

CHAPTER 66

SIOUX CITY, IOWA

H. F. 288

AN ACT to legalize the issuance of certain warrants of the city of Sioux City, Iowa, issued against the police equipment fund of said city and legalizing and validating said warrants as issued.

WHEREAS, the city of Sioux City, in the county of Woodbury, and state of Iowa, did by its city council heretofore authorize and incur expenditures in the sum of \$152,252.07 for corporate purposes, as permitted by law, and did issue warrants of said city in like amount to evidence said indebtedness, in the manner and form required by law; and

WHEREAS, said expenditures were made for proper corporate purposes and the indebtedness of said city at the time said warrants were issued did not, and does not at this time, exceed the constitutional limits; and

WHEREAS, said expenditures do not exceed the amount of tax duly and legally levied by law for said police equipment fund; and

WHEREAS, at a regular and properly convened meeting of the city council of the city of Sioux City, Iowa, held on the 9th day of January, 1924, a resolution entitled—

“A resolution authorizing the city auditor to draw warrants upon the police equipment fund in favor of the B. E. Short contracting company as follows:

Warrant No. 1908 for the sum of \$22,770.82;

Warrant No. 1909 for the sum of \$9,220.97;

Warrant No. 1912 for the sum of \$23,850.00;

Warrant No. 1915 for the sum of \$37,514.28;

making a total sum in favor of the B. E. Short contracting company of \$93,356.07; and in favor of the Climax paint shop upon the police equipment fund as follows:

Warrant No. 1910 for the sum of \$5,900.00;

Warrant No. 1913 for the sum of \$5,087.10;

Warrant No. 1916 for the sum of \$1,938.90;

making a total sum in favor of the Climax paint shop of \$12,926.00; and in favor of the Pauly jail building company upon the police equipment fund as follows:

Warrant No. 1911 for the sum of \$29,550.00;

Warrant No. 1914 for the sum of \$9,524.50;

Warrant No. 1917 for the sum of \$6,895.50;

making a total sum in favor of the Pauly jail building company of \$45,970.00;”

was adopted for the purpose of paying the indebtedness represented by the aforesaid warrants; and

WHEREAS, doubts have arisen concerning the legality or validity of the aforesaid resolution and the warrants issued thereunder on the ground that the entire amount of levy heretofore legally made by the city council of the city of Sioux City, Iowa, for the benefit of the police equipment fund was not available nor subject to be anticipated at this time; and

WHEREAS, doubts have arisen concerning the legality of the aforesaid warrants because the expenditures or a portion thereof, evidenced thereby,

were contracted in excess of the appropriation theretofore made for the funds against which said warrants were drawn; and

WHEREAS, doubts have arisen concerning the legality or validity of said resolution and of the aforesaid warrants issued thereunder on the ground that the aforesaid expenditures were contracted in excess of said city's authorized annual revenues; and

WHEREAS, doubts have arisen concerning the legality or validity of the aforesaid resolution and warrants issued thereunder on the ground that the aforesaid expenditures were contracted in excess of said city's annual revenues actually levied; and

WHEREAS, doubts have arisen concerning the legality or validity of said resolution and said warrants issued thereunder on the ground that the aforesaid expenditures were not provided for in said city's annual appropriation; and

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

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

1 SECTION 1. **City council.** That the acts of the city council of the
2 city of Sioux City, Iowa, authorizing and incurring expenditures for
3 said city and in the passage and adoption on the 9th day of January,
4 1924, of the resolution entitled:

5 "A resolution authorizing the city auditor to draw warrants upon
6 the police equipment fund in favor of the B. E. Short contracting
7 company as follows:

8 Warrant No. 1908 for the sum of \$22,770.82;

9 Warrant No. 1909 for the sum of \$9,220.97;

10 Warrant No. 1912 for the sum of \$23,850.00;

11 Warrant No. 1915 for the sum of \$37,514.28;

12 making a total sum in favor of the B. E. Short contracting company
13 of \$93,356.07; and in favor of the Climax paint shop upon the police
14 equipment fund as follows:

15 Warrant No. 1910 for the sum of \$5,900.00;

16 Warrant No. 1913 for the sum of \$5,087.10;

17 Warrant No. 1916 for the sum of \$1,938.90;

18 making a total sum in favor of the Climax paint shop of \$12,926.00;
19 and in favor of the Pauly jail building company upon the police equip-
20 ment fund as follows:

21 Warrant No. 1911 for the sum of \$29,550.00;

22 Warrant No. 1914 for the sum of \$9,524.50;

23 Warrant No. 1917 for the sum of \$6,895.50;

24 making a total sum in favor of the Pauly jail building company of
25 \$45,970.00."

26 and the issuance of each and all of the several warrants therein de-
27 scribed upon the police equipment fund of the city of Sioux City, Iowa,
28 be and the same are hereby legalized and validated.

1 SEC. 2. **Warrants.** That the several warrants drawn in favor of
2 the B. E. Short contracting company in the total amount of \$93,356.07,
3 and in favor of the Climax paint shop in the total amount of \$12,926.00,

4 and in favor of the Pauly jail building company in the total amount
 5 of \$45,970.00, all drawn upon the police equipment fund of the city
 6 of Sioux City, Iowa, and aggregating the sum of \$152,252.07, be and
 7 the same are hereby legalized and declared to be the valid, legal and
 8 subsisting obligations of the city of Sioux City, Iowa.

1 **SEC. 3. Acts legalized.** That all acts of the city of Sioux City,
 2 Iowa, done with reference to contracting the indebtedness evidenced
 3 by said warrants and the passage of the resolution with reference
 4 thereto are hereby legalized and validated.

1 **SEC. 4. Litigation.** Nothing in this act shall affect pending litiga-
 2 tion.

1 **SEC. 5. Publication.** This act, being deemed of immediate im-
 2 portance, shall take effect and be in force from and after its publica-
 3 tion in the Des Moines Register, a newspaper published in the city
 4 of Des Moines, Iowa, and the Union Advocate, a newspaper published
 5 in the city of Sioux City, Iowa, without expense to the state.

Approved March 27, A. D. 1924.

I hereby certify that the foregoing act was published in the Des Moines Register, March 30,
 1924, and the Union Advocate, Sioux City, April 3, 1924.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 67

OSKALOOSA, IOWA

H. F. 294

AN ACT to legalize the transfer of funds by the city council of the city of Oskaloosa.

WHEREAS, the city of Oskaloosa in the county of Mahaska and state of Iowa, did some years ago make certain sewer improvements and issued therefor bonds to pay the same and the interest thereon; and

WHEREAS, taxes have been levied to take up and pay the bonds thus issued by the city of Oskaloosa; and

WHEREAS, after having paid such bonds and interest upon the same there still remained in the fund thus created the sum of seventy-nine hundred one and 18/100 dollars (\$7901.18), over and above the amount required to pay the bonds and interest which sum had accumulated from the tax levy above stated; and

WHEREAS, the purpose for which the bonds and tax levy had been made have been fully fulfilled and discharged, and the amount of money remaining over and above the sum necessary to take up the bonds, namely: Seventy-nine hundred one and 18/100 dollars (\$7901.18) remained in the said sewer bond fund under the titles sewer bond fund division "A" and sewer bond fund division "B", and wholly inactive; and

WHEREAS the city council of the city of Oskaloosa, by resolution, on the 21st day of January, 1924, ordered the money in said fund, together with all moneys thereafter collected from the county treasurer of Mahaska county or otherwise, and coming into the hands of the city treasurer of the city of Oskaloosa, under sewer bond fund division "A" or sewer bond