

## A BILL

FOR AN ACT TO PROVIDE FOR THE ERECTION AND REPAIR OF BRIDGES.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the municipal  
2 councils of cities and incorporated towns and the trustees of townships of the state shall pro-  
3 vide for the erection of all bridges which may be necessary within the limits of their  
4 respective cities, towns and townships, and which the public convenience may require, and  
5 shall keep the same in repair.

SEC. 2. That the councils of the cities and incorporated towns and the trustees of the  
2 townships of the state may levy an annual tax upon the appraised value of the city, incor-  
3 porated town or township for which they act, not to exceed three mills on the dollar, unless  
4 an amount, not to exceed five mills on the dollar, is allowed by a majority vote of the legal  
5 voters of the city, town or township to be affected, to be ascertained either at the general  
6 election or at a special election, as may be ordered by the aforesaid councils or trustees, and  
7 the majority aforesaid shall be determined by the number of legal votes polled.

SEC. 3. That wherever a bridge is required on any county or state road which will be  
2 partly in one township and partly in another, said bridge shall be erected and kept in repair  
3 by the joint action of the trustees and at the joint expense of the two townships.

SEC. 4. That whenever any city or town councils or the trustees of any township or town-  
2 ships shall petition the board of supervisors for aid in the erection or repairing of any bridge  
3 on a state or country road, the said board shall inquire into the justice of said application,  
4 and if satisfied that county aid should be granted, they shall fix the amount and the condi-  
5 tions, if any, upon which it should be granted, and submit a proposition therefor to the legal  
6 voters of the county, and if a majority of those voting shall be in favor of the proposition, the  
7 same shall be allowed by the board, and the necessary tax levied upon the assessed real and  
8 personal property in the county to carry it into effect: *provided*, that not more than one  
9 proposition for the same city, town or township shall be voted on at the same election.

SEC. 5. That the questions or propositions authorized by this act may be submitted to  
2 the legal voters of any city, incorporated town, township or county at any general election,

3 or at any special election called for the purpose, and the mode of submitting such questions  
 4 shall be the following: The whole question, including the sum desired to be raised, the  
 5 amount of the tax to be levied, the rate per annum, and the whole regulation, including the  
 6 time when it shall go into effect, with all conditions, shall be published at least four weeks  
 7 in some newspaper printed in the county, and when the submission is made by the township  
 8 trustees, shall in addition be posted by the township clerk in five among the most public  
 9 places in the township for at least thirty days prior to the time of taking the vote. If there  
 10 be no such newspaper, the publication shall be, when relating to a county tax, by being  
 11 posted up by the county auditor in at least one of the most public places in each township in  
 12 the county, and in addition in at least five among the most public places in the county, one  
 13 of them being at the door of the court-house, for at least thirty days prior to the time of  
 14 taking the vote; and when relating to a municipal or township tax, the publication shall be  
 15 by the aforesaid question being posted up by the township or corporation clerk, as the case  
 16 may be, in at least five among the most public places within the limits of the said corpora-  
 17 tion or township for at least thirty days prior to the time of taking the vote. All such  
 18 notices shall name the time when such question will be voted upon and the form in which  
 19 the vote shall be taken, and a copy of the question submitted shall be posted up at each place  
 20 of voting upon it during the day of election.

SEC. 6. That any tax levied by any municipal corporation under the provisions of this  
 2 act shall be certified to the county auditor as other municipal taxes, and placed by him on  
 3 the tax books of the county, and be collected by the county treasurer in the same manner as  
 4 other municipal taxes, and with the same modes and rights of securing their collection; and  
 5 that any tax levied by township trustees under the provisions of this act shall be certified by  
 6 the township clerk to the county auditor with his annual certified list of delinquent highway  
 7 taxes, and the said auditor shall enter said tax, to be known as a bridge tax, to each piece of  
 8 land or town lot and person taxed for personal property, in a column ruled for that purpose,  
 9 the same as other taxes, and deliver the same to the county treasurer, charging him with the  
 10 same, and which shall be collected by such treasurer in the same manner that county taxes  
 11 are collected, and in the event of becoming delinquent, shall be subject to and incur the same  
 12 liabilities as county taxes when delinquent.

SEC. 7. The county treasurer shall be entitled to a commission of one per cent on the  
 2 amount of the bridge tax collected by him, and shall pay the amount due to any municipal  
 3 corporation as provided for the payment of other municipal taxes, and he shall pay out upon  
 4 the orders or drafts of the trustees of any township, countersigned by the township clerk, and  
 5 money in his hands belonging to the bridge fund of said township. He shall keep an accu-

6 rate account with the said township, showing the amount and condition of said fund, and  
7 shall, in the month of March of each year, furnish the clerk of said township with a full and  
8 detailed statement thereof. His said account shall also be open to the inspection of any  
9 legal voter of said township, or interested party, upon reasonable request.

SEC. 8. The township clerk shall keep accurate records of the proceedings and orders of  
2 the township trustees in a book kept for the purpose; shall file all papers transmitted to him  
3 pertaining to the business of the township; shall countersign all drafts or orders drawn by  
4 the trustees on the bridge fund of the township, and keep a register of the same showing the  
5 number of the order, date, name of the person in whose favor drawn, and for what purpose  
6 and amount. He shall record the account of the bridge fund furnished by the county treas-  
7 urer, and shall post a copy of it with a schedule of unpaid orders, if any, at some conspicu-  
8 ous place where elections are to be held in the township for at least four weeks prior to the  
9 general election.

SEC. 9. Whenever a special election shall be ordered by the township trustees under the  
2 provisions of this act in a township in which there is only one election precinct there shall  
3 be three judges of election, consisting of the said trustees and two clerks, one of whom shall  
4 be the township clerk, and the other an elector named by him. The judges shall canvass and  
5 ascertain the result of the election and give a certificate thereof, countersigned by the clerks,  
6 which shall be filed and recorded by the township clerk. When there is more than one pre-  
7 cinct in a township the trustees and clerk of the township shall be judges of election in the  
8 precinct in which they respectively reside, and the other judges and clerks shall be electors  
9 appointed by the township trustees; each precinct to have three judges and two clerks. As  
10 soon as the judges of each precinct have canvassed and ascertained the result of the precinct  
11 election they shall give a certificate of the same, countersigned by the clerks of said precinct,  
12 to the township clerk, who shall file the same, and as soon thereafter as practicable, and  
13 within five days, the township trustees shall canvass the results of the different precincts and  
14 determine whether the proposition has been carried or defeated in the township, and give a  
15 certificate of their decision thereon to the township clerk, who shall file and record the same.  
16 Provisions relating to general elections and the manner of conducting the same shall govern  
17 special elections when ordered by township trustees unless otherwise provided in this act,  
18 and the compensations of the judges of election and clerks shall be the same as for similar  
19 services at a general election, and shall be paid by the township, as also the expense of pub-  
20 lications ordered by the trustees.

SEC. 10. Township trustees are prohibited from making any contracts or incurring any  
2 liability beyond what the bridge fund of the township is adequate to meet.

SEC. 11. Boards of supervisors shall have no power to erect or repair bridges, except as  
2 provided by this act; and all laws conflicting with the provisions of this act, and including  
3 paragraph 18 of chapter 2, title IV of the Code of 1873, defining the powers of the board of  
4 supervisors are hereby repealed.