

8 and valid notwithstanding any irregularity, omission or defect in con-  
 9 nection therewith, and that bonds issued pursuant to said proceedings  
 10 in the amount aforesaid are hereby declared to be valid and binding  
 11 obligations of said Independent School District.

1 SEC. 2. This Act being deemed of immediate importance shall be-  
 2 come effective upon publication in the New Hampton Tribune, a news-  
 3 paper published at New Hampton, Iowa, and the Nashua Reporter, a  
 4 newspaper published at Nashua, Iowa, both of said publications to be  
 5 without expense to the State.

Approved February 21, 1939.

I hereby certify that the foregoing act was published in the New Hampton Tribune,  
 March 2, 1939, and the Nashua Reporter, March 1, 1939.

EARL G. MILLER, *Secretary of State.*

## CHAPTER 261

### INDEPENDENT SCHOOL DISTRICT OF NEW HAMPTON

#### H. F. 457

AN ACT to legalize warrants issued by the Independent School District of New Hampton in the county of Chickasaw, state of Iowa, for the construction of a new school building and remodeling the present building and to legalize the expenditure of certain funds for the payment of the school building and remodeling of the present building in excess of the amount stated in the ballot used at the special election and to authorize the school district to levy taxes for the payment of said warrants.

WHEREAS, at a special election held on the 28th day of September, 1938, the electors of the Independent School District of New Hampton in the County of Chickasaw, State of Iowa, authorized the issuance of bonds of such school district in the sum of eighty-two thousand dollars (\$82,000.00) to be used with other funds for the purchasing of the necessary ground for school house site, for the building and equipping of a new school building and for remodeling the present school building: and,

WHEREAS, plans and specifications were prepared by the architect employed by the said school district and the plans and specifications were adopted and a public letting was advertised and had for the letting of contracts for the building of a new school house and remodeling the present school house and at the said letting the lowest bids received would necessitate an expenditure of twenty-six thousand eight hundred eighty-eight dollars and eighty-eight cents (\$26,888.88) in excess of the sums derived from the sale of bonds and the amount available from a grant from the federal government; and,

WHEREAS, at the time of the letting it was necessary for the said school district to withdraw from the plans and specifications a sufficient number of alternates in order to let the contracts to the lowest bidders without such alternates in order that the district have sufficient funds to pay for the said work; and,

WHEREAS, subsequent to the letting of said contract, the board of directors of said school district considered it inadvisable to complete said school with the alternate eliminated and considered that the best interests of the district would be served by following the original plans and specifications adopted by the district; and,

WHEREAS, there is still available from the original grant authorized by the federal government the additional sum of twelve thousand one hundred dollars (\$12,100.00), providing the said district immediately provided an additional sum of fourteen thousand seven hundred eighty-eight dollars and eighty-eight cents (\$14,788.88); and,

WHEREAS, the federal government has notified the Independent School District of New Hampton that it will withdraw the grant remaining in the sum of twelve thousand one hundred dollars (\$12,100.00) unless the school district immediately matches the said fund with funds of the said school district in the sum of fourteen thousand seven hundred eighty-eight dollars and eighty-eight cents (\$14,788.88) and it will be impossible for the school district to call a special election within the time required by the federal government; and,

WHEREAS, the board of directors of said school district passed a resolution authorizing the issuance of warrants and issued warrants in the sum of fourteen thousand seven hundred eighty-eight dollars and eighty-eight (\$14,788.88) and sold the same and placed the proceeds thereof in the construction fund; and,

WHEREAS, doubt has arisen as to the validity of said warrants and as to the sale of the same and as to the validity of the acts of said school board in issuing the same and using the proceeds thereof to construct and pay for the said school building at a cost greater than the amount authorized at the said school election and also as to the validity of the issuance of said warrants in excess of the anticipated revenue for the fiscal year; therefore,

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

1 SECTION 1. That the acts of the board of directors of the Independ-  
2 ent School District of New Hampton in the County of Chickasaw,  
3 State of Iowa, in issuing warrants in the aggregate amount of four-  
4 teen thousand seven hundred eighty-eight dollars and eighty-eight  
5 cents (\$14,788.88) and the sale of said warrants for the construction  
6 of a new school building and equipping the same and for repairing  
7 and remodeling the present school building and in purchasing a school  
8 house site and other incidental expense and the payment of said funds  
9 for the above enumerated purposes all are hereby legalized and vali-  
10 dated and the said warrants are hereby declared to constitute legal,  
11 valid and binding obligations and indebtedness of said Independent  
12 School District of New Hampton in the County of Chickasaw, State  
13 of Iowa.

1 SEC. 2. The board of directors of the Independent School District  
2 of New Hampton in the County of Chickasaw, State of Iowa, is hereby  
3 authorized to make a levy each year for the payment of said war-  
4 rants and the taxes raised from the said levy are to be paid into the  
5 general school fund and are to be used for the sole purpose of retiring  
6 said warrants.

1 SEC. 3. Nothing in this act shall be construed to affect pending  
2 litigation.

1 SEC. 4. This act being deemed of immediate importance shall be  
2 in full force and effect from and after its passage and publication,  
3 without expense to the state, in The New Hampton Tribune, a news-

4 paper published at New Hampton, Iowa, and the Nashua Reporter,  
5 a newspaper published at Nashua, Iowa.

Approved March 20, 1939.

I hereby certify that the foregoing act was published in the New Hampton Tribune,  
May 4, 1939, and the Nashua Reporter, May 3, 1939.

EARL G. MILLER, *Secretary of State.*

## CHAPTER 262

### TOWN OF THORNTON

#### H. F. 222

AN ACT to legalize a special election held in the incorporated town of Thornton, Cerro Gordo county, Iowa, on the 27th day of October, 1938, relating to the issuance of bonds of said town, and declaring bonds issued pursuant to said election to be enforceable obligations of said town.

WHEREAS, a special election was held in the incorporated town of Thornton, in the county of Cerro Gordo, state of Iowa, on the 27th day of October, 1938, at which there was submitted to the voters of said town the proposition of whether or not the town should erect a public waterworks plant and distribution system at a total cost of not to exceed \$22,713.65, and contract indebtedness for such purpose not exceeding \$12,500, and issue bonds for such purpose in an amount not exceeding \$12,500, and levy a tax annually upon the taxable property in the town for payment thereof; and

WHEREAS, it appears that at said special election more than sixty per cent of the total votes cast were in favor of said proposition; and

WHEREAS, doubts have arisen as to the legal sufficiency of said election, the sufficiency of the notice of election, the authority to erect said public waterworks plant and distribution system, to contract the indebtedness and to issue bonds in connection therewith, which doubts and all others that might arise should be forever put at rest; therefore,

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

1 SECTION 1. The special election, notice thereof, and all proceed-  
2 ings in connection therewith held in the incorporated town of Thorn-  
3 ton, Iowa, on the 27th day of October, 1938, at which there was sub-  
4 mitted to the voters of said town the proposition of whether or not  
5 the town should erect a public waterworks plant and distribution sys-  
6 tem at a total cost of not to exceed \$22,713.65 and contract indebted-  
7 ness for such purpose not exceeding \$12,500, and issue bonds for  
8 such purpose in an amount not exceeding \$12,500, and levy a tax an-  
9 nually upon the taxable property in the town for payment thereof,  
10 are hereby declared to be legal and valid, notwithstanding any irregu-  
11 larity, omission, or defect in the notice of said special election or other  
12 proceedings in connection therewith; and said election shall constitute  
13 legal and sufficient authority for the erection of said waterworks plant  
14 and distribution system by said town, and the bonds issued pursuant  
15 to said election in the amount aforesaid are hereby declared to be valid  
16 and binding obligations of said town.