

An ordinance adopted November 1st. 1909, entitled: "An ordinance to authorize the Bettendorf Improvement Company, a corporation organized under the laws of Iowa, its successors and assigns, to erect posts, poles and wires on the streets, lanes, roads and alleys in the town of Bettendorf, Iowa, and to erect, construct, maintain and operate an electric light and power system for the purpose of furnishing commercial light and electric power in said town; and granting to said Bettendorf Improvement Company, its successors and assigns, a franchise to erect posts, poles and wires on the streets, lanes, roads and alleys in said town, and to erect, construct, maintain and operate an electric light and power system for the purpose of furnishing commercial light and electric power in said town, for a period of twenty-five years."

**SEC. 3. Pending litigation.** Nothing in this act shall in any way affect pending litigation.

Approved February 3, A. D. 1911.

## CHAPTER 238.

### THE TOWN OF BLANCHARD.

H. F. 371.

AN ACT to legalize the acts of the town council of the town of Blanchard, in the county of Page, and state of Iowa; appointing certain persons as members of said town council and empowering them to hold and exercise the duties of said office.

WHEREAS, on the twenty-seventh day of December 1910, the town council of the town of Blanchard, in the county of Page, and state of Iowa passed an ordinance for the revision of all of the ordinances of said town of a general character, and the rules of the board of health, and the rules of order of the Blanchard town council, which revised ordinances and rules were approved by the mayor of said town on December 27, 1910, and

WHEREAS, said ordinances and rules have been by action of said town council arranged in order and published in permanent book form and entitled "Revised Ordinances of the Town of Blanchard, Iowa of 1911," and

WHEREAS, doubts have arisen as to the legality of all of the acts of said town council and also to the legality and validity of the election of the members of the town council of Blanchard, Iowa; and also as to the authority of certain persons who are now and have been acting and voting as members of said Blanchard town council since the last Monday in March 1910, therefore,

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

**SECTION 1. Acts legalized—councilmen appointed.** That all of the acts of the town council of the town of Blanchard, Iowa, had since the last Monday in March 1910, are hereby legalized, and the persons who are now acting and have purported to act as members of the town council of said town of Blanchard, Iowa, since the last Monday in March 1910, are hereby appointed to the offices which they have and are now purporting to fill, and each of said persons is empowered to hold and exercise the duties of said office of member of the town council of the town of Blanchard, Iowa until the last day of March 1912, and until his respective successor is elected and qualified.

**SEC. 2. Pending litigation.** Nothing herein contained shall be construed to 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

Capital, a newspaper published at Des Moines, Iowa, and the State Line Herald, a newspaper published at Blanchard, Iowa, without expense to the state.

Approved March 30, A. D. 1911.

I hereby certify that the foregoing act was published in the Des Moines Capital April 1, 1911, and in the Blanchard Herald, April 6, 1911.

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

## CHAPTER 239.

### THE CITY OF BURLINGTON.

#### S. F. 299.

AN ACT to legalize certain warrants of the city of Burlington.

WHEREAS, the city of Burlington, hitherto during the year 1909 A. D., did contract for grading, paving and for grading divers streets and for the construction of divers sewers, and

WHEREAS, the city of Burlington levied assessments against the owners of property benefited by said paving, grading, and sewers, in proportion to the benefits conferred, and

WHEREAS, said assessments were not equal in amount to the price which said city of Burlington had contracted should be paid for said paving, grading and sewers, and

WHEREAS, said city of Burlington became liable and indebted to the contractors, who conducted said paving, grading and sewers, for the difference between the contract price and the total amount of assessments levied against the owners of property benefited by said paving, grading, and sewers; and

WHEREAS, the difference between said contract price and said total amount of special assessments was one hundred and twenty-two thousand dollars (\$122,000.00); and

WHEREAS, the city of Burlington did issue warrants in the sum of one hundred and twenty-two thousand dollars (\$122,000.00) to said contractors to evidence said indebtedness representing the difference between the contract price and the amount of special assessments levied against owners of benefited property; and

WHEREAS, said contractors completed their work on aforementioned paving, grading, and sewers in full compliance with specifications and have fully performed all their promises in said contracts; and

WHEREAS, the city of Burlington has been and now is enjoying the use and benefit of the aforementioned street improvements, which were and are well worth the total price the city contracted should be paid; and

WHEREAS, doubts have been raised questioning the legality of the warrants issued to pay the city's share of the contract price of the aforementioned warrants on the ground that they were issued in excess of the statutory limit of indebtedness, now therefore

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

SECTION 1. **Acts legalized.** That the acts of the city council of the city of Burlington in issuing warrants in the sum of one hundred and twenty-two thousand dollars (\$122,000.00) during the year of 1909 A. D., to pay the city's share of the contract price for the paving of certain streets, the grading