

SEC. 5. This act to take effect from and after its publication in the Iowa City Republican and Iowa Capital Reporter, without expense to the State.

Approved January 29, 1857.

I certify that the foregoing act was published in the Iowa City Republican, March 4, 1857, and in the Iowa Capital Reporter.

ELIJAH SELLS,  
Sec'y of State.

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CHAPTER 237.

FIFTH JUDICIAL DISTRICT.

AN ACT to attach the county of Sac to the fifth judicial district.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the county of Sac is hereby attached to and made a part of the fifth judicial district. Sac co. attached to 5th dist.

SEC. 2. All acts and parts of acts conflicting with this act are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its publication in Iowa Republican and Iowa Capital Reporter.

Approved January 29, 1857.

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CHAPTER 238.

KEOKUK.

AN ACT to amend an act entitled an act to incorporate the city of Keokuk.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That for all costs of improving streets and alleys in the city of Keokuk, except contracts already specially let, for work particularly designated, payment shall be made as follows, to wit: Two-thirds (2-3) of the cost of same by a special tax to be levied on the property deemed benefitted by any such improvement, and one Improving streets.

third by a tax on the city generally, except grading and paving alleys, making gutters, and grading and paving side-walks, and paving streets, which last work shall be paid for by assessment, as well for repairs as for original work, foot per foot upon the property fronting on said streets and alleys.

**Levy of tax.** SEC. 2. The two-thirds of the cost of said improvements named in section No. 1. of this act, to be levied on the property benefitted by such improvements, shall be assessed by a board of three commissioners, to be chosen by the city council, (or council and aldermen, as the case may be.) for each proposed improvement, which board shall take into account both damages and benefits accruing to the property deemed especially interested. The damages arising to any property from any improvement, shall be considered a part of the cost of same, and the benefits shall be deducted from the cost of said improvement. The parties damaged shall be paid amount of said damage by deduction from their proportion of said tax, or in cash, when collected by the city, and the benefits shall be taxed with the other cost of the improvement, upon the property benefitted. The part of the tax to be paid by the city for making such improvements, shall be levied and collected of the tax payer of the city, as the city government may direct.

**Appeal.** SEC. 3. Any person or persons deeming himself or themselves aggrieved by the action of the commissioners named in section 2 of this act, may appeal from their decision to the district court, and its decision shall be final.

**Sewers.** SEC. 4. The cost of making sewers shall be assessed upon the property deemed benefitted thereby, and in case it shall be deemed best for the sake of economy, in any case, to run a sewer through private property, the city may proceed to condemn so much of said property as the case may require, and determine the damages by a board of three commissioners, to be appointed as in section 2 of this act. The levying of taxes for construction of sewers shall be by commissioners similarly appointed, only except if the city council deem any sewer of benefit generally to the city, they may levy the cost of same upon the whole city, but if not so excepted, the damages and benefits shall

be assessed as in section No 2, regarding street improvements.

SEC. 5. In case the city council shall deem, from the **Bonds.** magnitude of any improvement named in sections No 2 and 4 of this act, that the immediate payment of the amount assessed to the individuals would be onerous and burdensome, they may—after giving thirty days' notice of the levy of said tax in the city official paper or papers, and requesting with such notice the parties, who may wish an extension of the time of payment, to signify the same to the collector of taxes—proceed to issue bonds of the city of Keokuk, to run for a term not longer than two years, and not to bear more than ten per cent interest for the amount due from such parties; but the amount of such tax and interest shall be a lien upon the property of said parties so accommodated, and shall be collected in time to meet said bonds by the city authorities as a special fund for their liquidation.

SEC. 6. No street improvement shall be ordered by the **Petition.** city council unless the owners of two thirds of the number of feet in each block, on which said improvement fronts, shall petition the council to order the same, except where more than one-third of the frontage of a block or blocks shall be owned by one individual; in which case the council may, by a vote of three fourths of its members, order said improvement, a petition of two-thirds of the other owners of said property having been presented, and notice of an application for same having been published for one week preceding in the official paper or papers of the city.

SEC. 7. The city government are hereby authorized to **Taxes.** levy such taxes as it or they may deem necessary to pay the interest upon the debt of said city, and support and carry on its municipal affairs, and all laws contrary to this provision are hereby repealed.

SEC. 8. Section 7 of this act shall be in force from and **Take effect.** after its publication in the daily papers of the city of Keokuk, without cost to the State; and the remaining sections of this act shall be in force from and after such publication and the submission of its provisions to the voters of said city, at a special election, at which election a majority of the legal voters acting shall vote for its adoption. The

time and manner of holding such election to be specified by the city council.

Approved January 27, 1857.

## CHAPTER 239.

### RAILROAD TAX.

AN ACT to authorize the city of Keokuk to levy a direct tax, not exceeding \$150,000, for the benefit of the Keokuk and Fort Des Moines Railroad Company.

Question submitted.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the mayor or mayor pro tem, of the city of Keokuk, is hereby authorized, (and if requested by the city council, he shall be bound) to order an election of the legal voters of said city, at which shall be submitted the following proposition, viz: "Will the city of Keokuk levy a direct tax of one hundred and fifty thousand dollars, for the benefit of the Keokuk and Fort Des Moines Railroad Company, (or less, as the said company may request) principal, and interest on same sum, at rate of not to exceed ten per cent per annum, to be collected, one third, (and interest on whole sum named) in one year, one-third, (and interest on two-thirds) in two years, and one third (and interest on same) in three years from the date of the issue of bonds, to be issued in pursuance of the provisions of this act." The votes shall be printed respectively "For the levy of the tax," and "Against the levy of the tax."

Issue bonds.

SEC. 2. In case the majority of the votes cast at said election shall be in favor of the tax, then the mayor or mayor pro tem of said city shall be and is hereby authorized to issue the bonds of said city of Keokuk for the amount so voted, payable one third in one year, one-third in two years and one-third in three years, with interest coupons payable annually, at rate of not over ten per cent. per annum.

Stock certificate.

SEC. 3. Said railroad company shall be bound to issue to each individual for the amount of tax he or she may have paid in pursuance of the provisions of this act, either certificates of stock of said company, or scrip for stock in same, which scrip, when presented in sums of even dollars