

Judiciary No. 1.
December 5, 1923.

Senate File No. 284.
BY BAIRD.

A BILL FOR

An Act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants, of the City of Council Bluffs, Iowa.

Whereas, the City of Council Bluffs, in the county of Pottawattamie, State of Iowa, by its city council, did heretofore authorize and incur expenditures in the sum of Two Hundred Thousand Dollars (\$200,000.00), for corporate purposes, as permitted by law, and did issue warrants of said city in like amount to evidence such indebtedness, in the manner and form required by law; and

Whereas, said expenditures were made for proper corporate purposes and the indebtedness of said city at the time said warrants were issued did not, and does not at this time, exceed the Constitutional Limitations; and

Whereas, at a properly convened meeting of the city council of said city, held on the 30th day of November, 1923, a resolution entitled "Resolution Authorizing the Issuance of Two Hundred Thousand Dollars (\$200,000.00) of Funding Bonds," was adopted for the purpose of funding the indebtedness represented by the aforesaid warrants; and

Whereas, doubts have arisen concerning the legality or validity of the aforesaid warrants or a portion thereof on the ground that the indebtedness which said warrants evidence or a portion thereof was contracted in excess of the statutory limitation on indebtedness; and

Whereas, doubts have arisen concerning the legality of the aforesaid warrants because the expenditures or a portion thereof, evidenced thereby, were contracted in excess of the appropriations theretofore made for the funds against which said warrants were drawn; and

Whereas, doubts have arisen concerning the legality or validity of aforesaid warrants or a portion thereof on the ground that the aforesaid expenditures or a portion thereof were contracted in excess of said city's authorized annual revenues; and

Whereas, doubts have arisen concerning the legality or validity of the aforesaid warrants or a portion thereof on the ground that the aforesaid expenditures or a portion thereof, were contracted in excess of said city's annual revenue actually levied; and

Whereas, doubts have arisen concerning the legality or validity of the aforesaid warrants or a portion thereof on the ground that the aforesaid expenditures or a portion thereof, were not provided for in said city's annual appropriations; and

Whereas, it is deemed advisable to put said doubts and all other doubts which may arise concerning the legality or validity of the aforesaid warrants forever at rest; now, therefore:

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. That the acts of the city council of the
2 City of Council Bluffs, Iowa, in making expenditures for said
3 city, issuing warrants therefor in the sum of Two Hundred
4 Thousand Dollars (\$200,000.00), as aforesaid, and authorizing
5 and directing the issuance and sale of negotiable bonds in the
6 sum of Two Hundred Thousand Dollars (\$200,000.00), for the pur-
7 pose of funding the aforesaid warrants, be and the same are
8 hereby legalized and validated.

1 Sec. 2. That the aforesaid warrants of the City
2 of Council Bluffs, Iowa, in the aggregate sum of Two Hundred
3 Thousand Dollars (\$200,000.00), be and the same are hereby
4 legalized and declared to be valid, legal and subsisting
5 obligations of said city.

1 Sec. 3. That the funding bonds of the City of
2 Council Bluffs, Iowa, in the aggregate sum of Two Hundred
3 Thousand Dollars (\$200,000.00), authorized and directed to
4 be issued and sold by said resolution for the purpose of fund-
5 ing the aforesaid warrants, be and the same are hereby legalized
6 and when sold as by law provided, shall be the valid, legal
7 and subsisting obligations of said City of Council Bluffs, Iowa.

1 Sec. 4. Nothing in this act shall affect pending
2 litigation.

1 Sec. 5. This act, being deemed of immediate im-
2 portance, shall take effect and be in force from and after its
3 publication in the Des Moines Register, a newspaper published
4 in the City of Des Moines, Iowa, and the Council Bluffs Nonpareil,
5 a newspaper published in the city of Council Bluffs, Iowa, with-
6 out expense to the state.