

WHEREAS, the town council of said town has acted and proceeded in all matters as if six persons, elected as aforesaid as councilmen, had been legally elected and were legally entitled to membership in the town council of said town, and said town council so composed in whole or in part of six councilmen has undertaken to pass various ordinances and resolutions and to perform other official acts; and,

WHEREAS, doubt has arisen as to the legality of all the ordinances, resolutions and amendments to ordinances and resolutions adopted by said town council of the town of Buffalo, Scott county, Iowa, and as to the legality of all of its acts and proceedings as aforesaid by reason of six persons acting as councilmen; now, therefore,

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

**SECTION 1. Ordinances, resolutions and amendments legalized.** That all of the ordinances, resolutions and amendments to ordinances and resolutions passed by and the acts of the town council of the town of Buffalo, in the county of Scott and state of Iowa, and all the acts of the town council of the town of Buffalo, Scott county, Iowa, passed by said council since the passage of an act relating to the organization of cities and towns known as chapter twenty-six (26) of the thirty-second (32) general assembly of the state of Iowa, and not in contravention of the laws of the state, are hereby legalized and declared to be valid and binding the same as if the aforesaid act had been in all respects strictly complied with in relation to the election of the number of members of said council required to be elected by the aforesaid act of the thirty-second (32) general assembly of the state of Iowa.

**SEC. 2. Pending litigation.** Nothing in this act shall affect any pending litigation.

Approved April 18 A. D. 1913.

## CHAPTER 370.

### THE TOWN OF CAMANCHE.

Sub. for S. F. 47.

AN ACT to legalize the incorporation of the city of Camanche, Clinton county, Iowa, the election of its officers and certain acts done and ordinances passed by the city council of said city.

WHEREAS, an act was passed by the sixth general assembly of the state of Iowa, whereby a charter was granted to the city of Camanche, known as chapter two hundred eleven (211) of the acts of the sixth general assembly, by the terms of which said act should take effect from and after its publication in the Iowa Register, published at Camanche, Iowa; and,

WHEREAS, records have been lost and destroyed and evidence cannot be produced to determine the fact of the publication of said act as recorded; and,

WHEREAS, the people within the boundary lines as fixed by said act proceeded to do and perform such acts as they believed they were entitled to do and perform under and by virtue of the act passed by the sixth general assembly by way of electing officers, passing ordinances, paying bills, certifying taxes to be levied, levying taxes, granting franchises, holding elections

for the purpose of voting upon the issuing of bonds and other acts and things of like kind and character as is usually had and done in such cases; and,

WHEREAS, by reason of the fact that evidence cannot be produced of the publication of the act incorporating the city of Camanche as provided by said chapter; and the further fact that doubt has arisen as to whether or not said act ever was published as required by said act of the sixth general assembly; and doubt having arisen as to the legality of any acts had and done by the people exercising the rights which they believed they were entitled to exercise under and by virtue of said act of the sixth general assembly; and doubts having arisen as to the legality of any and all ordinances passed by the city council and as to the election of its officers and bills paid and obligations incurred; and

WHEREAS, the people of said city of Camanche believed that they were duly and legally incorporated and authorized to act as a city acting under special charter, and the city council elected by said people granted certain rights-of-way along its streets and high-ways and franchises to telegraph and telephone companies and electric light companies, and the city council elected by the people of said city of Camanche, believing that they were legally and duly incorporated and acting in accordance with such belief passed certain ordinances for the purpose of issuing bonds and borrowing money for the purpose of erecting and constructing a municipal electric light plant in the sum of thirty-five hundred (\$3500.00) dollars, and there being no newspaper published within the city of Camanche, said city council was therefore unable to publish said ordinances as required by section thirty-five of said act of the sixth general assembly; and doubts having arisen as to the legality of the ordinances passed by said city council, together with other acts had and done by said city council acting within their rights as they believed. Now, therefore,

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

**SECTION 1. Charter—election—ordinances—etc. legalized.** That the charter granted to the city of Camanche by the acts of the sixth general assembly known as chapter two hundred eleven (211) of the acts of the sixth general assembly, be and the same are hereby legalized, made valid and binding as fully as if evidence was available to show the fact of publication of the charter as required by said act, and as fully legal and binding as if published; and the acts of the people of said city of Camanche in the election of its officers, be and the same are hereby legalized, and the acts of the officers, being the mayor and council in so far as the payment of bills and the granting of franchises to electric light companies, telegraph and telephone companies and rights-of-way upon the streets of said city of Camanche granted by said city council to railroad companies, electric light companies, telephone and telegraph companies, be and the same are hereby legalized; and the bills paid and moneys expended by said city council, acting as such, be and the same are hereby legalized and the acts of said city council in passing an ordinance and resolution of necessity to issue bonds to borrow money in the sum of thirty-five hundred (\$3500.00) dollars for the purpose of constructing, erecting and building municipal electric light plant, be and the same are hereby legalized, made valid and binding as fully as if the ordinance had been published and complied with in every respect as by the charter provided and granted by the acts of the sixth general assembly; provided, however, that this act shall not affect any pending litigation.

SEC. 2. **In effect.** This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Register and Leader and Des Moines Capital, newspapers published in the city of Des Moines, Iowa, without expense to the state.

Approved March 8th A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader March 12, 1913 and the Des Moines Capital March 11, 1913.

W. S. ALLEN,  
*Secretary of State.*

## CHAPTER 371.

### THE TOWN OF CALMAR.

H. F. 162.

AN ACT to legalize the special election held in the town of Calmar, Iowa, on the 16th day of October, 1911, wherein there was submitted to the voters of said town the question of issuing bonds in the sum of five thousand dollars (\$5,000.00) for the purpose of erecting a system of gas-works and to validate and legalize the bonds issued in pursuance of said election.

WHEREAS, at a meeting of the town council of the town of Calmar, Iowa, held on the 4th day of September, 1911, a resolution was adopted by said town council to submit to the qualified electors of said town of Calmar the question of issuing bonds of said town for the purpose of establishing and erecting a system of gas-works, notice of which election was published for four consecutive weeks in the "Calmar Courier", a weekly newspaper published in said town, and,

WHEREAS, more than two-thirds of the legal electors of the incorporated town of Calmar, in the county of Winneshiek and state of Iowa, voting at said election, did on the 16th day of October, 1911 at a special election held for such purpose, vote for said proposition and in favor of the issuing of bonds, as aforesaid, and,

WHEREAS, the town council of said town, in pursuance of said election, established, erected and maintained a system of gas-works within and for said town, and;

WHEREAS, the indebtedness of said town created for the establishment, erection and maintenance of said system of gas-works exceeds the amount authorized by the statutes of Iowa at the time of creating the same, and,

WHEREAS, said system of gas-works was not petitioned for as prescribed by section 1306-c of the supplement of [to] the code of Iowa, and,

WHEREAS, gas-works bonds in the sum of five thousand dollars (\$5,000.00) were duly issued and sold pursuant to the aforementioned proceedings, and,

WHEREAS, the amount of the said indebtedness has never exceeded the limit prescribed by section three (3), of article eleven (11) of the constitution of the state of Iowa, and,

WHEREAS, it is the desire of the said incorporated town of Calmar, and the citizens thereof, that the acts and proceedings of the said incorporated town, and the said town council, in relation to the establishment, erection and maintenance of said system of gas-works and the indebtedness created and in-