

1 SEC. 4. Nothing in this act shall affect any pending litigation.

1 SEC. 5. This act being deemed of immediate importance, shall take
2 effect and be in force from and after its publication in The Des Moines
3 Capital and The Des Moines Register, newspapers published at Des
4 Moines, Iowa, and of general circulation in the state of Iowa, without
5 expense to the state.

Approved March 29, A. D. 1921.

I hereby certify that the foregoing act was published in the Des Moines Capital and the Des Moines Register March 30, 1921.

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

CHAPTER 373

TOWN OF SHELBY

S. F. 478.

AN ACT to legalize certain warrants and the issuance and sale of certain negotiable bonds for various purposes for the town of Shelby, Shelby county, Iowa.

WHEREAS, the town of Shelby in the county of Shelby, and state of Iowa, did heretofore issue its warrants for various purposes including street improvements and sewer and for deficiencies in assessments made against certain lots within its corporate limits to pay for the costs of street improvements and sewers, and

WHEREAS, the said town by its council issued warrants aggregating the sum of seven thousand one hundred forty dollars and forty cents (\$7,140.40), for the purposes hereinbefore set forth and which warrants are numbered from four hundred sixty-one (461) to five hundred sixteen (516), inclusive, and

WHEREAS, the said town by its council issued and sold certain bonds for waterworks purposes, the proceeds of which were used for the extension and improvement of the waterworks in said town, and

WHEREAS, the said town by its council did issue funding bonds for the purpose of funding certain outstanding indebtedness, which warrants and indebtedness were issued and incurred for a legal indebtedness of the city, and

WHEREAS, the amount of the said funding bonds issued for the purpose as above stated by said town is in the sum of ninety-six hundred (\$9,600) dollars, and

WHEREAS, the said town by its council did issue bonds called sewer disposal bonds for the purpose of paying for the expenditures made for a sewer disposal plant for said city, and did issue and sell certain improvement bonds for the purpose of improvements including sewers in the town of Shelby, and

WHEREAS, the said bonds so issued by said town and sold were in equal amounts of forty-three hundred dollars (\$4,300), for each class or a total of eighty-six hundred dollars (\$8,600), for said sewer disposal and improvement bonds, and

WHEREAS, said warrants and bonds when issued were all made for expenditures which were for purposes authorized by law and the town is enjoying the use and benefit of such expenditures, and

WHEREAS, the purpose for which said expenditures were made and the warrants and bonds issued and the bonds sold and the results thereof were and are well worth the sum which the said town by contract agreed to pay therefor, and

WHEREAS, the said warrants and the said bonds when issued did not together and do not now together exceed the constitutional limitation of indebtedness of said town, and

WHEREAS, doubt has arisen concerning the legality of said warrants and bonds upon the following grounds:

(1). That the expenditures or a portion thereof were in excess of the town's authorized revenue.

(2). That said warrants and bonds were not issued in the class or under the designation for the same fixed by law.

(3). That the expenditures were not provided for in the town's annual appropriation.

(4). That the sale of the said bonds and the regulations and provisions relating thereto were irregular and not legal.

(5). That no proper record has been kept of the vote of the electors of the town authorizing the issuance of the said bonds as provided by law.

(6). That the indebtedness which said warrants evidenced and which the said bonds created is, when taken together, in excess of the statutory limit of indebtedness.

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

1 SECTION 1. That the acts of the town council of Shelby, Iowa, in
2 making the expenditures for various purposes including street and
3 sewer improvements for which bonds and warrants were issued be
4 and the same are hereby legalized as though first made in strict com-
5 pliance with the law.

1 SEC. 2. That the aforesaid warrants issued by the town council of
2 Shelby, Iowa, in the aggregate sum of seven thousand one hundred
3 dollars and forty cents (\$7,140.40), be and the same are each hereby
4 legalized and declared to be valid, legal and subsisting obligations,
5 the same as though the law had in all respects been complied with.

1 SEC. 3. That the aforesaid water bonds of the town of Shelby,
2 Iowa, in the aggregate sum of eleven thousand dollars (\$11,000),
3 issued for the extension and improvement of the waterworks of said
4 town be and the same are hereby legalized and the sale of the same
5 be and is hereby legalized and declared to be valid, legal and subsist-
6 ing obligations of said town, the same as though the law had in all
7 respects been complied with.

1 SEC. 4. The aforesaid funding bonds of the town of Shelby, Iowa,
2 in the aggregate sum of ninety-six hundred dollars (\$9,600), be and
3 the same are hereby legalized and the sale of the same legalized and
4 that they be held to be valid, legal and binding obligations against
5 said town of Shelby, the same as though the law had been in all
6 respects complied with.

1 SEC. 5. The aforesaid sewer bonds and improvement bonds in the
2 aggregate sum of eighty-six hundred dollars (\$8,600), authorized
3 and directed to be issued for the purposes hereinbefore named,
4 to-wit: sewer disposal and sewer and street improvements, be and
5 the same are hereby legalized and the sale of the same legalized, the
6 same as though the law had been in all respects complied with and
7 said bonds issued under the proper description and for the proper
8 purposes.

1 SEC. 6. Nothing in this act shall affect pending litigation.

Approved March 18, A. D. 1921.

CHAPTER 374

BLACK HAWK COUNTY

H. F. 545.

AN ACT to legalize certain bonds issued by the board of supervisors of Black Hawk county, Iowa, and the use of the proceeds thereof.

WHEREAS, the county of Black Hawk, by and through its board of supervisors, did on the 15th day of June, 1920, authorize and issue as of June-1, 1920, the funding bond series of 1920, in the aggregate amount of three hundred five thousand dollars (\$305,000.00); and

WHEREAS, all of said bonds have been sold to innocent purchasers and are now outstanding; and

WHEREAS, it now appears that there was an over issue of bonds in the amount of seventeen thousand dollars (\$17,000.00), which it was not at that time necessary to issue; and

WHEREAS, it is desired that the said seventeen thousand dollars (\$17,000.00), now in the hands of the treasurer of Black Hawk county, may be used in the general county fund; and

WHEREAS, doubts have arisen relative to the legality of the entire said funding bond series of 1920, by reason of the over issue of seventeen thousand dollars (\$17,000.00) of bonds; and

WHEREAS, all of the expenditures for which the said bonds were issued were for proper corporate purposes, and the county of Black Hawk is enjoying the use and benefit thereof, and the purposes for which said expenditures were made were and are well worth the sum for which the bonds were issued, and the indebtedness of the county at the time said bonds were issued did not and does not at this time exceed the constitutional limitation; now, therefore,

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

1 SECTION 1. That the acts of the board of supervisors of the county
2 of Black Hawk in issuing the funding bond series of 1920, as of June
3 1, 1920, in the sum of three hundred five thousand dollars
4 (\$305,000.00), be and the same are hereby legalized and validated,