

LAWS  
OF THE  
STATE OF INDIANA

PASSED AT THE  
Sixty-Third Regular Session

OF THE  
GENERAL ASSEMBLY

Begun on the Eighth Day of January A. D. 1903.

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By Authority,  
DANIEL E. STORMS, Secretary of State.

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INDIANAPOLIS:  
Wm. B. Burford, Contractor for State Printing and Binding.  
1903.

CHAPTER XXXIII.

AN ACT authorizing any city in this State having a population of more than five thousand three hundred, and less than five thousand eight hundred, as shown by the last preceding United States census, to sell and convey any waterworks plant or electric light plant, heretofore owned and operated by such city, and to lease the same from the purchaser or owner, with or without an option to repurchase the same, or to contract with such purchaser or owner for supplying water or electric light therefrom for such city, and declaring an emergency.

[S. 50. APPROVED FEBRUARY 26, 1903.]

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana,* That any city in this State having a population of more than five thousand three hundred and less than five thousand eight hundred, as shown by the last preceding United States census, and having heretofore owned and operated any waterworks plant for the purpose of fire protection and other uses of such city, and for supplying its inhabitants with water for domestic uses, or any electric light plant for supplying such city and its inhabitants with light, is hereby authorized and empowered to sell and convey such waterworks plant or electric light plant, with all the lands, buildings, machinery, mains, hydrants, dynamos, poles, wires, contracts, privileges and property used and connected therewith, and may, on such sale, lease such waterworks or electric light plant from the purchaser or owner thereof, with or without an option to repurchase the same, or may contract with such purchaser or owner to supply such city with water or light therefrom for public and private uses, all as the Common Council of such city may deem expedient.

City of 5,300 to 5,800 population, water works and lighting plants.

Empowered to sell.

Empowered to lease or contract.

SEC. 2. Such sale and conveyance shall be made by the Common Council of such city by a vote of two-thirds of all the members thereof. When any such sale shall be made by such Common Council, such Council shall direct the Mayor of such city to execute and deliver a deed of conveyance to the purchaser, which deed shall be in the usual form, and shall be executed in the name of such city and signed by the Mayor in his official capacity, and sealed with the seal of the city; and when thus executed, acknowledged and delivered, shall convey all the right, title and interest of the city in and to the waterworks plant or electric light plant so conveyed, together with all

Sale and conveyance.

the lands, buildings, machinery, mains, hydrants, dynamos, poles, wires and other property used and connected therewith.

Appraisers,  
how appointed  
and duty.

SEC. 3. No such waterworks or electric light plant shall be sold until the same has been appraised by three disinterested freeholders of the county in which such city is situated, to be appointed by the Judge of the Circuit Court of such county, none of whom shall be residents or taxpayers of such city. Such appraisers shall be first sworn to make a just and true valuation of such property, and shall return their appraisal, in writing, to the Mayor or Common Council of such city; and no such property shall be sold for less than the full appraised value thereof, less the amount of any bonds, liens or other indebtedness due upon such waterworks or electric light plant, all of which indebtedness shall be assumed and paid by the purchaser as a part of the purchase price of such waterworks plant or electric light plant.

Emergency.

SEC. 4. Whereas there is an emergency for the immediate taking effect of this act, therefore the same shall be in full force from and after its passage.

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#### CHAPTER XXXIV.

AN ACT providing for interest on taxes levied on behalf of the State, or of any county, township, town or city in the State, which were unpaid, and delinquent, on the first day of January, 1903, and which shall hereafter be unpaid and delinquent on the first day of January of any year, after two years from the beginning of such delinquency, or which were merged in judgment on the first day of January, 1903, or which may hereafter become merged in judgment, and declaring an emergency.

[S. 78. APPROVED FEBRUARY 26, 1903.]

Unpaid and  
delinquent  
taxes.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana,* That any and all taxes levied on behalf of the State, or of any county, township, town or city in the State, which were unpaid, and delinquent, on the first day of January, 1903, or which shall hereafter be unpaid on the first day of January of any year, after two years from the beginning of such delinquency, shall bear interest at the rate of six per centum per annum from the first day of January of any such year, until paid,

Shall bear  
interest.