

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 28, 1902.

W. B. MARTIN,  
*Secretary of State.*

## CHAPTER 41.

### WATER WORKS TRUSTEES.

S. F. 281.

AN ACT to repeal section seven hundred forty-seven (747) of the code as amended, [by chapter twenty-three (23) of the acts of the Twenty-seventh General Assembly, and chapter twenty-five (25) of the acts of the Twenty-eighth General Assembly], relating to the appointment of water works trustees in cities of the first class, and to enact a substitute in lieu thereof.

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

**SECTION 1. Trustees—appointment—term—vacancies—compensation—bond—removal.** That section seven hundred forty-seven (747) of the code as amended, be and the same is hereby repealed, and the following enacted in lieu thereof:

"The water works now owned or hereafter purchased or erected by such cities shall be managed and operated by a board of water works trustees, which shall be composed of three resident electors, appointed for the term of six years by the mayor of said city. Upon the taking effect of this act, in cities now owning such water works, or upon the approval of the contract for the purchase or erection of water works by cities as herein provided, the mayor thereof shall, within ten days thereafter, appoint such board of water works trustees, the first appointees thereto to hold office for the following designated terms, namely: One for two years, one for four years, and one for six years. All vacancies occurring on said board, occasioned by expiration of term, by death, resignation or removal, shall be filled by appointment of the mayor of such city. The compensation of said trustees shall be three hundred dollars per year to each member of said board. Each of the said trustees shall execute and furnish to the city an official bond in the sum of five thousand dollars, to be approved by the mayor and filed with the city clerk. Such trustees may be removed from office for proper cause under the provisions of chapter eight (8), of title six (VI) of the code."

**SEC. 2. Cities affected.** All the provisions of this act shall be held and construed as applying to cities of the first class and to cities acting under special charters.

**SEC. 3. In effect.** 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 Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved March 14, 1902.

I hereby certify that the foregoing Act was published in the Iowa State Register and the Des Moines Leader, March 15, 1902.

W. B. MARTIN,  
*Secretary of State.*

## CHAPTER 42.

### TAXES FOR PURCHASE OF BRIDGES.

H. F. 400.

AN ACT to authorize cities, which have voted taxes to aid any corporation organized under the laws of this state for the construction of a highway or combination bridge across any navigable boundary river, to vote additional taxes for the purchase of such bridge. [Amendatory of chapter six (6) of title five (V) of the code, relating to powers of cities and towns as to streets and public grounds.]

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

**SECTION 1. Additional tax.** That any city in this state which has voted aid to any company for the construction of a highway or combination bridge across any navigable boundary river of this state; a condition of which vote, or the granting or acceptance of such aid, was that the city should have the right to purchase such bridge from the company so aided, its successors or assigns; may, at any time after such taxes voted in aid are collected, vote an additional tax of not exceeding five per centum of the assessed value of the taxable property of such city for the purpose of securing the funds necessary to enable it to make such purchase. (Such taxes shall be payable in such annual installments not less than ten as the electors may determine.)

**SEC. 2. Question submitted.** The question of whether or not such additional taxes shall be voted shall be submitted to the electors of such city before the city elects to make such purchase and the submission thereof shall be governed in all respects by sections seven hundred sixty (760), seven hundred sixty-one (761), seven hundred sixty-two (762), seven hundred sixty-three (763) and seven hundred sixty-four (764) of the code so far as the same are applicable.

**SEC. 3. Bonds or warrants—tolls.** After such taxes are voted the city may issue its bonds, warrants or other certificates drawing such interest not exceeding six per cent per annum as the city council may determine, payable from such taxes as they are collected, and from no other source, and pledging them for their payment. Such taxes shall be used for no other purpose and such bonds, warrants or certificates shall not be sold for less than their par or face value with accrued interest. The city council shall fix the rate of tolls or charges for passing over the bridge, and such tolls shall be large enough to pay the interest upon the bonds, warrants or certificates issued for its purchase together with the expense of maintaining and operating it.

**SEC. 4. Vote of tax in cities after annexation.** In any case where aid has been extended and bridges erected in two separate cities and subsequent thereto, one of such cities has been annexed to the other, the electors residing in the territory which comprise either of the separate cities before annexation, may vote taxes upon the property in such territory for the purchase of such bridge, and the proceedings in such case shall be the same as in the preceding sections of this act provided, except that the petition to the city council shall be signed by a majority of the resident freehold tax payers of the territory in which the vote is to be had, and the taxes when voted and properly certified, shall be levied only upon the property in such territory.

Approved March 27, 1902.

## CHAPTER 43.

RELATING TO THE CONSTRUCTION OF VIADUCTS AND COMPENSATION OF ABUTTING PROPERTY OWNERS.

H. F. 416.

AN ACT to amend sections seven hundred and seventy-one (771), seven hundred and seventy-three (773) and seven hundred and seventy-four (774) of the code, relating to the construction of viaducts over or under railroads on public streets and highways and to the compensation of owners of property abutting on such streets and highways.

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

**SECTION 1. Assessment of damages.** That section seven hundred and seventy-one (771) of the code be and the same is hereby amended by adding after the word "fund" in the last line of said section, the following, to-wit: "Or in cities having a population of fifty thousand or over from any other fund or funds legally available therefor."