

CHAPTER 243

APPANOOSE COUNTY

S. F. 226

AN ACT to legalize the action of the county board of supervisors of Appanoose county, Iowa in making expenditures and approving claims against the general fund of said county; to authorize the county auditor of said county to issue anticipatory warrants in 1937 against the general fund, and to authorize the county treasurer of said county to pay said warrants out of any funds coming into his hands in 1937 and belonging to the general fund of said county.

WHEREAS, the board of supervisors of Appanoose county, Iowa, in the year 1936 incurred indebtedness for items payable from the general fund of said county to the amount of \$19,732.96 in excess of the anticipated revenue from said fund, and in 1937 these claims were refiled and said board allowed and authorized the payment of these claims against the general fund and authorized the county auditor of said county to issue anticipatory warrants against the general fund of said county in payment of said claims; and

WHEREAS, said expenditures were for the purpose of paying county officers salaries and expenses, election expenses, fees of justices of the peace and constables, printing, sheriff's expenses, supplies and repairs, light, heat, water, ice and other ordinary expenses of the county government; and

WHEREAS, said claims so allowed were bona fide claims against said county and should be paid; and

WHEREAS, at the time of the incurring of the indebtedness there was no money in the general fund or emergency fund of said county adequate to pay said indebtedness; and

WHEREAS, a question has been raised as to the right and authority of the county auditor of said county to write said warrants; and

WHEREAS, a question has been raised as to the right and authority of the county treasurer of said county to pay said claims or said warrants out of funds received and paid into the general fund of said county in the year 1937; and

WHEREAS, it appears that there is no authority for the board of supervisors to incur said indebtedness or to approve said claims, and that there is no authority for the county auditor to issue the warrants in payment of said claims, or for the county treasurer to cash said warrants, therefore,

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That the action of the county board of supervisors of
2 Appanoose county, Iowa, in making expenditures and allowing claims
3 against the general fund in 1937 for indebtedness incurred in 1936
4 in the amount of \$19,732.96 is hereby legalized and validated.

1 SEC. 2. That the proceedings heretofore taken by said county board
2 of supervisors for the incurring of the expenditures above set out in
3 the year 1936 and in approving the claims therefor in the year 1937
4 are hereby validated and confirmed.

1 SEC. 3. The county auditor of Appanoose county, Iowa, is hereby
2 authorized to issue anticipatory warrants out of the general fund of
3 said county to an amount necessary to pay said claims and the action

4 heretofore taken by said county auditor as to all such warrants here-
5 tofore issued is hereby validated and confirmed.

1 SEC. 4. The county treasurer of Appanoose county, Iowa, is hereby
2 authorized to pay said anticipatory warrants out of any funds coming
3 into his hands in 1937 and belonging to the general fund of said county.

1 SEC. 5. Nothing in this act shall affect pending litigation.

1 SEC. 6. This act being deemed of immediate importance shall take
2 effect and be in full force from and after its passage and publication
3 in the Centerville Daily Iowegian and Citizen, a newspaper published
4 at Centerville, Iowa, and the Mystic Sentinel, a newspaper published
5 at Mystic, Iowa, without expense to the state of Iowa.

Senate File 226. Approved April 2, 1937.

I hereby certify that the foregoing act was published in the Centerville Daily Iowegian
and Citizen, April 6, 1937, and the Mystic Sentinel, April 8, 1937.

ROBERT E. O'BRIAN, *Secretary of State.*

CHAPTER 244

DUBUQUE—CITY OF

S. F. 193

AN ACT to legalize the actions of the city council and the city auditor of the city of Dubuque, Iowa, in making expenditures and issuing warrants in the month of April, 1936, in the sum of \$20,119.37, said warrants being drawn on the consolidated fund of such city for indebtedness incurred during the fiscal year beginning on April 1, 1935, and ending on March 31, 1936, in excess of appropriations and anticipated revenues for such fiscal year, and to make such warrants a legal, binding and valid obligation of the city of Dubuque, Iowa.

WHEREAS, the federal government and the state of Iowa have recognized that there existed an emergency in the cities of this state due to unemployment during the fiscal year beginning April 1, 1935, and ending March 31, 1936, and, to relieve the same, demand was made upon the city council of the city of Dubuque by the inhabitants thereof that WPA projects be initiated and carried on, the same to be financed partly by federal funds and partly by funds of said city; and

WHEREAS, the city council of the city of Dubuque complied with such demand and, in cooperation with the federal government, set up and carried on WPA projects which are of lasting benefit to said city and the inhabitants thereof, and incurred indebtedness therefor during the fiscal year 1935-1936 in excess of budget appropriations and anticipated revenues of said year; and

WHEREAS, in April, 1936, expenditures were made and warrants were issued by the city auditor of said city against the consolidated fund of said city to pay such indebtedness in the sum of \$13,101.67; and

WHEREAS, the extreme cold weather and heavy snow storms which occurred in Dubuque during the winter of 1935-1936 resulting in the blockading of streets, highways, alleys and sidewalks, and the bursting and freezing of sewers and water mains, creating an emergency which it was necessary to meet in order to protect life and property and save the city from damage suits and to that end indebtedness was incurred during such