

One warrant no. 1636 for \$500.00, dated November 26, 1906, due on or before 10 years after date, with interest at 6% payable annually.

One warrant no. 1637 for \$184.25, dated November 26, 1906, due on or before 10 years after date, with interest at 6% payable annually.

WHEREAS, the said waterworks extension was completed in a proper and satisfactory manner by the said E. Smedley and the amount charged by him and agreed by said town of Fayette to be paid therefor was the fair and reasonable cost of said work, and the said town of Fayette has had the benefit of the full value of said warrants issued in part payment therefor.

WHEREAS, the total indebtedness of the town of Fayette, Iowa, at the time said warrants were issued, including said warrants, was not, and is not now at the present time, and never has been in excess of the five per cent of the actual value of the assessable property within said incorporated town.

WHEREAS, questions have arisen as to the legality of said warrants above described and as to the right of the town council, or the town treasurer, to pay the same.

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

SECTION 1. Warrants legalized. That all warrants issued by the town of Fayette, Iowa, to E. Smedley as above described are hereby declared to be legal and valid as though said warrants had been issued in strict compliance with law; and the said town of Fayette is authorized to pay said warrants and the interest thereon accrued, and accruing, in the manner provided by law for the payment of bonds, and the interest on bonds, issued for the construction of a waterworks plant.

SEC. 2. Pending litigation. Nothing in this act shall in any way affect pending litigation concerning the subject matter hereof.

SEC. 3. Town not liable prior to date of maturity. Nothing in this act shall be construed as making said town of Fayette, Iowa, liable for the payment of the principal represented by the face of said warrants prior to the time of maturity of said debt as described in said warrants.

Approved April 10, A. D. 1911.

CHAPTER 246.

THE TOWN OF FLOYD.

H. F. 408.

AN ACT to legalize all the elections of the town of Floyd, in the county of Floyd, state of Iowa, and all acts performed and proceedings held or undertaken, and all ordinances and resolutions, or amendments thereto, passed by the town council of said town, and all the official acts of the town officers of said town, since the passage of an act relating to the organization of cities and towns and known as chapter twenty-six of the acts of the thirty-second general assembly; and defining the terms of office of the councilmen and officers of said town, and providing for future elections therein.

WHEREAS, in the election of the members of the town council and other town officers in and for the town of Floyd, in the county of Floyd, state of Iowa, held since the passage and going into effect of an act relating to the organization of cities and towns and known as chapter twenty-six of the acts of the thirty-second general assembly of the state of Iowa, no notice has been taken of said act, but said elections inadvertently have been held and members of the town council and other town officers nominated and

elected without reference thereto, but in accordance with the statutes previously existing in relation to such elections, and as if the said statutes were still in full force and effect and unrepealed and unamended; and

WHEREAS, at a town election so held on the last Monday in March A. D. 1908, E. A. Kenyon and J. C. Lindsay were duly elected as councilmen, and at a town election so held on the last Monday in March, A. D. 1909, C. H. Gutches and F. L. Morse were duly elected as councilmen, and at a town election so held on the last Monday in March, A. D. 1910, George H. Jackson was duly elected mayor, C. N. Barney was duly elected clerk, W. H. Staebler was duly elected treasurer, L. A. Beattie was duly elected assessor, and Robert Hanf and Charles Knowlton were duly elected members of the town council of said town; and

WHEREAS, the said persons have duly qualified and have filled the offices to which they were respectively elected and performed the duties thereof, and as such officers and councilmen have performed divers official acts; and

WHEREAS, the town council of said town has acted and proceeded in all matters as if the said persons so elected as councilmen had been legally elected and were legally entitled to membership therein, and said town council so composed in whole or in part of said persons has undertaken to pass various ordinances and resolutions and to perform other official acts; and

WHEREAS, doubt has arisen as to the legality of all the ordinances, resolutions, and amendments to ordinances and resolutions, passed by the said council of the town of Floyd, and as to the legality of all of its acts and proceedings and those of the said town officers elected as aforesaid; now therefore

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

SECTION 1. Elections, acts and ordinances legalized. That all of the elections of the town of Floyd, in the county of Floyd, state of Iowa, held since the passage of an act relating to the organization of cities and towns and known as chapter twenty-six of the acts of the thirty-second general assembly of the state of Iowa, and all of the acts performed and proceedings held or undertaken, and all of the ordinances, or amendments thereto, passed by the town council of said town of Floyd and all the official acts of the town officers of said town acting as such officers performed or undertaken since the passage of the said act, and not in contravention of the laws of the state, are hereby legalized and declared to be valid and binding the same as [if] the said act had not been passed and the law had been in all respects strictly complied with in the elections of said town officers and members of said town council.

SEC. 2. Officers legally elected. That all of the persons before named elected as aforesaid as officers and councilmen of the said town are hereby declared to have been duly and legally elected and to be now legally acting as such, and the terms of office of said officers and councilmen, and each of them, shall continue as hereinafter provided.

SEC. 3. Officers and councilmen to be elected in 1912. That on the last Monday in March, A. D. 1912, there shall be held an election in said town of Floyd at which there shall be elected a mayor, treasurer, assessor, and five councilmen at large as provided in chapter twenty-six of the acts of the thirty-second general assembly, and the councilmen so elected shall compose the town council and be the successors of the six councilmen now in office and shall at their first meeting appoint a clerk as provided by section seven of said chapter twenty-six. That the present town officers and councilmen of the said town shall continue to hold office in such, but only until

their successors are elected, or appointed, and qualified in the year 1912, as herein provided. That thereafter all of the town officers and councilmen of the town of Floyd shall be elected or appointed biennially as now provided by law.

SEC. 4. Pending litigation. Nothing in the act shall affect any pending litigation.

SEC. 5. In effect. This act being deemed of immediate importance shall be in force and effect from and after its publication in the Des Moines Register and Leader, a newspaper published at Des Moines, Iowa, and the Charles City Daily Intelligencer, a newspaper published at Charles City, Iowa; said publication to be without expense to the state.

Approved April 8, A. D. 1911.

I hereby certify that the foregoing act was published in the Register and Leader and the Charles City Daily Intelligencer, April 12, 1911.

W. C. HAYWARD,
Secretary of State.

CHAPTER 247.

THE TOWN OF GRANDVIEW.

S. F. 271.

AN ACT to legalize the incorporation of the town of Grandview, Louisa county, Iowa, the election of its officers, the passage of its ordinances, and resolutions, and acts done by the town council in the adoption and enforcement of its ordinances and resolutions since its organization in the year Nineteen Hundred, (1900).

WHEREAS, the town of Grandview, Louisa county, Iowa, was incorporated in the year nineteen hundred (1900), and

WHEREAS, in the vote taken upon the proposition to incorporate said town and for the election of the members of its town council and other officers thereof, a large majority of the qualified electors voted in favor of the incorporation of said town and a like majority voted for the officers, but after said election, a protest was made by certain residents of the said town of Grandview, that the election had been conducted by judges favorable to the incorporation and that illegal votes had been cast at the said election and that certain votes were refused by the said judges of election which should have been voted, and alleging misconduct on the part of the judges, but the alleged illegal votes so received by the judges and the votes refused to be taken, could not in any manner affect the result of the said election, and

WHEREAS, the officers and town council of the town of Grandview, Louisa county, Iowa, have been at all times elected and conducted under the laws of the state of Iowa in force at the date of its organization, without reference or complying with amendments to the said laws since July, nineteen hundred and seven (1907); that said town of Grandview had continued to elect six (6) councilmen instead of five (5), as by law provided, and,

WHEREAS, the functions of an incorporated town have been exercised and enjoyed by said town of Grandview and the inhabitants thereof since its incorporation, and

WHEREAS, certain ordinances and resolutions were in good faith adopted and passed by the town council of said town, and

WHEREAS, the records of said town council were improperly kept and failed to show the proceedings had and done by the town council in the adoption