

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,

treasurer and board of supervisors of said Linn county, Iowa, in assessing and levying against the taxable property of said city in the year 1908 four mills on the dollar for the park fund of said city be and the same are hereby legalized and made valid as though the law had been fully complied with, provided, however, that this act shall not affect pending litigation.

SEC. 2. **In effect.** This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Register and Leader, a newspaper published in Des Moines, Iowa, and the Cedar Rapids Daily Republican, a newspaper published in Cedar Rapids, Iowa, said publication to be without expense to the state.

Approved March 27, A. D. 1909.

I hereby certify that the foregoing act was published in the Register and Leader March 30, A. D. 1909, and in the Cedar Rapids Republican March 31, A. D. 1909.

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

## CHAPTER 280.

### THE TOWN OF DEEP RIVER.

H. F. 243.

AN ACT legalizing ordinances numbers thirty-eight and thirty-nine, establishing the grades of streets and sidewalks in the incorporated town of Deep River, Poweshiek county, Iowa.

WHEREAS, On the 8th day of October, 1906, the council of the incorporated town of Deep River, Poweshiek county, Iowa, adopted ordinances numbers thirty-eight (38) and thirty-nine (39) as recorded in the ordinance book of said incorporated town establishing the grades of the streets and sidewalks in said town, and caused to be made in the records of said council, a record of the adoption of said ordinances and of the votes of the members of the council; and,

WHEREAS, Said record of said proceedings adopting said ordinances shows that the rule requiring that said ordinances be fully and distinctly read on three different days was dispensed with by yea and nay vote which was recorded, and that the mayor declared the motion to dispense with said rule adopted, but said record fails to show whether the mayor did or did not vote yea thereon, so that some question has arisen as to whether said rule was dispensed with by a sufficient number of the votes of the members of the council and as to the legality of said ordinances, therefore,

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

SECTION 1. **Certain ordinances legalized—pending litigation.** That ordinances numbers thirty-eight (38) and thirty-nine (39) of the incorporated town of Deep River, Poweshiek county, Iowa, which were passed and adopted by the council of said incorporated town on the 8th day of October, 1906, be and the same are both hereby legalized and declared of the same force and effect as if they had been fully and distinctly read on three different days, and the same as if the record showed that the rule requiring that they be so read had been duly dispensed with by three-fourths of the council of said town, and as if they had in all respects been passed and adopted in the manner provided by law. Provided, however, that the passage of this act shall in no manner affect pending litigation.

SEC. 2. **In effect.** This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Register and