

3 in the Wapello Republican, a weekly newspaper published in the town
4 of Wapello, Iowa, and the West Liberty Index, a weekly newspaper pub-
5 lished at West Liberty, Iowa, without expense to the state.

Approved February 20, 1939.

I hereby certify that the foregoing act was published in the Wapello Republican,
March 2, 1939, and the West Liberty Index, March 2, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 258

WAPELLO COUNTY

S. F. 46

AN ACT to legalize the action of the county board of supervisors of Wapello county, Iowa, in making expenditures and approving claims against the secondary road maintenance fund and construction fund of said county; to make the expenditures and the approving of the claims by the board of supervisors legal, valid and binding obligations of said county; to authorize the county auditor of said county to issue anticipatory warrants in 1939 against the maintenance fund and the construction fund, and to authorize the county treasurer of said county to pay said warrants out of any funds coming into his hands in 1939 and belonging to the secondary road maintenance fund and the construction fund.

WHEREAS, the Board of Supervisors of Wapello County, Iowa, in the year 1938 incurred indebtedness for items payable from the maintenance fund and the construction fund of said county, and in 1939 allowed and authorized the payment of these claims against the maintenance and construction funds and authorized the County Auditor of said county to issue anticipatory warrants against the maintenance and construction funds of said county in payment of said claims, and

WHEREAS, said expenditures were for the purpose of maintaining roads, bridges, culverts, repairs of machinery and to carry on with the sponsor's share that the county had to pay in order to keep W. P. A. work in progress in Wapello County, Iowa, and

WHEREAS, the Board of Supervisors in 1939 authorized the county auditor to pay the expenditures incurred in 1938, and

WHEREAS, said claims so allowed were bona fide claims against said county and should be paid, and

WHEREAS, at the time of the incurring of the indebtedness there was no money in the secondary road maintenance fund and the construction fund of said county adequate to pay said indebtedness, and

WHEREAS, a question has been raised as to the right and authority of the county auditor of said county to write said warrants, and

WHEREAS, a question has been raised as to the right and authority of the county treasurer of said county to pay said claims out of funds received and paid into the secondary road maintenance fund of said county and the construction fund of said county in the year 1939, and

WHEREAS, there is no authority for the board of supervisors to incur said indebtedness or to approve said claims, nor is there any authority for

the county auditor to issue the warrants in payment of said claims or for the county treasurer to cash said warrants.

Now, therefore

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

1 SECTION 1. That the action of the County Board of Supervisors of
2 Wapello County, Iowa, in making expenditures and allowing claims
3 against the secondary road maintenance fund in a sum not to exceed
4 twenty-one thousand dollars (\$21,000) and against the construction
5 fund in a sum not to exceed fifteen thousand dollars (\$15,000) is hereby
6 legalized and validated, and said claims are hereby declared to consti-
7 tute legal, valid and binding obligations and indebtedness of said
8 county.

1 SEC. 2. That the proceedings heretofore taken by said county board
2 of supervisors for the incurring of the expenditures in 1938 in the ap-
3 proving of the claims in the year 1939 are hereby validated and con-
4 firmed.

1 SEC. 3. The county auditor of Wapello County, Iowa, is hereby
2 authorized to issue anticipatory warrants out of the secondary road
3 maintenance fund and secondary road construction fund of said county.

1 SEC. 4. The county treasurer of Wapello County, Iowa, is hereby
2 authorized to pay said anticipatory warrants out of any funds coming
3 into his hands in 1939 and belonging to the secondary road maintenance
4 fund of said county and the construction fund of said county.

1 SEC. 5. Nothing in this act shall affect pending litigation.

1 SEC. 6. This act being deemed of immediate importance shall take
2 effect and be in full force from and after its passage and publication in
3 Ottumwa Daily Courier, a newspaper published at Ottumwa, Iowa, and
4 Blakesburg Excelsior, a newspaper published at Blakesburg, Iowa,
5 without expense to the state of Iowa.

Approved February 21, 1939.

I hereby certify that the foregoing act was published in the Ottumwa Daily Courier,
February 25, 1939, and the Blakesburg Excelsior, March 2, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 259
TOWN OF ALTA VISTA
S. F. 62

AN ACT to legalize the proceedings relating to the sale and authorization of the issuance of sewer bonds by the incorporated town of Alta Vista, Iowa and the proceedings establishing a sewer district and for the levying of an annual tax for the payment of bonds and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of the incorporated town of Alta Vista, Iowa.

WHEREAS, on or about the 4th day of March, 1938 a resolution was passed and adopted by the Town Council of the Incorporated Town of Alta Vista, Iowa authorizing the establishing of a sanitary sewer district within