

## CHAPTER 324.

## INDEPENDENT SCHOOL DISTRICT OF FAIRBANK.

H. F. 567.

AN ACT to legalize certain warrants of the independent school district of Fairbank, Buchanan, Fayette, Black Hawk and Bremer counties, Iowa.

WHEREAS, the Independent School District of the counties of Buchanan, Fayette, Black Hawk and Bremer and the state of Iowa, have made certain expenditures from the building fund of the said school district in the amount of \$4000.00 and issued warrants in conformity with resolutions of the Independent School Board of said district as follows:

|   |           |
|---|-----------|
| Resolution and warrant, dated July 26, 1917, No. 6 in amount of \$1500.   |           |
| Resolution and warrant, dated Aug. 3, 1917, No. 11, in amount of \$1000.  |           |
| Resolution and warrant, dated Aug. 22, 1917, No. 16, in amount of \$1500. |           |
| Total   | \$4000.00 |

That each of said warrants were drawn on the building fund and bear interest from their respective dates and all of said warrants are now outstanding.

WHEREAS, the total indebtedness of said Independent School District does not now, including said warrants, and did not at the time of the issuance of said warrants, including said warrants, or at the time of the incurring of the indebtedness evidenced by said warrants, including said indebtedness, exceed the constitutional limitation of indebtedness; and,

WHEREAS, said expenditures were all made by said school district for general and lasting utility authorized by law; and, said Independent School District has enjoyed the use and benefit of said expenditures; and, the result of said expenditures was well worth the price which said Independent School District contracted should be paid therefor; and,

WHEREAS, doubts have arisen concerning the legality of the aforesaid warrants, or a portion thereof, on the ground that the aforesaid expenditures, or a portion thereof, were contracted in excess of the Independent School District of Fairbank's authorized annual revenue; said expenditures were not provided for in the school's annual appropriation; said expenditures were incurred and contracted for in excess of the statutory limitation on indebtedness; the indebtedness incurred, for which the warrants were issued should have been advertised for bids and was not so advertised; said indebtedness should have been authorized by the voters of said school district and was not in fact so authorized.

WHEREAS, it is deemed advisable to put said doubts and all other doubts which may arise concerning the legality or validity of said warrants forever at rest; now, therefore

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

SECTION 1. Independent School District of Fairbank — acts and  
 1 warrants legalized. That the acts of the corporate authorities of  
 2 the Independent School District of Fairbank, in the counties of  
 3 Buchanan, Fayette, Black Hawk and Bremer, in the state of Iowa, in  
 4 making expenditures for said school district, as set forth in the pre-  
 5 amble hereto, and incurring indebtedness thereby and therefor, and  
 6 issuing warrants in the sum of \$4000.00 plus the interest accrued and

7 accruing on the said several warrants of indebtedness be, and the  
8 same are hereby legalized and held valid, as though the law had in  
9 all respects been complied with.

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

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 Register, a newspaper published in Des Moines,  
4 Iowa, and the Fairbank View, a newspaper published at Fairbank,  
5 Iowa, without expense to the state.

Approved April 23, A. D. 1919.

I hereby certify that the foregoing act was published in the Fairbank View April 24, 1919 and in the Des Moines Register April 26, 1919.

W. S. ALLEN, *Secretary of State.*

## CHAPTER 325.

### TOWN OF HAZLETON.

H. F. 569.

AN ACT to legalize an ordinance of the incorporated town of Hazleton, Iowa, granting a franchise to the Fayette County Utilities Company, its successors and assigns, to maintain and operate an electric light, heat and power plant in said town.

WHEREAS, an ordinance entitled:

"A franchise authorizing Fayette County Utilities Company, its successors or assigns, within the Village of Hazleton, Buchanan county, Iowa, to acquire, construct, reconstruct, maintain and operate a power plant or plants for the generation of electricity, systems for the transmission, distribution and use of electricity, and to furnish electric light, electric power, electric heat and electric current for any uses to which it may be adapted to the public and industries and inhabitants of Hazleton, Iowa," was passed and adopted by the town council of Hazleton, Iowa, on June 3, 1915, and was passed and adopted by the legal electors of Hazleton, Iowa at a special election held on June 3, 1915, and

WHEREAS, said franchise and the rights conferred thereby have been assigned to and are now held by the Interstate Power Company, a corporation, and

WHEREAS, doubts have arisen as to whether or not all of the provisions of law relating to the granting of franchises were strictly complied with, now therefore:

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

SECTION 1. Town of Hazleton — franchise to Fayette County  
1 Utilities Company — legalization of. That an ordinance of the incor-  
2 porated Town of Hazleton, Iowa, passed June 3, 1915, and entitled: