

LEGALIZING ACTS

CHAPTER 256

COUNCIL BLUFFS

S. F. 82

AN ACT to legalize the contract awarded by the city council of the city of Council Bluffs, Iowa, on October 27th, 1924, to the Wickham Bridge & Pipe Company for the construction of storm sewers in main sewer district number four in said city.

WHEREAS, the city council of the city of Council Bluffs, Iowa, did on the 27th day of October, 1924, award a contract to the Wickham Bridge & Pipe Company of Council Bluffs, Iowa, to construct certain main storm sewers in sewer district number four, theretofore established in said city; and

WHEREAS, the award of said contract was made after preliminary proceedings in due and regular form as required by the provisions of chapter 7, title V of the code of Iowa of 1897, as amended; said proceedings having been commenced on the 11th day of August, 1924; and

WHEREAS, on September 2nd, 1924, pursuant to the provisions of said chapter and title, a hearing was had, after due notice thereof given, of the proposal of the said city to undertake the said improvement; and

WHEREAS, some doubt has arisen as to the legality of said contract because of the failure of the said city to expressly observe the provisions of chapter 23 of the 1924 code of Iowa, and particularly the provisions of section 352 of said chapter, by holding a second hearing upon the proposed improvement after October 1st, 1924, the effective date of said chapter 23; now, therefore

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

1 **SECTION 1. Contract legalized.** That the contract awarded on Octo-
2 ber 27th, 1924, by the city council of the city of Council Bluffs, Iowa,
3 to the Wickham Bridge & Pipe Company of Council Bluffs, Iowa, for
4 the construction of certain main storm sewers in sewer district num-
5 ber four in said city, be and the same is hereby declared legal and
6 valid, the same as if all of the provisions of chapter twenty-three of
7 the 1924 code of Iowa, had been in all respects strictly complied with.

1 **SEC. 2. Litigation.** Nothing in this act shall affect pending litiga-
2 tion.

1 **SEC. 3. Publication clause.** This act being deemed of immediate
2 importance shall be in force and effect from and after its publication
3 in the Council Bluffs Nonpareil, a newspaper published at Council

4 Bluffs, and the Des Moines Daily Record, a newspaper published in
5 Des Moines, Iowa, said publication to be made without expense to the
6 state.

Approved February 25, A. D. 1925.

I hereby certify that the foregoing act was published in the Council Bluffs Nonpareil March 2, 1925, and the Des Moines Daily Record March 3, 1925.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 257

TOWN OF PRIMGHAR

S. F. 64

AN ACT to legalize ordinance number seventy one (71) of the incorporated town of Primghar, Iowa, granting to G. A. Healy, his successors and assigns, a franchise to construct, maintain and operate an electric distribution system in said town.

WHEREAS, ordinance number seventy one (71) of the incorporated town of Primghar, Iowa, entitled "An ordinance granting authority to G. A. Healy, his successors and assigns, the right of way to erect, construct and maintain poles, wires, insulators, brackets, mains, conduits, cables and other conductors of electricity for supplying electric lights and electric heat and power over, beneath, through and upon the streets, avenues, alleys and public places of the town of Primghar, Iowa, and regulating the exercise of the said rights and providing penalties for the violation thereof", was duly adopted by the council of said town on July 15, 1914, and was duly ratified and approved by the voters of said town at an election held for such purposes; and

WHEREAS, the records of the council of said incorporated town of Primghar, Iowa, showing the adoption of said ordinance, the calling of such election, the canvass of the votes thereat and all other proceedings relative to the adoption and ratification of said franchise, have been lost or destroyed; and

WHEREAS, doubts have arisen as to whether all the provisions of law relating to the granting of such franchise has been strictly complied with; now therefore,

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

1 SECTION 1. Ordinance number seventy one (71). That ordinance
2 number seventy one (71) of the incorporated town of Primghar, Iowa,
3 entitled "An ordinance granting authority to G. A. Healy, his suc-
4 cessors and assigns, the right of way to erect, construct and maintain
5 poles, wires, insulators, brackets, mains, conduits, cables and other
6 conductors of electricity for supplying electric lights and electric heat
7 and power over, beneath, through and upon the streets, avenues, alleys
8 and public places of the town of Primghar, Iowa, and regulating the
9 exercise of the said rights and providing penalties for the violation
10 thereof", be and the same is hereby declared legal and valid, the same