

filled in the manner in which the original appointment was made. When necessary by reason of such vacancy, the court may review any evidence in its records.

That section three thousand nine hundred seventy-two (3972) of the compiled Code of Iowa is amended, revised, and codified to read as follows:

Sec. 11. Sale of products - rates - taxes. They may sell the products of municipal heating plants, waterworks, gasworks, or electric light or power plants to any municipality, individual, or corporation outside the city or town limits, as well as to individuals or corporations within its limits, and may with the consent of the board having jurisdiction thereof erect in the public highway the necessary poles upon which to construct transmission lines, and shall from time to time in such manner as they deem equitable, assess upon each tenement or other place supplied with heat, water, gas, light, or power, reasonable rents or rates fixed by ordinance, and shall levy a tax as provided by law to pay or aid in paying expenses of running, operating, renewing, and extending such works, and the interest on any bonds issued to pay all or any part of their construction.

That sections three thousand nine hundred seventy-six (3976) and three thousand nine hundred seventy-seven (3977) of the compiled Code of Iowa are amended, revised, and codified to read as follows:

Sec. 13. Mayor to appoint trustees - terms - compensation. If a majority of the votes cast at such election are in favor of placing the management and control of any or all of the said utilities in the hands of trustees, the mayor shall, within ten (10) days after such election, appoint a board of three (3) trustees, which appointments shall be approved and confirmed by the council. The first appointees shall hold office, one (1) for two (2) years, one (1) for four (4) years, and one (1) for six (6) years, and their successors shall be appointed for a term of six (6) years. All vacancies occurring on said board shall be filled in the manner original appointments are made. The compensation of each trustee shall be not more than one hundred dollars (\$100.00) per year, and each trustee shall execute and furnish to the city an official bond in the sum of twenty-five hundred dollars (\$2,500.00) to be approved by the mayor and filed with the city clerk.

Sec. 14. Powers of trustees. The board of trustees shall have all the power and authority in the management and control of the utilities mentioned in the question submitted to the voters at such election as is conferred upon waterworks trustees appointed as provided in chapter twenty-eight (28) of this title.

Approved April 9, 1924.

#### CHAPTER 117

#### MUNICIPAL CORPORATIONS

#### S. F. 173

AN ACT to amend, revise, and codify sections three thousand nine hundred eighty-seven (3987) and three thousand nine hundred ninety (3990) to three thousand nine hundred ninety-two (3992), inclusive, of the compiled code of Iowa, and sections three thousand nine hundred eighty-two (3982), and three thousand nine hundred eighty-eight (3988) of the supplement to said code, relating to municipal corporations.

Be It Enacted by the General Assembly of the State of Iowa:

That section three thousand nine hundred eighty-two (3982) of the supplement to the compiled Code of Iowa is amended, revised, and codified to read as follows:

Section 1. Use of sinking fund. Any city in which a sinking fund has been accumulated as provided in the preceding section, in which waterworks have not been purchased under this chapter, may apply such sinking fund and all accumulations thereof upon the payment of the cost of waterworks purchased or erected under the provisions of the preceding chapter.

That section three thousand nine hundred eighty-seven (3987) of the compiled Code of Iowa, and section three thousand nine hundred eighty-eight (3988) of the supplement to said Code are amended, revised, and codified to read as follows:

Sec. 2. Trustees - appointment - bond - removal. The waterworks owned by such cities shall be managed and operated by a board of waterworks trustees, which shall be composed of three (3) resident electors, appointed for the term of six years (6) by the mayor of said city. Upon the approval of the contract for the purchase or erection of waterworks by cities as herein provided, the mayor thereof shall, within ten (10) days, appoint such board, the first appointees thereto to hold office, one (1) for two (2) years, one (1) for four (4) years, and one (1) for six (6) years. All vacancies occurring on said board shall be filled in the same manner that original appointments are made. Each trustee shall receive a compensation of not to exceed three hundred dollars (\$300.00) per year, and shall execute and furnish to the city an official bond in the sum of five thousand dollars (\$5,000.00) to be approved by the mayor and filed with the city clerk.

That sections three thousand nine hundred ninety (3990) to three thousand nine hundred ninety-two (3992), inclusive, of the compiled Code of Iowa are amended, revised, and codified to read as follows:

Sec. 3. Fixing rates. The board of trustees shall from time to time fix the water rentals or rates to be charged for the furnishing of water, and such rates, with the proceeds of the five (5) mill water levy and the sinking fund levy of two (2) mills shall be sufficient for the maintenance and operation of such works and the proper and necessary extension thereof, for all repairs, and for the payment of the purchase price or cost, principal and interest, incurred in the purchase or erection of such works, as the same falls due, according to the tenor of the mortgage and bonds given to secure the payment of such purchase price or cost. The board shall make quarterly statements giving full and complete reports of the receipts and disbursements of the board. Said reports shall be filed in the office of the city clerk on the second Monday in January, April, July, and October, for the quarters preceding the first day of said months. The reports shall be audited by the board of public works, or by the city council if there is no such board.

Approved January 4, 1924.

#### CHAPTER 118

#### MUNICIPAL CORPORATIONS

H. F. 174

AN ACT to amend, revise, and codify sections three thousand nine hundred ninety-five (3995), four thousand (4000), and four thousand one (4001) of the compiled code of Iowa, relating to municipal corporations.