

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 Acts in conflict repealed. All acts and parts of acts, so far as the same are in conflict with the foregoing, are hereby repealed.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 That chapter thirty-one (31) of the laws of the Thirtieth General Assembly be and the same is hereby repealed and the following enacted in lieu thereof: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.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Daily Capital, April 14, 1906.

W. B. MARTIN,
Secretary of State.

CHAPTER 25.

STREET IMPROVEMENTS, SEWERS AND PRELIMINARY NOTICES OF SEWER IMPROVEMENTS.

S. F. 849.

AN ACT to amend section eight hundred one (801) of the code relating to street improvements, sewers and preliminary notices of sewer improvements.

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

SECTION 1. Publication of notices. That section eight hundred one (801) of the code be and the same is hereby amended by adding the following at the close of said section, to-wit:

"In the event that there is no daily newspaper published in the city or town then the notices provided for by section eight hundred one (801) of the code may be given by one publication thereof in a weekly newspaper of general circulation published in such city or town. Such publication to be made at least five, and not exceeding ten, days prior to the hearing or meeting referred to in said section."

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 at Des Moines, Iowa.

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 19, 1906.

W. B. MARTIN,
Secretary of State.

CHAPTER 26.

CONSTRUCTION OR REPAIR OF MAIN SEWERS IN CITIES OF THE FIRST CLASS.

H. F. 293.

AN ACT granting additional powers to cities of the first class in levying taxes and providing means for the making, reconstruction, or repair of main sewers, defining main sewers, and making certain parts of the code applicable thereto. [Additional to chapter seven (7) of title five (V) of the code, relating to street improvements, sewers and special assessments.]

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

SECTION 1. Main sewer fund. Any city of the first class shall have power to levy annually a tax not exceeding five (5) mills on the dollar on the assessed valuation of all property therein, for a main sewer fund, to be used to pay the whole or any part of the cost of the making, reconstruction or repair of any main sewer within the limits of the city.

SEC 2. Term defined. A "main sewer" as referred to in this act shall be held to mean any sewer that is commonly referred to by any one of the following terms: "intercepting sewer, out-fall sewer, or trunk sewer."

SEC. 3. Statutes applicable. The provisions of chapter seven (7), of title five (5), of the code shall be applicable to providing for the making, reconstruction or repair of main sewers, the whole or any part of the cost of the making, reconstruction or repair of which shall be ordered paid from the main sewer fund herein provided for, to the same extent and in the same