

CHAPTER 383

TOWN OF OGDEN

AN ACT to legalize an election held on the 14th day of December, 1928, in the town of Ogden, Iowa, on extending its municipal waterworks by completing the sinking and equipping of a deep well and contracting indebtedness for such purpose not exceeding \$15,000, and issuing bonds for such purpose not exceeding \$15,000, and levying a tax annually upon the taxable property in said town of Ogden not exceeding eight mills per annum for the payment of such bonds and interest thereon and to legalize all acts and proceedings in respect to said election and to legalize the issuance of such bonds.

WHEREAS, in pursuance of the filing and presentation of a petition asking that an election be called and that there be submitted thereat to be voted upon by the voters of the town of Ogden, the proposition of extending its municipal waterworks by completing the sinking and equipping of a deep well and contracting indebtedness for such purpose not exceeding \$15,000, and issuing bonds for such purpose not exceeding \$15,000, and levying a tax annually upon the taxable property in said town of Ogden not exceeding eight mills per annum for the payment of such bonds and interest thereon, which petition was signed by qualified electors of said town equal in number to more than twenty-five per cent of those who voted at the last regular municipal election, the mayor and council of said town did by due, regular and legal proceedings in strict compliance with the statutes in such cases made and provided, call a special election of said town to be held on the 14th day of December, 1928; and

WHEREAS, at the said election on said date, the following proposition was submitted to the electors of said town, to-wit:

"Shall the town of Ogden, in Boone county, Iowa, extend its municipal waterworks by completing the sinking and equipping of a deep well?"
and

WHEREAS, at said election there were 82 votes cast on said proposition of which 67 were cast "Yes" and 15 votes were cast "No", and

WHEREAS, at said election on said date, the following proposition was also submitted to the electors of said town, to-wit:

"Shall the town of Ogden, in Boone county, Iowa, extend its municipal waterworks by completing the sinking and equipping of a deep well and contract indebtedness for such purpose not exceeding \$15,000, and issue bonds for such purpose not exceeding \$15,000, and levy a tax annually upon the taxable property in said town of Ogden, not exceeding eight mills per annum for the payment of such bonds and the interest thereon?"
and

WHEREAS, at said election there were 81 votes cast on said proposition, of which 67 were cast "Yes" and 14 votes were cast "No", and

WHEREAS, because of the large vote cast at the preceding municipal election, being the election held March 26, 1928, when 554 votes were cast, the aforesaid propositions failed to receive an affirmative vote as large as a majority of all legal votes cast at the last preceding municipal election;
and

WHEREAS, it appears from the signing of said petition and from the

affirmative vote cast at the said election held on December 14, 1928, that the majority of the electors of said town are in favor of the extension of the municipal waterworks of said town by completing the sinking and equipping of a deep well, the contracting of indebtedness for such purpose, the issuance of bonds for such purpose and the levying of a tax annually for the payment of such bonds and interest thereon; and

WHEREAS, it appears that the incurring of said indebtedness, the issuance of said bonds and levying of said tax does not infringe upon the constitutional or statutory limitations of indebtedness; now therefore,

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

1 SECTION 1. That the election held in the town of Ogden, Iowa on
2 the 14th day of December, 1928, on the following propositions, to-wit:
3 "Shall the town of Ogden in Boone county, Iowa, extend its munic-
4 ipal waterworks by completing the sinking and equipping of a deep
5 well?"
6 and
7 "Shall the town of Ogden, in Boone county, Iowa, extend its munic-
8 ipal waterworks by completing the sinking and equipping of a deep
9 well and contract indebtedness for such purpose not exceeding \$15,000,
10 and issue bonds for such purpose not exceeding \$15,000, and levy a
11 tax annually upon the taxable property in said town of Ogden, not
12 exceeding eight mills per annum for the payment of such bonds and
13 the interest thereon?"
14 and all matters and things done in petitioning for, calling, noticing
15 and holding said election on said propositions, be and the same are
16 hereby declared to be legal and valid notwithstanding any irregularity
17 or omission or defect in connection therewith and said election on said
18 propositions is declared to be of the same force and effect as though
19 said propositions had each received an affirmative vote as large as a
20 majority of the votes cast at the preceding municipal election, to-wit:
21 The election held on March 26, 1928.

1 SEC. 2. That all proceedings relating to said election on said propo-
2 sitions are hereby legalized and said town of Ogden is hereby author-
3 ized to issue said bonds as proposed at said election with the same
4 force and effect as though said affirmative vote had been as large as
5 a majority of the votes cast at the preceding municipal election.

1 SEC. 3. This act being deemed of immediate importance shall be in
2 full force and effect from and after its publication in the Des Moines
3 Register, a newspaper published in Des Moines, Iowa, and the Ogden
4 Reporter, a newspaper published in Ogden, Iowa, without expense to
5 the state.

Senate File No. 12. Approved January 26, A. D. 1929.

I hereby certify that the foregoing act was published in the Boone News-Republican January 30, 1929, and the Ogden Reporter January 31, 1929.

ED. M. SMITH, *Secretary of State.*

(One of the above newspapers selected by secretary of state under section 55 of the code.)