

or miners, shall be liable in full damages to said employees or miners, or their families, for any injury resulting from such neglect to such miners or employees.

Recovery of same.

SEC. 4. The damages contemplated in the foregoing section may be recovered by an action in any court in this State having competent jurisdiction.

Approved, April 12th, 1872.

CH. 111.]

CHAPTER XLV.

[H. F. 22.]

REGULATING THE IMPROVEMENT OF STREETS AND ALLEYS.

APRIL 12.

AN ACT to Authorize and Regulate the Improvement of Streets and Alleys, and Repealing certain Laws relating thereto.

Councils of cities and towns empowered to provide for the grading and repairs of streets, etc.

Rev.: ch. 51.

$\frac{2}{3}$ vote of council.

Councils may provide for construction of sidewalks and macadamizing streets;

and may levy special tax therefor.

Proviso: petition of property owners requisite before ordering permanent sidewalks.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the city council or trustees of any incorporated city or town, whether organized under special charter or under the provisions of chapter fifty-one of the Revision of 1860, and the acts amendatory thereto, are hereby empowered and authorized to provide, by ordinance, for the grading and repairs of any street, avenue, or alley, and construction of sewers, of such incorporated city or town, and shall defray the expense of the same out of the general funds of such city or town; but no street shall be graded except the same be ordered to be done by the affirmative vote of two-thirds of such city council or trustees.

SEC. 2. That the city council or trustees of any such incorporated city or town are hereby empowered and authorized to provide by ordinance for the constructing of the sidewalks, for the curbing, paving, graveling, or macadamizing of any street, avenue, or alley, or any part of either of the same, and for the constructing of gutters. And that such city council or trustees shall have full power and authority to provide by ordinance for the levy of special tax upon the lots or parcels of ground, or any part of either of the same, fronting upon or lying along the street, avenue, or alley, which is to be improved, or is improved, under the powers conferred by this section, for the purpose of defraying the cost thereof: *Provided*, That no permanent sidewalk shall be laid, no paving, curbing, graveling, or macadamizing of any street, avenue, alley, or construction of gutters shall be

ordered to be made, until such city council or trustees shall have presented to them a written petition signed by a number of the owners of property abutting or lying along the contemplated improvement equal to a majority of the resident owners of such property so abutting or lying along the contemplated improvement, and subject to assessment for the cost thereof, except when the same shall have been ordered to be done by not less than three-fourths of the whole number of members composing such city council or trustees of any such incorporated city or town.

of a three-fourths vote of the whole council.

SEC. 3. It shall be the duty of such city council or trustees to order the improvements to be made in conformity with sections one and two of this act, by letting contracts for doing the work to the lowest responsible bidder, and bonds for the faithful performance of such work shall be required: *Provided*, That all bids for such work may be rejected by such council or board of trustees if by them thought to be exorbitant, and new bids ordered.

Council to let contracts.

SEC. 4. Nothing in this act shall be construed to prevent such city council or trustees from requiring, when needed, the repair of permanent sidewalks, and for assessing the cost of such repairs against the property in front of which such sidewalk is constructed.

Repair of sidewalks.

SEC. 5. Nothing in this act shall be construed to prevent such city council or trustees from ordering the laying of temporary plank sidewalks, and requiring the same to be kept in repair; such temporary sidewalks to be laid upon the natural surface as near as practicable, without regard to grade, until the streets wherein they are laid shall have been permanently improved, and the cost of the same shall not exceed the sum of forty cents per lineal foot; and the cost of the said temporary plank sidewalk shall be assessed against the property in front of which the same shall be laid.

Temporary sidewalks;

cost; assessed.

SEC. 6. All taxes levied or assessed in conformity with the provisions of this act, shall be a lien upon the real estate, shall bear the same rate of interest, the said real estate may be sold in the same manner at any regular or adjourned sale, with the same forfeitures, penalties, and right of redemption, and deeds shall be made in the same manner and with like effect, as it is now or may hereafter be provided in case of general taxes under the laws of this State.

Taxes a lien.

SEC. 7. Chapter sixty-five of the Thirteenth General Assembly, and all other provisions of law, whether general or special, whereby city or town is authorized to levy special

1870: ch. 65, etc., repealed.

Provide: im-
provements in
progress not in-
terfered with.

taxes for the improvement of streets, are hereby repealed: *Provided*, That this appeal shall not be held to prevent the completion of any public improvement now ordered or in progress, shall not invalidate any contract, lien or tax now made or levied, or to be levied, in pursuance of such contract, nor to prevent the collection thereof.

In force when.

SEC. 8. This act, being deemed by the General Assembly of immediate importance, shall take effect and be in force on and after its publication in the Daily Iowa State Register, and Leader, newspapers published in Des Moines, Iowa.

Approved, April 12th, 1872.

I hereby certify that the foregoing act was published in the *Daily State Leader*, April 16, and in the *Daily Iowa State Register*, April 17, 1872.

ED WRIGHT, *Secretary of State.*

CH. 113.]

CHAPTER XLVI.

[H. F. 347.]

INDEPENDENT SCHOOL-DISTRICTS.

APRIL 12.

AN ACT Requiring the Publication of the Receipts and Disbursements of the Funds of Independent School-Districts, and Estimates for the Future Maintenance of the same.

Boards of direct-
ors to publish
statements of
finances of dis-
tricts ;

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the boards of directors of the several independent school-districts of this State be, and are hereby, required to publish, two weeks before the annual school election in such district, by publication in one or more newspapers, if any are published in such district, or by posting up in writing, in not less than three conspicuous places in such independent district, a detailed and specific statement of the receipts and disbursements of all funds expended for school and building purposes for the year preceding such annual election. And the said boards of directors shall also, at the same time, publish in detail an estimate of the several amounts which, in the judgment of such board, are necessary to maintain the schools in such district for the next succeeding school year.

also estimates.

Approved, April 12th, 1872.