

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.

[SEC. 6.] **Purchase or condemnation of private property.** That section eight hundred forty-nine-g (849-g) be and the same is hereby amended by inserting the words "or town" between the words "cities" and "may" in the second line thereof.

[SEC. 7.] **Bonds and assessment certificates.** That section eight hundred forty-nine-h (849-h) 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 "constructing" in the first line thereof.

Approved April 9, A. D. 1909.

CHAPTER 56.

PARKS AND PARK COMMISSIONERS.

S. F. 233.

AN ACT to amend the law as it appears in sections eight hundred fifty-c (850-c), eight hundred fifty-e (850-e), and eight hundred fifty-f (850-f) of the supplement to the code, 1907, relating to parks and park commissioners.

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

SECTION 1. Tax certified. The law as it appears in section eight hundred fifty-c (850-c) of the supplement to the code, 1907, is hereby amended by striking out all that part of said section commencing with the first word thereof "the" and ending with the word "year" in the eighth line thereof, and inserting in lieu thereof the following:

"The board shall on or before the first day of August of each year determine and fix the amount or rate necessary to pay maturing bonds and to pay the interest on all outstanding bonded indebtedness, and such additional amount or rate as they may deem necessary for park purposes, not exceeding for all purposes two mills on the dollar in all cities and towns on the valuation of such city or town, to be levied, collected and appropriated for park purposes for the ensuing year; and shall cause the same to be certified to the city or town council which shall levy the portion or rate necessary to meet the maturing bonds and interest on all bonded indebtedness and so much of the additional amount or rate as it may deem necessary to promote park interests, and certify the per cent thereof to the county auditor with the other taxes for said year. The amount levied and collected for the payment of any bonds or the interest thereon shall not be used, appropriated or diverted to any other purpose. If the board shall fail to certify to the city or town council the amount and rate for the ensuing year necessary for the purpose of paying any bonds and the interest thereon issued by the board, the city or town council shall levy such tax as shall be necessary to pay any such maturing bonds and interest on all bonded indebtedness."

SEC. 2. Annual interest on bonds. The law as it appears in section eight hundred and fifty-e (850-e) of the supplement to the code, 1907, is hereby amended by striking from the eighteenth line thereof the words "one-fifth" and by inserting in lieu thereof the words "one-half".

SEC. 3. Power to mortgage real estate controlled by board. The law as it appears in section eight hundred fifty-f (850-f) of the supplement to the code, 1907, is hereby amended by striking from lines five and six thereof the words "by such proceeds" and insert in lieu thereof the following: "or controlled by it for park purposes".

SEC. 4. In effect. This act being deemed of immediate importance shall take effect and be in force from and after the date of its publication in the