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# ACTS AND JOINT RESOLUTIONS

PASSED AT THE

REGULAR SESSION

OF THE

**Fortieth General Assembly**

OF THE

**STATE OF IOWA**

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PREPARED FOR PUBLICATION BY AND UNDER THE DIRECTION OF  
**U. G. WHITNEY**  
REPORTER OF THE SUPREME COURT

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## CHAPTER 362

## OSKALOOSA, IOWA

H. F. 810

AN ACT to legalize the transfer of funds by the city council of the city of Oskaloosa.

WHEREAS, taxes have been levied for the purpose of paying the amount due or to become due to any individual or company operating waterworks for water supplied under a contract to said city; and,

WHEREAS, the said city has purchased of the company so supplying water the waterworks system and now owns same; and,

WHEREAS, after having paid all amounts due under said contract for water supplied said city, there remains in said water fund the sum of \$4134.77; and,

WHEREAS, the purposes for which the tax levy had been made have been fully fulfilled and discharged and the amount of money remaining over and above the sum necessary to pay water rentals, namely \$4134.77 remained in the water fund and wholly inactive; and,

WHEREAS, the City of Oskaloosa has transferred said funds from the water fund to the waterworks fund to be appropriated therefor in paying the expenses of running, operating and repairing said city's waterworks and the interest on bonds issued to pay all or any part of the cost, renewal, repair or extension of such works, it being deemed necessary and advisable that said transfer be made, and there being no other manner in which such fund could be legally used; and,

WHEREAS, doubts have arisen concerning the legality of the transfer of the money in the water fund to the waterworks fund, although such transfer will operate to the best interest of the city and its citizens; now therefore

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

1     **SECTION 1. City of Oskaloosa—water fund—transfer legalized.** That  
2 the acts of the city council of the city of Oskaloosa, Iowa, in  
3 transferring the sum of \$4134.77, said sum constituting the balance  
4 remaining over in the water fund after all amounts due for water  
5 rentals have been paid, to the waterworks fund of the city of Oskaloosa, and the said sum appropriated to the expense of running, operating and repairing said city's waterworks and the interest on bonds  
6 issued to pay all or any part of the cost, renewal, repair or extension  
7 of such waterworks, be and the same are hereby legalized and such  
8 transfer and the expenditure of such money for valid purposes in the  
9 city of Oskaloosa is hereby declared to be legal and proper in all  
10 respects.  
11  
12

1     **SEC. 2. Pending litigation.** Nothing in this act shall affect pending litigation.  
2

1     **SEC. 3. Publication clause.** This act being deemed of immediate  
2 importance shall take effect and be in force from and after its publica-

3 tion in the Des Moines Capital, a newspaper published in the city of  
 4 Des Moines, Iowa, and the Oskaloosa Daily Herald, a newspaper pub-  
 5 lished in the city of Oskaloosa, Iowa, without expense to the state.

Approved April 17, A. D. 1923.

I hereby certify that the foregoing act was published in the Oskaloosa Daily Herald April 24, 1923, and the Des Moines Capital April 24, 1923.

W. C. RAMSAY, *Secretary of State.*

## CHAPTER 363

### OSKALOOSA, IOWA

H. F. 811

AN ACT to legalize an election held in the city of Oskaloosa, Iowa and the issuance and sale of bonds by said city pursuant thereto.

WHEREAS, pursuant to a petition duly filed with, and resolutions duly passed by the council of the city of Oskaloosa, Iowa, an election was held in said city on June 3d, 1922 whereat the proposition of purchasing the waterworks system in said city, owned by the Peoples Water Company and the proposition of issuing bonds of said city in the sum of two hundred thirty thousand dollars (\$230,000) for the purpose of purchasing said waterworks system were each approved by a majority of the electors voting at said election, said affirmative vote on the proposition of issuing said bonds being more than a majority of the total number of votes cast at the last preceding municipal election; and

WHEREAS, a contract for the sale of said bonds was thereafter entered into and the council of said city did on the 27th day of March, 1923, pursuant to said election, by ordinance duly adopted, authorize the issuance of bonds of said city in the sum of two hundred thirty thousand dollars (\$230,000) for the purpose aforesaid; and,

WHEREAS, doubts have arisen concerning the legal sufficiency of said petition, resolutions, election, sale and ordinance and the validity of said bonds and it is deemed advisable to put said doubts and all other doubts which may hereafter arise concerning said proceedings and said bonds forever at rest; now therefore

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

1 SECTION 1. That the election held in said city on June 3d, 1922 on  
 2 the proposition of purchasing the waterworks system in said city  
 3 from the Peoples Water Company and on the proposition of issuing  
 4 bonds in the amounts of two hundred thirty thousand dollars  
 5 (\$230,000) for the purpose of purchasing said system and all mat-  
 6 ters and things done in calling and holding said election, publishing  
 7 notice thereof, and in the submission to the electors of the aforesaid  
 8 propositions or in any way connected therewith, be and the same are  
 9 hereby declared to be legal and valid.