

“When a viaduct shall be by ordinance declared necessary for the safety and protection of the public, the council shall provide for appraising, assessing and determining the damages which may be caused to any property by reason of the construction of the same and its approaches. The proceedings for such purpose shall be the same as are provided in case of taking private property for works of internal improvement, and the damages assessed shall be paid by the city out of the general bridge fund, or in cities having a population of twelve thousand or over from any other fund or funds legally available therefor.”

SEC. 2. **Viaduct fund.** That section one (1) of chapter twenty-nine (29) of the acts of the Thirtieth General Assembly is hereby repealed and the following enacted in lieu thereof:

“In cities having a population of twelve thousand or over, where a viaduct is required to be constructed, and the plans therefor have been approved, and there are no available funds in the general bridge fund, or any fund or funds of said city which may be legally used for the payment of such damages, such city may levy an annual tax not exceeding two mills on the dollar for the purpose of creating a fund to be known as a “viaduct fund”, for the payment of damages caused to property by reason of the construction of such viaduct and approaches thereto.”

Approved April 1, A. D. 1907.

CHAPTER 39.

PUBLICATION OF NOTICES OF QUESTIONS SUBMITTED TO THE VOTERS OF CITIES AND TOWNS.

H. F. 204.

AN ACT to amend section seven hundred seventy-six (776) of the code, relating to the publication of notices of questions submitted to the voters of cities and incorporated towns.

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

SECTION 1. **Notice—how published.** That section seven hundred seventy-six (776) of the code be, and the same is hereby amended by inserting after the word “weeks” in the thirteenth line of said section the following: “But if no such newspaper is published within the limits of the corporation, then such notice may be given by posting thereof in three public places within the limits of said corporation, two of which places shall be the postoffice and the mayor’s office of such city or town, and by publication for four consecutive weeks in a newspaper of general circulation in the county.”

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 Capital, newspapers published in Des Moines, Iowa.

Approved March 15, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Capital, March 16, 1907.

W. C. HAYWARD,
Secretary of State.