

SEC. 4. **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 Ottumwa Courier, a newspaper published at Ottumwa, Iowa, without expense to the state.

Approved April 10, A. D. 1911.

I hereby certify that the foregoing act was published in the Register and Leader and the Ottumwa Courier, April 12, 1911.

W. C. HAYWARD,
Secretary of State.

CHAPTER 256.

THE CITY OF OTTUMWA.

S. F. 70.

AN ACT legalizing the action of the city council of Ottumwa, Iowa, in transferring to the water works fund certain money realized from water tax levies and to legalize the levy of a five mill water tax made by the city in 1910, and to place the money realized therefrom in the water works fund, and to legalize the action of said city council in making said water tax levy a water works levy.

WHEREAS, the city of Ottumwa, Iowa, during each of the years 1906, 1907 and 1908 levied a five mill water tax as provided by law for the purpose of paying the amount due or to become due to the Public Water Company, which operated the water works in said city of Ottumwa, for water supply and hydrant rentals under contract with said city, and there was collected on said levies the sum of \$21,702.87 which amount was retained by said city as liquidated damages under the terms of the franchise of said Public Water Company for its failure to make certain specified extensions and improvements to its water works system, and,

WHEREAS, said city of Ottumwa has purchased and now owns and operates the water works plant heretofore owned by said Public Water Company, and in the contract of purchase the validity of the forfeiture of said water and hydrant rentals has been recognized by said Public Water Company and it has transferred, released and relinquished all claims to said money and all claims for water and hydrant rentals to said city of Ottumwa, and has sold, transferred and assigned all its right and interest in and to said money and said hydrant and water rentals to said city of Ottumwa, and said sum of \$21,702.87 remains in the treasury of the city of Ottumwa; and,

WHEREAS, before the purchase of said water works a five mill levy was made by said city of Ottumwa, Iowa, in 1910, under the provisions of subdivision 7 of Sec. 894 of the supplement of 1907 to the code for water tax which has been duly certified; and,

WHEREAS, the city council of the city of Ottumwa has passed a resolution transferring said sum of \$21,702.87 to the water works fund of said city and providing that the said five mill levy made in 1910 be made a water works levy with the same force and effect as if the same had been originally made under the provisions of subdivision 5 of Sec. 894 of the supplement of 1907 to the code and that the money realized from said levy be placed in the water works fund of said city and that the said sum of \$21,702.87 and the proceeds of said levy made in 1910 be paid out on the order of the water works trustees for the purpose and in the manner provided by law:

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

SECTION 1. **Transfer of funds legalized.** That the action of the city council of Ottumwa Iowa in passing said resolution transferring to the water works

fund the said sum of \$21,702.87 realized on its water tax levy for 1906, 1907 and 1908, which was retained by the said city and the right to which was relinquished and transferred by said Public Water Company to said city is hereby legalized and made binding and effective and the same shall be and is legal, valid and binding, and of the same force and effect as if said five mill levy in each of said years had been levied and collected under the provisions of subdivision 5 of Sec. 894 of the supplement of 1907 to the code, and that said sum of money shall be used and paid out on the order of the water works trustees for the same purposes and in the same manner as if originally levied and collected under said subdivision 5 of said Sec. 894 of the supplement of 1907 to the code.

SEC. 2. Tax levy legalized. That the action of the city council of Ottumwa, Iowa, in levying the five mill water tax in 1910 and said resolution passed by said city council making the same a water works levy and providing that the amount collected on said levy be placed in the water works fund of said city and used and paid out upon the order of the water works trustees for the same purposes and in the same manner as if said levy had been made under subdivision 5 of Sec. 894 of the supplement of 1907 to the code, be and the same is hereby validated and legalized, and said levy is a valid and legal levy under the provisions of subdivision 5 of Sec. 894 of the supplement of 1907 to the code with the same force and effect as if it had been originally made under said subdivision 5 of said Sec. 894 and the money collected and to be collected from said levy shall be and is a part of the water works fund of said city of Ottumwa.

SEC. 3. In effect. This act being deemed of immediate importance shall take effect and be in full force from and after its publication in the Des Moines Register & Leader and the Ottumwa Courier and said publication shall be without expense to the state.

Approved February 8, A. D. 1911.

I hereby certify that the foregoing act was published in the Register and Leader and the Ottumwa Courier, February 13, 1911.

W. C. HAYWARD.
Secretary of State.

CHAPTER 257.

THE INDEPENDENT SCHOOL DISTRICT OF PATON.

H. F. 383.

AN ACT to legalize a special election of the independent school district of Paton in the county of Greene, and state of Iowa, and all proceedings precedent thereto and to authorize the issue of bonds.

WHEREAS, the electors of the independent school district of Paton, in the county of Greene and state of Iowa, at a special election held on the ninth (9) day of May, nineteen hundred ten, (1910) pursuant to petition, order and notice as provided by sections twenty-eight hundred twenty-a (2820-a), twenty-eight hundred twenty-b (2820-b), twenty-eight hundred twenty-c (2820-c) and twenty-eight hundred twenty-d (2820-d) of the supplement to the code, 1907, did authorize the board of directors of said school district to issue bonds of the district in the sum of nine thousand dollars (\$9,000.00) for school purposes; and