

Moines, Iowa, and in the "Saturday Evening Post", a newspaper published at Burlington, Des Moines county, Iowa, without expense to the state.

Approved April 4 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and Des Moines Capital April 9, 1913 and in the Saturday Evening Post, Burlington, Iowa, April 12, 1913.

W. S. ALLEN,
Secretary of State.

CHAPTER 382.

THE CITY OF MARSHALLTOWN.

H. F. 177.

AN ACT to legalize certain acts of the mayor and city council of the city of Marshalltown, and to legalize certain warrants of the said city of Marshalltown, Iowa.

WHEREAS, the city of Marshalltown, county of Marshall and state of Iowa, did hitherto make expenditures in the amount of thirty thousand dollars (\$30,000.00), and

WHEREAS, the said city of Marshalltown did issue warrants in said sum of thirty thousand dollars (\$30,000.00) to evidence the indebtedness incurred in making said expenditures, and

WHEREAS, said warrants so issued were issued by the city clerk of Marshalltown, Iowa, upon order and authority by resolution of the mayor and city council, as follows:

On November 1st, 1912, one thousand six hundred and fifty dollars (\$1650.00) to the Marshalltown Sewer Pipe & Tile Company for sewer pipe used in the construction of a storm sewer.

On January 4th, 1913, two thousand three hundred sixty-two dollars and fifty cents (\$2362.50) to the Marshalltown Sewer Pipe & Tile Company for sewer pipe used in the construction of a storm sewer.

And between November 1st, 1912, and January 1st, 1913, in sundry amounts, amounting to eight hundred four dollars and fifty cents (\$804.50) for labor expended in the year 1912 for the laying of a storm sewer.

On January 23rd, 1913, the sum of twenty-five thousand one hundred eighty-three dollars (\$25,183.00) to Elzy & Carlson, paving contractors, for street intersections and deficiencies not taxable against abutting property owners under paving contracts in the year 1912 of the city of Marshalltown, Iowa, and

WHEREAS, said warrants did not when issued and do not now in fact exceed the constitutional limitation of indebtedness of said city, and

WHEREAS, said expenditures were all made for purposes necessary for the welfare of said city and its inhabitants and were authorized by law, and

WHEREAS, the city of Marshalltown and its inhabitants have been and are now enjoying the use and benefits of said expenditures so made, and

WHEREAS, the results of said expenditures were well worth the price and sum which the city of Marshalltown contracted should be paid therefor, and

WHEREAS, doubts have arisen concerning the legality of the aforesaid warrants or a portion thereof on the ground that the aforesaid expenditures or

a portion thereof were contracted in excess of the city's authorized annual revenues, and,

WHEREAS, doubts have arisen concerning the legality of the aforesaid warrants or a portion thereof on the ground that the aforesaid expenditures or a portion thereof were not provided for in the city's annual appropriations and could not have been reasonably anticipated, and

WHEREAS, doubts have arisen concerning the legality of the aforesaid warrants or a portion thereof on the ground that the indebtedness which said warrants evidence was contracted in excess of the statutory limitation of indebtedness, now therefor, [therefore,]

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

SECTION 1. Acts legalized. That the acts of the mayor and city council of the city of Marshalltown in the county of Marshall and state of Iowa, in making the expenditures for the city of Marshalltown, Iowa, and issuing warrants therefor in the sum of thirty thousand dollars (\$30,000.00), consisting of warrants issued to the Marshalltown Sewer Pipe & Tile Company in the sum of four thousand twelve dollars and fifty cents (4012.50); to Elzy & Carlson, paving contractors, in the sum of twenty-five thousand one hundred eighty-three dollars (\$25,183.00), and for labor expended in placing storm sewer in the sum of eight hundred four dollars and fifty cents (\$804.50), and amounting to the sum total of thirty thousand dollars (\$30,000.00), be and the same are hereby legalized as though the law had in all respects been complied with.

SEC. 2. Warrants legalized. The aforesaid warrants of the city of Marshalltown, Iowa, in the aggregate sum of thirty-thousand dollars (\$30,000.00) be and the same are hereby legalized and declared to be valid, legal and subsisting obligations the same as though the law had in all respects been complied with in the issuing thereof by said city and its officers.

SEC. 3. Pending litigation. Nothing in this act shall affect any pending litigation.

SEC. 4. In effect. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader, a newspaper published at Des Moines, Iowa, and the Times Republican, a newspaper published at Marshalltown, Iowa, without expense to the state.

Approved March 11th, 1913.

I hereby certify that the foregoing act was published in the Register and Leader and the Times-Republican March 14, 1913.

W. S. ALLEN,
Secretary of State.