

Reported Recommending.....  
 Ind. Postponed.....  
 Passed House.....  
 Failed to Pass House.....  
 Passed Senate.....  
 Failed to Pass Senate.....

January 27, 1937.  
 Judiciary.

House File 33.  
 By YAGER. ✓

## A BILL FOR

*Milford  
 legalizing*

An Act to legalize the proceedings relating to an election held in the Town of Milford, Dickinson County, Iowa, on the proposition of establishing a municipal electric light plant within said Town; and to legalize the proceedings taken by the Council of said Town in letting a contract for the construction of said municipal electric light plant, under Sections six thousand one hundred thirty-four d-one (6134-d1) to six thousand one hundred thirty-four d-seven (6134-d7), inclusive of the 1935 Code of Iowa; and to legalize the contract entered into between said Town of Milford Iowa, and the Monroe Electric Company for the construction of said municipal electric light plant, and the issuance of revenue bonds in payment thereof; and declaring said contract and the revenue bonds issued thereunder, as valid and enforceable obligations of said Town.

WHEREAS, the Town of Milford, in Dickinson County, Iowa ordered a special election in said Town to be held on February 1, 1934, on the proposition of establishing and constructing a municipal electric light plant under the provisions of Sections six thousand one hundred thirty-four d-one (6134-d1) to six thousand one hundred thirty-four d-seven (6134-d7), inclusive, of the 1931 Code of Iowa; and which election was carried by a favorable vote of 372 to 281; and

WHEREAS, the Council of said Town did thereupon proceed to comply with the provisions of Sections six thousand one hundred thirty-four d-one (6134-d1) to six thousand one hundred thirty-four d-seven (6134-d7), inclusive, of the 1931 Code of Iowa, and Chapter seventy-four (74) of the Acts of the Forty-fifth General Assembly of Iowa, Extraordinary session, in filing proposed plans and specifications and proposed form of contract, and advertising for bids thereon; and

WHEREAS, on the 28th day of May, 1934, the Council of said Town did receive bids upon said plans and specifications, and on May 28, 1934, let a contract to the Monroe Electric Company, they being the low bidder, for the construction of said municipal electric light plant for the sum of sixty-seven thousand five hundred dollars (\$67,500.00). Payment of said contract, and the revenue bonds to be issued in payment thereof, to be made only from the earnings of said municipal electric light plant, and said payments being evidenced by the issuance of certain revenue bonds by the Town of Milford; and

WHEREAS, said municipal electric light plant has been constructed and completed under said contract and has been in operation since the month of April, 1935, furnishing electric service to practically all of the residents of the Town of Milford. Said plant having been accepted by said Town, and said revenue bonds have been issued, delivered to the said Monroe Electric Company and sold to innocent parties, and the terms of said contract have been fully performed to this date; and

WHEREAS, doubts have arisen as to the legal sufficiency of said election and the subsequent proceedings taken by the Town of Milford, to authorize the establishment and construction of said municipal light plant and the letting of said contract for the construction thereof, and the issuance of revenue bonds in payment therefor, and it is deemed advisable to put said doubts, and all others that may arise, forever at rest; and

WHEREAS, the Town of Milford, Iowa, and the Council desire to assume and fulfill the obligations and benefits of said contract with the Monroe Electric Company, and the holders of the revenue bonds issued in payment of said contract, and to validate said contract and the revenue bonds, now, therefore,

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

- 1 Section 1. That all proceedings relating to the election
- 2 held February 1, 1934, in the Town of Milford, Dickinson
- 3 County, Iowa, on the proposition of establishing and construct-
- 4 ing a municipal electric light plant; and all proceedings taken
- 5 by the Council of the Town of Milford, subsequent to said elec-

6 tion, in advertising for bids, filing plans and specifications,  
7 under the provisions of Sections six thousand one hundred  
8 thirty-four d-one (6134-d1) to six thousand one hundred thirty-  
9 four d-seven (6134-d7) of the 1935 Code of Iowa, inclusive;  
10 and the contract entered into by the Town of Milford and the  
11 Monroe Electric Company on May 28, 1934, for the construction  
12 of said municipal electric light plant, and the revenue bonds  
13 issued in connection therewith, are hereby declared to be legal  
14 and valid notwithstanding any irregularity, omission or defect  
15 in connection therewith, and that said contract entered into  
16 by the Town of Milford, Iowa, and the Monroe Electric Company,  
17 and the revenue bonds issued in connection therewith, shall be  
18 and are hereby declared valid, and the said Town of Milford,  
19 is hereby authorized to perform the said contract, and to pay  
20 for the same as provided in said contract and said revenue bonds.

1 Sec. 2. This act, being deemed of immediate importance,  
2 shall be in full force and effect from and after its publication  
3 in the Milford Mail, a newspaper published in Milford, Iowa,  
4 and the Spirit Lake Beacon, a newspaper published in Spirit Lake,  
5 Dickinson County, Iowa, without expense to the State.