (849) inclusive, of chapters seven (7) and eight (8) of title five (5) of the code and that subdivision three (3) of section eight hundred and ninety four (894) of the code granting to cities of the first and second classes the power to construct sanitary sewers and assess the cost of the same to the real property abutting on, adjacent to or benefited by such sewers, and providing for a tax on the assessed valuation of all property therein when the entire city comprises one sewer district, shall be applicable and apply to incorporated towns."

SEC. 2. In effect. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published in Des Moines, Iowa.

Approved April 9, A. D. 1906.