

hand capable of bringing such car to as [a] stop within a reasonable distance together with equipment for sanding the rails of any street railway, which brake and sand equipment shall be controlled and operated by the motorman on said car.

**SEC. 2. Penalty.** Any violation of this section shall be punished by a fine of not less than fifty (\$50.00) dollars nor more than one hundred (\$100.00) dollars for each day every such car is operated in violation hereof.

Approved April 13, A. D. 1909.

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## CHAPTER 53.

### STREET IMPROVEMENTS IN CERTAIN INCORPORATED TOWNS.

S. F. 414.

AN ACT authorizing street improvements in incorporated towns having a population in excess of one thousand, and providing for the levy of special assessments therefor. (Additional to title five (V), chapter seven (7) of the code, as amended.)

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

**SECTION 1 Street improvements authorized.** That incorporated towns, having a population in excess of one thousand (1,000), shall have and exercise the powers conferred by chapter seven (7), title (V) of the code, for the construction of street improvements authorized in section seven hundred ninety-two (792) of the code, whenever such street improvements shall have been petitioned for by the owners of not less than seventy-five per centum of the linear front feet of the property abutting on that part of any street, highway, avenue or alley so to be improved; and levy special assessments therefor, as authorized by said chapter as amended.

**Sec. 2. In effect.** This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Register and Leader and Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved April 20, A. D. 1909.

I hereby certify that the foregoing act was published in the Register and Leader and Des Moines Capital April 21, A. D. 1909.

W. C. HAYWARD,  
Secretary of State.

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## CHAPTER 54.

### SEWER OUTLETS AND PURIFYING PLANTS.

H. F. 355.

AN ACT to repeal the law as it appears in chapter forty-one (41) of the laws of the thirty-second general assembly and to enact a substitute therefor relating to the powers of certain cities and towns to levy taxes for the purpose of constructing outlets and purifying plants for sewers and to authorize anticipating collection of such tax by issuing certificates or bonds. [Repealing section eight hundred forty-g (840-g) of the supplement to the code.]

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

**SECTION 1. Repeal—tax levy authorized.** That the law as it appears in chapter forty-one (41) of the laws of thirty-second general assembly be, and the same is hereby, repealed and the following is enacted as a substitute therefor, to-wit:

“Cities of the second class and towns shall have the power to levy annually a tax of not to exceed three (3) mills on the dollar to be used solely for

the purpose of constructing outlets and purifying plants for sewers. The levy made under this act shall not be considered a part of the levy made for a sewer fund under provisions of the law as it appears in paragraph three (3) of section eight hundred ninety-four (894) of the supplement to the code, 1907. The tax herein authorized may be anticipated by issuing certificates or bonds, as provided by section nine hundred twelve (912) of the code."

Approved March 29, A. D. 1909.

## CHAPTER 55.

### PROTECTION OF CITY AND TOWN PROPERTY FROM FLOODS.

H. F. 314.

AN ACT to amend sections eight hundred forty-nine-a (849-a), eight hundred forty-nine-b (849-b), eight hundred forty-nine-c (849-c), eight hundred forty-nine-e (849-e), eight hundred forty-nine-f (849-f), eight hundred forty-nine-g (849-g) and eight hundred forth-nine-h (849-h) of the supplement to the code, 1907, relating to the protection of city and town property from floods.

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

**SECTION 1. Protection authorized in towns.** That section eight hundred forty-nine-a (849-a) of the supplement to the code, 1907, be and the same is hereby amended by inserting the words "and towns" between the words "cities" and "in" in the second line thereof.

[**SEC. 2.] Petition.** That section eight hundred forty-nine-b (849-b) of the supplement to the code, 1907, be and the same is hereby amended by inserting the words "or twenty-five resident tax payers of said town" between the words "city" and "shall" in the third line thereof. Also by striking out the word "city" as it appears the first time in the fourth line thereof and by inserting the words "or town" between the word "city" as it appears the second time in said fourth line and the comma following.

[**SEC. 3.] Resolution—notice—hearing—special tax.** That section eight hundred forty-nine-c (849-c) of the supplement to the code, 1907, be and the same is hereby amended by inserting the words "or town" between the word "city" and the comma following in the tenth line thereof, and by inserting after the comma in the twelfth line thereof the following: "or in case there be no daily newspaper published in said city or town then by publication in one or more weekly newspapers published within said city or town once each week for two consecutive weeks, or in towns where there are no newspapers published by posting in five public places for four weeks" and by inserting the words "or town" between the words "city" and "for" in the seventeenth line thereof and by inserting the words "in case of cities and ten (10) mills in case of towns" between the words "mills" and "in" in the nineteenth line thereof.

[**SEC. 4.] Levy of tax.** That section eight hundred forty-nine-e (849-e) of the supplement to the code, 1907, be and the same is hereby amended by inserting the words "in case of cities or ten (10) mills in case of towns", between the words "mills" and "in" in the ninth line thereof and by inserting the words "or town" between the words "city" and "and" in the tenth line thereof and by inserting the words "or town" between the word "city" and the comma following in the seventeenth line thereof.

[**SEC. 5.] Diversion of stream.** That section eight hundred forty-nine-f (849-f) of the supplement to the code, 1907, be and the same is hereby amended by inserting the words "or town" between the words "city" and "shall" in the third line thereof.