

CHAPTER 305

NATIONAL FOREST FUNDS

S. F. 322

AN ACT to authorize the treasurer of the state of Iowa to disburse national forest funds now in his hands and belonging to certain counties in the state of Iowa.

WHEREAS, under an Act of Congress of May 23, 1908,* it was provided as follows:

"That hereafter twenty-five per centum of all money received from each national forest during any fiscal year, including the year ending June 30, 1908, shall be paid at the end thereof by the Secretary of the Treasury to the State or Territory in which said national forest is situated to be expended as the State or Territorial legislature may prescribe for the benefit of the public schools and public roads of the county or counties in which the national forest is situated. . . ."

And

WHEREAS, a proper distribution of said funds under the provisions of the Act of Congress is to be based on the percentage of national forest land in the respective counties, and the following will indicate the counties, the acres in national forests, and the percentage of the funds due and owing to each county:

County	Acres in National Forests	% of Total Area
Appanoose	1,130	24.67
Davis	646	14.11
Lee	2,403	52.48
Van Buren	400	8.74
	4,579	100.00

And

WHEREAS, no method is provided for the distribution of funds and the same are now in the hands of the Treasurer and should be distributed in the manner provided by the Act of Congress,

NOW, THEREFORE,

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

1 SECTION 1. That the Treasurer of the State of Iowa is hereby
2 empowered and directed to issue warrants payable to the county
3 treasurers of Appanoose, Davis, Lee and Van Buren counties for the
4 amounts due and owing to them and now in his hands as funds derived
5 from receipts from the national forests located within said counties
6 according to their proportionate interests in said funds under the
7 Act of Congress.

1 SEC. 2. The Treasurer of the State of Iowa is directed to disburse
2 all funds which may hereafter come into his hands under the provisions
3 of said act on the percentage basis, as is provided by the Act of
4 Congress of May 23, 1908, relating to receipts from national forests
5 within the State of Iowa and which percentages are set out in the
6 recitation of this act.

*35 Stat. L. 260.

1 SEC. 3. Out of the funds paid to such county treasurers, one-half
 2 thereof shall be appropriated and used only for the construction, recon-
 3 struction, improvement, maintenance and repair of any public high-
 4 ways within such county as the county Board of Supervisors shall
 5 direct; the remaining one-half of such amount shall be paid into the
 6 school fund of the county.

Approved April 22, 1947.

CHAPTER 306

WARRANTS CANCELED IN DES MOINES

S. F. 228

AN ACT to empower and obligate the city of Des Moines to cancel certain warrants issued by the said city of Des Moines and subsequently declared illegal and void.

WHEREAS, by Ordinance No. 4266, passed by the City Council of the city of Des Moines, Iowa, on April 22, 1935, the City Council of the city of Des Moines, Iowa, for the fiscal year 1935-36, authorized expenditures for corporate purposes to be made from the General Fund in the amount of one hundred eighty-eight thousand dollars (\$188,000) in excess of the amount previously budgeted for said fiscal year, and thereafter and pursuant to said ordinance made expenditures in said amount from said fund and issued warrants of said city in like amount to evidence such expenditures, which said warrants were paid in whole or in part out of other funds belonging to said city; and

WHEREAS, the corporate purposes for which said expenditures were made and said warrants issued included election expenses, city employees' wages, and materials and supplies used by said city during said fiscal year, for all of which the city of Des Moines enjoyed the use and benefit; and,

WHEREAS, said expenses were incurred and said warrants were issued in good faith and in the belief that they were lawful expenditures and obligations of the city of Des Moines, but thereafter all of said expenditures to said amount were invalidated by the decision of the Supreme Court of Iowa in the case of Clark v. City of Des Moines, 267 N. W. Rep. 97; and,

WHEREAS, of said total expenditures aggregating one hundred eighty-eight thousand dollars (\$188,000) there was collected the sum of seventy-five thousand three hundred forty-one and 24/100 dollars (\$75,341.24) in office receipts, leaving a deficit of one hundred twelve thousand six hundred fifty-eight dollars and 76/100 dollars (\$112,658.76); and,

WHEREAS, in addition thereto there were warrants issued in prior years as follows:

Warrant No.	Date	To Whom Payable	Amount
3-44, 308	June 18, 1931	Harry Barr	5.40
6- 4, 288	October 11, 1935	N. H. Kucharo	17.50
6-10, 415	November 20, 1935	Sanders Motor Co.	5.25
6-11, 494	December 12, 1935	Sanders Motor Co.	3.94
6-13, 444	December 26, 1935	Sanders Motor Co.	4.20

aggregating thirty-six dollars and twenty-nine cents (\$36.29); and,