

## CHAPTER 78.

## TOWN OF LAKE MILLS.

## H. F. 373.

AN ACT legalizing the proceedings of the town council of Lake Mills, Winnebago county, Iowa, in connection with the passing of Ordinance No. 45 providing for the election of three park commissioners for said town and legalizing the special election held on July 7, 1913, for the purpose of submitting said ordinance to the voters of said town for their approval; and for legalizing the said ordinance, the appointment of the park commissioners by the town council in pursuance of said ordinance and the election of three park commissioners in pursuance of said ordinance at the town election in 1914; and the acts and proceedings of said park commissioners appointed by the town council in purchasing real estate for park purposes and certifying taxes to be levied in the year 1913; and the election of three park commissioners in pursuance of said ordinance at the town election in 1914, and the acts and proceedings of said three park commissioners elected in 1914 in certifying taxes for said year and all taxes levied and collected or levied in pursuance of said ordinance, and for legalizing in general all acts and proceedings of the town council of said town in connection with said ordinance and all acts and proceedings had by the park commissioners appointed and elected in pursuance of said ordinance.

WHEREAS, at a special meeting of the town council of Lake Mills, Winnebago county, Iowa, held on the 23rd day of June 1913, said town council passed Ordinance No. 45 providing for the election of three park commissioners in said town, but it appearing that in the motion to pass said ordinance it was not definite and certain in referring to the ordinance, and in said proceedings it referred to the ordinance "as an ordinance establishing a Board of Park Commissioners"; that the rule requiring the reading of the ordinance on three different days was dispensed with by motion "to suspend the rules"; that the town council in submitting the ordinance failed to prescribe the exact form of the question to be submitted to the voters; that the record of the town council fails to show the form of ballot to be used in submitting said ordinance and fails to show that the notice of special election was directed or authorized to be given by any certain person or officer, and

WHEREAS, a special election pursuant to a published notice was held in said town on the 7th day of July 1913, for the purpose of submitting said ordinance to the voters of said town for their approval at which election a large majority who voted thereat voted for the approval of said ordinance, but it further appears that the election board officiating at said special election was not as provided for in section 1093 of the code and other provisions of law relating to elections, but consisted of three councilmen and the town clerk appointed for such purpose by the mayor, but it further appearing that a fair election and just count was made and had, and

WHEREAS, the proceedings of the said town council held on the 7th day of July, 1913, following the said special election failed to show a complete record of the special election and only showing the judges of the election reported to the town council the votes cast and the number voting for and against approving said ordinance, but it appearing that it

was found by the town council that said ordinance was duly approved according to law, and so declared, and

WHEREAS, said town council in due time appointed three park commissioners in pursuance of said ordinance, who qualified as required by law, and organized and proceeded to certify taxes to be levied for the year 1913, and proceeded to purchase real estate for park purposes in said town, and

WHEREAS, it further appearing that in pursuance of said ordinance three park commissioners were duly elected at the next town election, being the regular town election held in the spring of 1914, and who have qualified as such commissioners and certified taxes to be levied for park purposes for the year 1914, and

WHEREAS, it appearing that there may be other irregularities as to same, but that in fact and in substance all the proceedings had by the said town council with reference to the said Ordinance No. 45 and all acts and proceedings had and taken by the three park commissioners, both appointed and elected as aforesaid, in pursuance of said ordinance have been had and taken in good faith, and in pursuance of, and in accord with the wishes of the majority of the voters of said town.

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

1 SECTION 1. Election, etc., legalized. That the proceedings of the  
2 town council of Lake Mills, Winnebago county, Iowa, had and taken  
3 on June 23, 1913, and subsequent thereto with reference to Ordinance  
4 No. 45 providing for the election of three park commissioners  
5 for said town, the special election held on the 7th day of July, 1913,  
6 for the purpose of submitting to the voters for their approval the said  
7 ordinance, and all steps leading up to said election, the record of said  
8 election, the manner of counting the votes and making return of said  
9 special election, the appointment of three park commissioners by the  
10 town council in pursuance of said ordinance, the acts and contracts of  
11 said park commissioners so appointed in purchasing real estate for  
12 park purposes, and certifying the taxes to be levied for park purposes  
13 in the year 1913, the election of the park commissioners in pursuance  
14 of said ordinance at the regular town election in 1914, and their acts  
15 and proceedings in certifying taxes to be levied in the year 1914, all  
16 taxes levied and collected or levied for any and all park purposes in said  
17 town, and all other acts and proceedings of the said town council with  
18 reference to Ordinance No. 45 in and for said town, and all other acts  
19 and proceedings of the three park commissioners appointed and elected  
20 as aforesaid under said ordinance, be and are hereby legalized and de-  
21 clared as valid as if all the provisions of law with reference to said  
22 matters and all of them had been fully complied with.

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

1 SEC. 3. Publication clause. This act being of immediate im-  
2 portance shall take effect and be in force from and after its passage  
3 and publication in the Des Moines News, a newspaper published at  
4 Des Moines, Iowa, and the Lake Mills Graphic, a newspaper pub-

5 lished at Lake Mills, Iowa, such publication to be without expense  
6 to the state.

Approved April 6, A. D. 1915.

I hereby certify that the foregoing act was published in the Des Moines News April 10, 1915, and in the Lake Mills Graphic April 14, 1915.

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

## CHAPTER 79.

### PENALTY OR INTEREST ON DELINQUENT TAXES.

H. F. 142.

AN ACT to amend section thirteen hundred ninety-one (1391) of the supplement to the code, 1913, relating to the collection of penalty or interest upon delinquent taxes.

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

1 SECTION 1. Penalty or interest on taxes. That section thirteen  
2 hundred ninety-one (1391) of the supplement to the code, 1913, be  
3 and the same is hereby amended by inserting between the words  
4 "interest" and "shall" in the fourth (4) line thereof, a comma (,)   
5 and the words "except for the first four years".

Approved April 6, A. D. 1915.

## CHAPTER 80.

### MUNICIPAL TAXATION.

H. F. 361.

AN ACT to amend the law relating to the powers of cities and towns to levy special taxes for gas, electric light, or power purposes, as the same appears in section eight hundred ninety-four (894), supplement to the code, 1913.

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

1 SECTION 1. Tax for gas, electric light or power. That the law as  
2 it appears in sub-division eight (8) of section eight hundred ninety-  
3 four (894), supplement to the code, 1913, be and the same is here-  
4 by amended by inserting after the word "less" and before the comma  
5 at the end of the sixth (6) line thereof, the words "and towns".

Approved April 6, A. D. 1915.