

Proviso. thus enclosed for the benefit of the hedge; *provided*, he shall enter upon the cultivation of said hedge within twelve months from the time said fence is removed on the adjoining land.

Builder of hedges on entire division line to receive pay for one half. SEC. 2. When any person builds a hedge on the entire line between his own and unenclosed lands, when said lands are enclosed the owner thereof shall pay for one half of said hedge, the value to be ascertained by the fence viewers, and the manner of proceeding in this respect shall conform to the provisions of the law now in force in relation to the ascertainment of the value of partition fences with like remedies; the maker of said hedge

Proviso. to select his own half thereof; *provided*, this act shall not apply to town lots.

To take effect. SEC. 3. This act being deemed of immediate importance, shall be in force after its publication in the State Register, and State Leader, papers published in Des Moines.

Approved March 15, 1876.

I hereby certify that the foregoing act was published in the *Iowa State Leader*, March 22, and in the *Iowa State Register*, March 25, 1876.
 JOSIAH T. YOUNG, *Secretary of State*.

CHAPTER 107.

RELATING TO LEVY OF SPECIAL TAX IN CITIES.

H. F. 127. AN ACT to Empower Cities to levy a Special Tax for Sewerage Purposes. [Additional to Code, Chapter 10, Title IV: "Of Cities and Incorporated Towns.]"

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

Levy of two mills for a sewerage fund. SECTION 1. That any city within this state may levy a tax of not more than two mills on the dollar in addition to the maximum tax now authorized by law for the purpose of commencing a general system of sewerage in such city, and the money so raised shall constitute a sewerage fund, and shall be applied to no other purpose.

May condemn private property. SEC. 2. *And, be it further enacted*, That when, for the purpose of carrying off the water of any stream which flows within or through the said city, it becomes expedient to cause a principal sewer to pass through private property, the right to condemn such property for this purpose is hereby conferred upon its council. And the powers granted shall be the same in other respects as those enjoyed by railway companies, by and under the provisions of the Code. The proceedings to enforce their powers shall also be the same, except that all damages shall be assessed by a board of three commissioners. These shall be appointed by the city council and may be changed at the pleasure thereof. They must be free from all personal interest in subjects brought before them for their adjudication, and they may decide on any

Commissioners to assess damages.

question of damages that may arise in respect to any of the property that may be claimed to be injured by the construction of said sewer.

SEC. 3. *And, be it further enacted,* That instead of constructing such principal sewer itself, the city may authorize its construction by any individual or company, and may agree to pay therefor out of the sewerage fund. And the city council may also make all needful rules and regulations in relation to any of the sewers in their respective cities and may regulate the manner in which any property holder may connect therewith and may also prescribe all needful regulations pertaining thereto.

In relation to construction: by whom.

SEC. 4. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register, and the Iowa State Leader, as provided by law.

To take effect.

Approved March 15, 1876.

I hereby certify that the foregoing act was published in the *Iowa State Leader*, March 22, and in the *Iowa State Register*, March 24, 1876.

JOSIAH T. YOUNG, *Secretary of State.*

CHAPTER 108.

HOSPITAL FOR THE INSANE AT INDEPENDENCE.

AN ACT making an appropriation for the Iowa Hospital for the Insane S. F. 117. at Independence.

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

SECTION 1. That there is hereby appropriated for the Iowa hospital for the insane at Independence, out of any money in the treasury not otherwise appropriated, the following sums, and for the following purposes, to-wit: For the erection of gas works and furnishing gas fixtures for said hospital, the sum of five thousand dollars; for finishing and furnishing the main center building of said hospital, the sum of six thousand dollars; for building the south wing of said hospital, the sum of ninety-three thousand dollars.

\$104,000 appropriated for building south wing, &c.

SEC. 2. That not more than seventy-five thousand dollars of the amount appropriated by section one of this act shall be drawn from the state treasury during the year ending March 1st, 1877.

Only \$75,000 to be drawn before March 1, 1877.

SEC. 3. That the money appropriated by this act shall be expended in accordance with the provisions of chapter 120 of the laws of the thirteenth general assembly, and the act of which that is amendatory.

To be expended under chap. 120, 13th G. A.

SEC. 4. This act being deemed of immediate importance, shall