

CHAPTER 258.

MAINTENANCE OF OKOBOJI DAM.

S. F. 161.

AN ACT to amend chapter one hundred twenty (120) of the laws of the twenty-sixth general assembly (26th G. A.) by making it the duty of Dickinson county to maintain the dam in said act provided for, and granting an appropriation of one thousand dollars (\$1,000.00) to aid therein.

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

SECTION 1. May be re-located. That chapter one hundred and twenty (120) of the laws of the twenty-sixth general assembly (26th G. A.) be amended as follows:

The fact that under authority of said act a dam has been already or may hereafter be located at any of the places designated in said act shall not be construed to prevent re-location at any time at any other place or places therein designated.

SEC. 2. Dickinson county to construct and operate dam. Authority is hereby granted and it is hereby made the duty of Dickinson county, Iowa, out of its general fund and the appropriation by this act granted, to construct and hereafter maintain said dam and authority is vested in said county to so construct and operate said dam as to maintain the water in said lakes at a proper level.

SEC. 3. Amount appropriated. To assist Dickinson county in constructing and maintaining said dam, there is hereby appropriated out of any funds not otherwise appropriated the sum of one thousand dollars (\$1,000) such sum to be paid to the treasurer of said county to be kept in a fund to be known as the "Okoboji dam fund", and used only for the purpose herein indicated.

SEC. 4. Letting of work—gifts. The board of supervisors of said county may let the contract to construct, repair or re-construct said dam to the lowest bidder, or by private contract, or may by itself or through an agent by it designated, so construct, repair, or re-construct said dam, and may accept gifts to aid therein.

SEC. 5. State may resume power and control. Nothing herein shall be construed to prevent the state at any time resuming in full or in part its former power and control over said dam or of any dam hereafter constructed.

SEC. 6. In effect. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Register and Leader, a newspaper published at Des Moines, Iowa, and the Spirit Lake Beacon, a newspaper published at Spirit Lake, Iowa.

Approved April 14, A. D. 1909.

I hereby certify that the foregoing act was published in the Register and Leader April 16, A. D. 1909, and in the Spirit Lake Beacon April 23, A. D. 1909.

W. C. HAYWARD,
Secretary of State.

CHAPTER 259.

CONSTRUCTION OF DAM ACROSS THE IOWA RIVER IN MARSHALLTOWN.

S. F. 145.

AN ACT authorizing the state of Iowa to co-operate with the city of Marshalltown, in constructing a permanent dam across the Iowa river, providing for the maintenance thereof and making an appropriation therefor.

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

SECTION 1. Appropriation—conditions. That there be and is hereby appropriated, out of the money in the state treasury, not otherwise appropriated,

the sum of four thousand (\$4,000.00) dollars, to aid the city of Marshalltown to construct a permanent dam across the Iowa river, at the established height of six and one-half (6½) feet, or, twenty-three and one-half (23½) feet above the city datum plain, in such manner as to maintain a water level in said river where it touches land owned by the state for the use of the soldiers' home, for the purpose of furnishing ample facilities for boating, fishing, and the formation of ice for the use of said home. The money hereby appropriated shall be paid out only on the approval of the board of control of state institutions. The acceptance by said city of the money hereby appropriated or any part thereof, in the construction and completion of said permanent dam, shall have the effect and force of an undertaking by said city to complete and maintain said dam in a substantial and permanent manner, so long as the state of Iowa shall own the premises, or any part thereof, now occupied by the soldiers' home, and to confirm in the state of Iowa the right to prevent the destruction of said dam or the sale thereof or of any land necessary for its maintenance, and to require said city to maintain said dam.

SEC. 2. In effect. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa.

Approved April 2, A. D. 1909.

I hereby certify that the foregoing act was published in the Register and Leader and Des Moines Capital April 3, A. D. 1909.

W. C. HAYWARD,
Secretary of State.

CHAPTER 260.

FARMERS' INSTITUTE OF POCAHONTAS COUNTY.

S. F. 410.

AN ACT making an appropriation for the farmers' institute of Pocahontas county, Iowa, under the provisions of section sixteen hundred seventy-five (1675) of the supplement to the code, 1907.

WHEREAS, The farmers institute of Pocahontas county, Iowa, was duly organized on the ninth day of February, 1904, and in all respects complied with the provisions of section sixteen hundred seventy-five (1675) of the code and section sixteen hundred seventy-five (1675) of the supplement to the code, 1907, necessary to be complied with to entitle them to the seventy-five dollars (\$75.00) aid mentioned therein except that the said institute failed to file the sworn statement necessary to be filed to entitle them to such aid prior to July 1st, 1907, and

WHEREAS, The auditor of state, acting upon the advice of the attorney general, has held that said sum cannot be paid to said institute because of the failure to file said sworn statement prior to July 1st, 1907, therefore:

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

SECTION 1. Amount appropriated. That there is hereby appropriated out of any money now in the state treasury not otherwise appropriated the sum of seventy-five dollars (\$75.00) as aid to the farmers institute of Pocahontas county, Iowa, for the year 1907.

Approved April 13, A. D. 1909.