

CHAPTER 394.

THE CITY OF VALLEY JUNCTION.

S. F. 465.

AN ACT to legalize the special election held in the city of Valley Junction, Iowa, on the 14th day of March, 1913, wherein there was submitted to the voters of said city the question of purchasing or erecting and establishing a water works and electric light and power plant, and also the question of the issuance of bonds in a sum not to exceed \$65,000.00 for water works and electric light and power plant purposes, and to validate and legalize the proceedings of the city council had in relation to said special election preliminary to the holding thereof, and to legalize the ballots used at said special election; the acts of the election boards in the conduct of said election and in making the returns thereof; the action of the city council in canvassing the returns of said election and declaring the result thereof, and to legalize the bonds to be issued in pursuance thereof.

WHEREAS, on the 14th day of January, A. D. 1913, there was submitted to the city council of the city of Valley Junction, Polk county, Iowa, a petition as follows, to-wit:

“To the city council, city of Valley Junction, Iowa:

The qualified electors of the city of Valley Junction, Iowa, whose signatures are to this petition hereinafter signed, respectfully represent: That they desire that the city of Valley Junction expend not to exceed sixty five thousand dollars (\$65,000.00) for the purchase or building, erection and furnishing of a water works and electric light and power plant in said city, to be owned and operated by the city of Valley Junction, Iowa; that said water works and electric light and power plant is necessary for the public benefit and cannot be purchased or built, erected and furnished within the limit of one and one-quarter per centum (1¼%) of the valuation of the property located in said city.

Wherefore said qualified electors of said city of Valley Junction, Iowa, whose signatures are affixed hereto, petition your honorable body to call an election for the purpose of submitting to said qualified electors whether such expenditures be made or not.

Dated this 6th day of January, A. D. 1913.”

Said petition bearing the signatures of three hundred and thirty-seven (337) qualified electors of said city, and

WHEREAS, at the next regular meeting of the city council held on the 3rd day of February, 1913, said council duly passed a resolution authorizing empowering and instructing the mayor of said city to issue and have published a proclamation of the holding of a special election in said city, for the purpose of voting on the question of issuing bonds for water works and electric light and power plant purposes, and

WHEREAS, said council at the same meeting duly passed a resolution ordering the submission to a vote of the qualified electors of said city, the following proposition, to-wit:

“Shall the city of Valley Junction, Polk county, Iowa, purchase or erect and establish a water works and electric light and power plant in and for said city?”. and

WHEREAS, said resolutions provided for the holding of said special election on March 14, 1913, and

WHEREAS, the mayor of said city, pursuant to said resolutions, issued and published notice of said special election in the "Valley Express", a weekly newspaper published in said city, for four consecutive weeks, the last publication of which was on February 27, 1913, and

WHEREAS, pursuant to said petition, resolutions and notice aforesaid, there was submitted to the qualified electors of said city at said special election held in said city on the 14th day of March, 1913, the said public measures in the following form, to-wit:

"Shall the city of Valley Junction, Polk county, Iowa, purchase or erect and establish a water works and electric light and power plant, in and for said city?"

Yes
No

Those in favor of purchasing or erecting and establishing a water works and electric light and power plant in said city will put a cross (X) in the square after the word "Yes".

Those not in favor of purchasing or erecting and establishing a water works and electric light and power plant in said city will put a cross (X) in the square opposite the word "No."

For the issuance of bonds in a sum not to exceed \$65,000.00 for a water works and electric light and power plant purposes.

Against the issuance of bonds in a sum not to exceed \$65,000.00 for a water works and electric light and power plant purposes.

Those in favor of issuing bonds for water works and electric light and power plant purposes, will mark a cross (X) in the square opposite the "For the issuance of bonds", etc.

Those not in favor of issuing bonds for water works and electric light and power plant purposes will mark a cross (X) in the square opposite the "Against the issuance of bonds," etc." and

WHEREAS, more than a majority of the legal electors voting at said election as shown by the official canvass of said vote, voted in favor of the first of said public measures above set forth, and more than two-thirds of the legal electors voting at said special election, as shown by the official canvass, voted for the issuance of bonds as indicated in the second of the public measures above set forth, and

WHEREAS, doubts have arisen as to the regularity of the resolutions passed by said city council, the legality of said petition on which said special election was called; the notice of said election and publication thereof; the legality of the questions submitted and the manner and form in which the same were submitted; the legality of said election by reason of the failure of certain judges thereof to endorse their initials on the back of the ballots, as required by law; the failure of the election boards to proclaim the result as by law required; the action of the city council in canvassing the returns of said election and declaring the result thereof, and as to the legality of the bonds to be issued in pursuance of said special election, therefore

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

SECTION 1. Special election—bonds, acts, etc., legalized—pending litigation. That the proceedings of the city council of the city of Valley Junction, Polk county, Iowa, concerning and providing for the submission to the qualified electors of said city of the proposition to purchase or erect and establish a water works and electric light and power plant in and for said city, and for

the issuance of bonds in a sum not to exceed \$65,000.00 for water works and electric light and power plant purposes; the petition submitted to the city council therefor; the resolutions of the city council ordering the submission of said propositions to a vote of the qualified electors; the notice of such submission; the time, form and publication thereof; the form of ballot submitted at said election; the returns and canvass thereof and the declaration of the result of said election; and all acts and proceedings of said city council prior or subsequent to the holding of said special election, whether herein particularly specified or not, had and done in relation and with reference to said proposition to purchase or erect and establish a water works and electric light and power plant, and the proposition for the issuance of bonds in a sum not to exceed \$65,000.00; and the acts and omissions of certain election judges in connection with the conduct of said special election, and each of them, be, and they are hereby legalized and validated as fully and completely as though the law had in all things been fully and technically complied with in every respect, and said bonds, whether issued or to be issued, shall be the valid and binding obligation of said city of Valley Junction, Iowa. This act shall in no wise affect pending litigation.

SEC. 2. **In effect.** In effect. This act being deemed of immediate importance, shall take effect from and after its publication in the "Valley Express", a newspaper published in Valley Junction, Iowa, and the "Register & [and] Leader" a newspaper published in Des Moines, Iowa, without expense to the state.

Approved April 14 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader April 19, 1913 and in the Valley Express April 24, 1913.

W. S. ALLEN,
Secretary of State.

CHAPTER 395.

THE CITY OF VALLEY JUNCTION.

S. F. 548.

AN ACT to legalize the issuance of \$18,000.00 sewer outlet and disposal or purifying plant bonds of the city of Valley Junction, issued on the 3rd day of February, A. D. 1913, and secured by special taxes levied and pledged to the payment of said bonds and interest.

WHEREAS, the city of Valley Junction, Iowa, by it's [its] council, did, on the 3rd day of February, A. D. 1913, pass a certain resolution wherein it was ordered that there be issued \$18,000.00 worth of negotiable coupon sewer outlet and disposal or purifying plant bonds of said city, and

WHEREAS, said bonds were to be used in paying for the sewer outlet and disposal or purifying plant constructed by the city of Valley Junction pursuant to proceedings had prior thereto, and

WHEREAS, said city council of said city has levied a special tax of three (3) mills on the dollar on all taxable property within the corporate limits of the city of Valley Junction, as provided by chapter 54 of the acts of the 33rd general assembly, said levy to cover a period of ten (10) years, and has also levied a city sewer tax of two (2) mills on the dollar on all taxable prop-