

purchase"; also doubts have arisen as to the legality and sufficiency of the findings of the city council on the canvass of said petition; doubts have arisen as to the legality and sufficiency of the notice of said election; and the proposition submitted on the ballot; and of the legality of the acts and doings of said city council in connection with said special election and the purchase of said water works, and the issuance of bonds for purchase thereof and for construction work; therefore,

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

SECTION 1. Special election, acts, ordinances and bonds legalized—pending litigation. That the proceedings of the city council of the city of Anamosa, Iowa, concerning and providing for the submission to the qualified electors of said city of the proposition for the acquiring of a system of water works, and for issuing bonds for such purpose and construction work, the petition submitted to the city council therefor, the notice of the submission and the time of such notice; the form of the ballot submitted at said election, and all acts and proceedings of said city council prior or subsequent to said special election, whether herein particularly specified or not, had and done with reference to said proposition of acquiring a water works system and issuing bonds therefor and construction work thereof, and each of them, be and are hereby legalized and validated as fully and completely as though the law had in all things been technically and fully complied with in every respect, and the resolutions and ordinance passed in aid thereof are hereby legalized and validated, and said bonds, whether issued or to be issued, shall be the valid and binding obligation of said city of Anamosa, Iowa. This act shall in no wise affect pending litigation.

SEC. 2. In effect. This act being deemed of immediate importance shall take effect from and after its publication in the Anamosa Eureka, a newspaper published in Anamosa, Iowa, and the Register and Leader, a newspaper published in Des Moines, Iowa, without expense to the state.

Approved February 10, A. D. 1909.

I hereby certify that the foregoing act was published in the Register and Leader February 12, A. D. 1909, and in the Anamosa Eureka, February 18, A. D. 1909.

W. C. HAYWARD,
Secretary of State.

CHAPTER 278.

THE TOWN OF CALLENDER.

H. F. 313.

AN ACT to legalize certain ordinances of the town of Callender, Webster county, Iowa.

WHEREAS, Certain ordinances, hereinafter particularly specified, of the town of Callender, Webster county, Iowa, were in good faith passed and adopted by the town council of said town and have at all times been treated by said town as legal and valid ordinances, and

WHEREAS, The records of said town council were defectively kept and failed to show the proceedings fully had and done by the council in the adoption of said ordinances, and in the case of several ordinances the same were not adopted by an aye and nay vote of the members of the council, but upon motion without any record being kept of the vote of each member of the council, and then after only one reading of said ordinances, and

WHEREAS, Said ordinances were read in council and adopted upon motion and published as by law provided, and

WHEREAS, In the case of certain other ordinances the mayor, J. M. Sabe, of said town of Callender, was not a citizen of United States, but was a subject of the king of Norway, having made his declaration of intention of becoming a citizen of United States but not having been naturalized as such, and

WHEREAS, The town council of said town of Callender has acted upon said ordinances, made improvements thereunder and have enforced said ordinances from and after the time of their adoption, and have in all respects treated said ordinances as valid, legal and binding, and they have been so treated by the officers and citizens of said town, and

WHEREAS, Because of the defects referred to doubts have arisen as to the legality of said ordinances. Now therefore,

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

SECTION 1. Ordinances legalized. That all said ordinances be and the same are hereby legalized and declared to be valid and binding the same as though the law had in all respects been strictly complied with and the same as though the mayor, J. M. Sabe, was, at all times while acting as the mayor of said town, a citizen of United States and of the state of Iowa and had all the qualifications required by law for holding and occupying the office of mayor of said town of Callender, and as though the law had required nothing more to be done than was done, and the same as though in each instance the law required to be done just what was done and in the manner in which it was done. Said ordinances are as follows:

Ordinance No. 3, adopted April 2, 1894, entitled: "An ordinance licensing transient persons to sell goods at auction or otherwise";

Ordinance No. 4, adopted April 2, 1894, entitled: "An ordinance concerning nuisances";

Ordinance No. 5, adopted April 2, 1894, entitled: "An ordinance to prohibit stock from running at large";

Ordinance No. 6, adopted April 2, 1894, entitled: "An ordinance to establish sidewalks and providing for their construction";

Ordinance No. 7, adopted April 2, 1894, entitled: "An ordinance protecting and caring for sidewalks";

Ordinance No. 8, adopted April 3, 1894, entitled: "An ordinance to prohibit drunkenness and disturbances";

Ordinance No. 9, adopted April 9, 1894, entitled: "An ordinance providing for the licensing of a mullet saloon";

Ordinance No. 10, adopted April 2, 1894, entitled: "An ordinance to prohibit gambling and to provide for its punishment";

Ordinance No. 11, adopted April 16, 1894, entitled: "An ordinance to license draymen";

Ordinance No. 13, adopted June 12, 1894, entitled: "An ordinance prohibiting the discharge of firearms within the corporate limits";

Ordinance No. 15, adopted July 27, 1894, entitled: "An ordinance to provide for the licensing of shows, concerts or theatrical performances";

Ordinance No. 27, adopted August 1, 1898, entitled: "An ordinance to provide for the construction and maintenance of a sewer in the incorporated town of Callender and to provide for the payment for its construction and to regulate its use";

Ordinance No. 28, adopted September 5, 1898, entitled: "An ordinance defining certain offenses and providing for the punishment thereof";

Ordinance No. 29, adopted September 5, 1898, entitled: "An ordinance providing for the punishment of parties discharging missiles from air guns and other weapons within the corporate limits of the town";

Ordinance No. 30, adopted November 11, 1898, entitled: "An ordinance to provide for the licensing of transient merchants, bankrupt stores and damaged goods stores";

Ordinance No. 31, adopted May 1, 1899, entitled: "An ordinance regulating tree planting on public streets";

Ordinance No. 32, adopted, April 17, 1900, entitled: "An ordinance granting to the E. H. Martin telephone company the right to erect and maintain its poles and lines in the town of Callender on the conditions herein provided";

Ordinance No. 33, adopted May 18, 1903, entitled: "An ordinance to prohibit dogs running at large and providing license for same";

Ordinance No. 34, adopted May 18, 1903, entitled: "An ordinance relating to the construction of sidewalks";

Ordinance No. 35, adopted July 27, 1903, entitled: "An ordinance establishing a tile drain on Mortimer avenue and providing for the maintenance of same";

Ordinance No. 36, adopted July 27, 1903, entitled: "An ordinance to establish street grades in the town of Callender".

SEC. 2. **Pending litigation.** Nothing in this act shall in any way affect pending litigation, or be construed to grant cities and towns any power or privileges not granted by the general laws governing cities and towns and now possessed and exercised by them.

Approved March 29, A. D. 1909.

CHAPTER 279.

THE CITY OF CEDAR RAPIDS.

H. F. 317.

AN ACT to legalize certain acts of the city council of the city of Cedar Rapids, Linn county, Iowa, and of the auditor, treasurer and board of supervisors of said Linn county, Iowa, relating to levy of park tax.

WHEREAS, By vote of the people of the city of Cedar Rapids, Iowa, prior to December, 1907, a one mill tax on the actual value of the property of said city was authorized for the years 1907, 1908 and 1909 to provide a park fund which tax would create an amount of money annually about equal to a four mill levy on twenty-five per cent of the actual value of the property of said city; and

WHEREAS, The city council of Cedar Rapids, Linn county, Iowa, in the year 1908 levied and assessed and reported to the auditor, treasurer and board of supervisors of said Linn county, Iowa, for levy and assessment in said year to be collected and paid in the year 1909 a tax for park fund in said city of four mills on the dollar of the taxable property of said city; and

WHEREAS, Said levy of four mills for said fund was accordingly made by said city and the county officers of said Linn county, Iowa, and entered on the tax books of said county by the county officers aforesaid; and

Whereas, Said city council and said county officers in making and entering said levy had in view the best interests of said city and the fact previously said vote on said tax had been taken; and

WHEREAS, Doubt has arisen as to the authority of said council and said county officers to assess and levy said tax to the amount of four mills for said fund.

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

SECTION 1. **Acts and tax levy legalized—pending litigation.** That all acts, of the city council of the city of Cedar Rapids, Iowa, and of the auditor,