

crees of the judges and said court and all the records of said court and the official acts of the officers of said court. Now therefore,

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

**SECTION 1. Establishment of superior court, election, acts, decrees, etc., legalized—pending litigation.** That the establishment of the superior court of the city of Perry, Dallas county, state of Iowa, and all of the proceedings in the matter of the establishing said court and the acts of all the officers of the city of Perry, in relation to the establishment of said court and the issuance of the proclamation by the mayor and the election on said matter and the vote of the electors in establishing said court and the canvassing the vote and the declaring the result and the appointment of the judge thereof and the election of his successor and the official acts, orders, judgments, and decrees of said judges and the court and all the proceedings in said court and all the records of said court and official acts of the clerk thereof or any other officers of said court are hereby legalized and given as full force and effect as if the law in every particular had been complied with in all of said matters and in all of said proceedings, and as if that all of said matters, acts, and proceedings had been in conformity to law. 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 at Des Moines, Iowa, and the Chief-Reporter, a newspaper published at Perry, Dallas county, Iowa, as provided by law without expense to the state.

Approved March 25, A. D. 1909.

I hereby certify that the foregoing act was published in the Register and Leader March 27, A. D. 1909, and in the Perry Daily Chief March 30, A. D. 1909.

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

## CHAPTER 299.

### THE TOWN OF POCAHONTAS.

S. F. 342.

AN ACT legalizing and curing the acts and proceedings of the incorporated town of Pocahontas and the town council of said incorporated town, in the county of Pocahontas and state of Iowa, in relation to the establishment, erection and maintenance and extension of a system of water-works in said town, and the issuance of warrants of said town in payment therefor, and authorizing the town council of said town to issue bonds for the purpose of taking up and paying its floating indebtedness represented by its warrants.

WHEREAS, The qualified electors of the incorporated town of Pocahontas, in the county of Pocahontas and state of Iowa, did on or about August 19th, 1901, at a special election held for such purpose, vote in favor of the establishment and erection of a system of water-works within said town, and;

WHEREAS, The town council of said town, in pursuance of said election, established, erected and are maintaining a system of water-works within and for said town, and;

WHEREAS, The indebtedness of said town created for the establishment, erection and maintenance of said system of water-works, exceed the amount authorized by the statutes of Iowa at the time of creating the same, and;

WHEREAS, The said town council failed to, or were unable to issue bonds in payment of said indebtedness, and;

WHEREAS, The said town council issued the warrants of said town in payment of the indebtedness of said town, created and incurred for the erection, establishment and maintenance of said water-works system, and;

WHEREAS, The said town has used its general revenues for the purpose of paying and taking up a large portion of the warrants issued in payment for said water-works system, and has issued warrants against its general fund in payment for the establishment, erection and maintenance of said water-works system, and for the general running expense of said town, and;

WHEREAS, A large number of said warrants are still outstanding and unpaid, and;

WHEREAS, The costs of the establishment, erection and maintenance of such system of water-works, exceeded the amount of the present floating indebtedness of said town represented by its warrants, and;

WHEREAS, Doubts have arisen as to the legality of the acts and proceedings of the said town in relation to the establishment, erection and maintenance of the said water-works system, and the warrants issued in payment therefor, and;

WHEREAS, The amount of said indebtedness has never exceeded the limit prescribed by section three (3), of article eleven (11), of the constitution of the state of Iowa, and;

WHEREAS, It is the desire of the said incorporated town, and the citizens thereof, that the acts and proceedings of said incorporated town, and the said town council, in relation to the establishment, erection and maintenance of said water-works system, and the indebtedness created and incurred therefor, and the warrants issued in payment of said indebtedness shall be cured and legalized.

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

**SECTION 1. Acts and warrants legalized.** That all acts of the incorporated town of Pocahontas, in the county of Pocahontas and state of Iowa, and of the town council of said incorporated town of Pocahontas, relating to the establishment, erection and maintenance and extension of a water-works system within said incorporated town, and relating to the indebtedness created and incurred therefor, and relating to the issuing of warrants of said town in payment of said indebtedness, be and the same are hereby cured and legalized and the said indebtedness and the outstanding warrants of said town, are hereby legalized and established as a valid and binding indebtedness of said town, with the same force and effect as if the same had been legal and valid at the time of incurring said indebtedness and issuing said warrants.

**SEC. 2. Bond issue authorized.** That the said incorporated town of Pocahontas and the town council of said town, be and they are hereby authorized to issue the bonds of said town for the purpose of liquidating and taking up the floating indebtedness of said town, represented by the said town warrants now outstanding, provided, however, that the amount thereof shall not exceed in the aggregate added to all other indebtedness of said town, five per cent of the actual value of the taxable property within such incorporated town. Such value to be ascertained by the last state and county tax list, previous to the incurring of such indebtedness.

**SEC. 3. Payment of bonds and interest authorized.** That the said incorporated town of Pocahontas, and the town council of said incorporated town, be and they are hereby authorized to provide for the payment of said bonds and the interest thereon in the same manner as is provided by the statutes of Iowa, in relation to the payment of bonds and interest thereon, issued for the construction of water-works.

**SEC. 4. Pending litigation.** Nothing in this act shall be in any way construed so as to effect pending litigations.

Approved April 7, A. D. 1909.