

CHAPTER 275.

THE CITY OF OELWEIN.

S. F. 872.

AN ACT legalizing the acts and proceedings of the city council of the city of Oelwein, Iowa, in purchasing grounds for park and appropriating money from the park fund in partial payment of the same, and any and all acts of the city treasurer of said city in the payment of warrants drawn on the park fund by the city clerk of said city.

WHEREAS, At a meeting of the city council of the city of Oelwein, held on the thirteenth (13) day of March, one thousand nine hundred and three (1903), a resolution was adopted by said city council to submit to the qualified electors of said city of Oelwein the question of voting a two mill tax levy upon the assessed property within said city, for the purpose of purchasing suitable real property for a public park for said city, said levy to continue for five (5) years from date of levy, and

WHEREAS, Proper proclamation was made and notice given of an election upon the question of making said tax levy for the purpose of purchasing suitable real property for a public park for said city, and

WHEREAS, Said proposition was submitted to the qualified electors of said city, at the city election of said city, held March 30, A. D. one thousand nine hundred and three (1903), and

WHEREAS, A majority of the legal voters voting at said election voted in favor of said tax levy, and

WHEREAS, On the 8th day of September, A. D. one thousand nine hundred and three (1903), said city council levied, in pursuance of said election a two mill tax for public park fund, which public park fund tax has annually thereafter been levied, and

WHEREAS, On the 30th day of July, A. D. one thousand nine hundred and six (1906), the city council of said city, by resolution duly adopted instructed the mayor and clerk of said city to enter into a contract with one G. A. Oelwein for the purchase of the following described real property for park purposes: The north two thirds (2-3) and the east one half ($\frac{1}{2}$) of the south west one-fourth ($\frac{1}{4}$) of section thirty-three (33), township ninety-one (91) north, range nine (9) west of the fifth P. M., in Fayette county, Iowa, and to pay for the same in the following manner: One thousand dollars (1,000) at the time of signing the contract and seven thousand one hundred and fifty dollars (\$7,150), on the 31st day of May, A. D. one thousand nine hundred and twenty-one (1921), and instructed the city clerk to draw a warrant on the park fund in the sum of one thousand dollars (\$1,000), as first payment on said contract, and

WHEREAS, On the 30th day of July, A. D. one thousand nine hundred and six (1906), the mayor and clerk of said city did enter into a contract with the said G. A. Oelwein for the purchase of said above described real property for a public park for said city, and

WHEREAS, The city clerk of said city did, on the 30th day of July, A. D. one thousand nine hundred and six (1906), draw a warrant on the park fund of said city in the sum of one thousand dollars (\$1,000), in favor of the said G. A. Oelwein, and

WHEREAS, Said city warrant drawn on the park fund was duly presented to the city treasurer of said city and by him paid out of said park fund, and

WHEREAS, There are doubts as to the legality of the proceedings and actions of said city council in purchasing said ground for park purposes in the way and manner hereinbefore set forth, and

WHEREAS, There are also doubts as to the legality and validity of the action of said city treasurer in the payment of said warrant drawn on the park fund in the way and manner hereinbefore set forth, therefore,

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

SECTION 1. Proceedings of council and purchase of real property legalized. That all proceedings of the city council of the city of Oelwein, Iowa, with reference to the purchase of the real property for park purposes, as set out in the preamble hereto, are hereby legalized and made of the same validity, force, and effect as if all the requirements and provisions of the law applicable thereto had been fully complied with, and that the purchase of said real property for park purposes is hereby declared to be valid and legal, and that the action of said city treasurer in the payment of said warrant in the way and manner set forth in the preamble hereto is hereby legalized and validated so as to be of the same force and effect as if each and every provision of the statute of the state of Iowa with reference thereto had been strictly complied with.

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

SEC. 3. In effect. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Des Moines Register and Leader, a newspaper published in Des Moines, Iowa, and the Oelwein Register, a newspaper published in Oelwein, Iowa, without expense to the state.

Approved April 10, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, April 19, 1907, and the Oelwein Register, April 24, 1907.

W. C. HAYWARD,
Secretary of State.

CHAPTER 276.

THE TOWN OF PRAIRIEBURG.

H. F. 470.

AN ACT to legalize the incorporation of the town of Prairieburg, Linn county, Iowa, the election of its officers and all acts done and ordinances passed by the town council of said town.

WHEREAS, Doubt exists as to the legality of the incorporation of the town of Prairieburg, Linn county, Iowa, the election of its officers, official acts done, and the ordinances and resolutions passed by the town council of said town; therefore,

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

SECTION 1. Incorporation, election, acts and ordinances legalized—pending litigation. That the incorporation of the town of Prairieburg, Linn county, Iowa, the election of its officers and all acts done and the ordinances and resolutions passed by the town council of said town, not in contravention of the laws of the state, are hereby legalized and the same are hereby declared to be valid and binding the same as though the law had been, in all respects, strictly complied with in the incorporation of said town, the election of its officers, and all official acts done, and the passage of its ordinances and reso-