

## CHAPTER 384

## TOWN OF ROLAND

AN ACT to legalize certain transfer of funds by the town of Roland, Iowa.

WHEREAS, the town of Roland, Story county, Iowa, was in immediate need of an adequate fire protection equipment, and

WHEREAS, the balance in the fire equipment fund was insufficient, and

WHEREAS, the levy for the fire equipment purpose was insufficient to properly take care of the need, and

WHEREAS, there was an adequate unexpended balance in the improvement fund of the town of Roland, Iowa, and

WHEREAS, the council of the town of Roland, Iowa, have by resolution transferred the sum of two thousand dollars (\$2000) from the said improvement fund to the fire equipment fund for the purpose of purchasing additional fire equipment, therefore,

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

1 SECTION 1. That the action of the council and the officers of the  
2 town of Roland in the county of Story, state of Iowa, in transferring  
3 by resolution adopted January 14, 1929, the sum of two thousand  
4 dollars (\$2000) from the improvement fund of said town to the fire  
5 equipment fund of said town, is hereby legalized, and made valid.

1 SEC. 2. This act being deemed of immediate importance shall be  
2 in force and effect from and after its publication in the Iowa Legion-  
3 aire, a newspaper of general circulation published at Des Moines,  
4 Iowa, and the Roland Record, published at Roland, Iowa, without ex-  
5 pense to the state.

House File No. 401. Approved March 28, A. D. 1929.

I hereby certify that the foregoing act was published in the Iowa Legionaire May 3, 1929, and the Roland Record April 4, 1929.

ED. M. SMITH, *Secretary of State.*

---

CHAPTER 385

## TOWN OF ROLFE

AN ACT to legalize ordinance No. 69 of the incorporated town of Rolfe, Iowa, and the franchise therein granted and all proceedings had thereunder.

WHEREAS, the incorporated town of Rolfe, Iowa, by its duly elected council, mayor and clerk, at a meeting by them duly had on the 6th day of April, 1925, adopted an ordinance, being ordinance No. 69 of said town, granting to H. F. Kirchner and M. P. Hancher and others named in said ordinance, the right to erect, construct and maintain poles and lines, conduits and cables, over, along, across and under the streets, alleys and public highways within the corporate limits of said town, to furnish to the public electric or telephone communication for a term of twenty years from the date of the passage of said ordinance; and,

WHEREAS, at said council meeting the statutory provision that such an ordinance shall be fully and distinctly read on three different days was dispensed with by vote of three-fourths of the council, but the records of said meeting fail to show such suspension of the rule; and,

WHEREAS, said ordinance and franchise were duly submitted for the approval of the voters of said town at a special election held on the 7th day of May, 1925; and,

WHEREAS, the original draft of said ordinance does not bear the signature of the then mayor of said town; and,

WHEREAS, the recorded copy of said ordinance is not authenticated by the signature of the mayor and clerk; and,

WHEREAS, the ballots used at said election were printed on white paper, contrary to the provision of the statute; and,

WHEREAS, said ordinance was not printed in full upon the face of said ballots, although said franchise had been set out in full in the published notice of the election; and,

WHEREAS, the said ballots had no designation on the back thereof as to the character of the proposition being voted on, nor did said ballots on the back bear the fac simile of the clerk's signature thereon; but,

WHEREAS, all other statutory proceedings were duly, fully and properly complied with and the voters at said election were fully informed as to all provisions of the ordinance and the franchise therein granted, and the voters of said town generally participated in said election, and fully approved the same by 193 votes in favor of the granting of the franchise and 66 votes against the granting thereof, as shown by the official canvass; and,

WHEREAS, the grantees in said franchise duly accepted the same and the terms thereof, and they and their assigns in reliance thereon have expended large sums of money in constructing and maintaining a telephone system and plant in said town of Rolfe; and,

WHEREAS, some doubts have arisen as to the validity of the ordinance and franchise; now therefore

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

1     **SECTION 1. Proceedings legalized.** That all acts of the mayor,  
2 council and clerk of the incorporated town of Rolfe, Iowa, in connec-  
3 tion with the adoption of said ordinance No. 69 and all proceedings  
4 had thereunder and in connection therewith, both at the time of the  
5 adoption and thereafter, and said ordinance itself, be and the same  
6 are hereby legalized and validated and declared in full force and  
7 effect, the same as though all requirements of the statutes had been  
8 complied with.

1     **SEC. 2. Franchise.** That the said franchise therein granted as  
2 herein set forth be legalized and validated as to the grantees therein  
3 named and their assigns and anyone holding under them, and that  
4 said franchise be held to be in full force and effect as adopted and  
5 for the full period provided therein.

1 SEC. 3. Pending litigation. Nothing in this act shall affect any  
2 pending litigation.

1 SEC. 4. Expenses. All expenses of the publication of notice as  
2 provided in section 10358 of the 1927 code of Iowa shall be borne by  
3 the Mutual Telephone Company of Rolfe, Iowa.

1 SEC. 5. Publication clause. This act being deemed of immediate  
2 importance shall take effect and be in force from and after its pub-  
3 lication in "The Laurens Sun", a newspaper published at Laurens,  
4 Iowa, and of general circulation in the state of Iowa, and in "The  
5 Rolfe Arrow", a newspaper published at Rolfe, Iowa, without expense  
6 to the state of Iowa.

Senate File No. 225. Approved April 6, A. D. 1929.

I hereby certify that the foregoing act was published in The Laurens Sun April 11,  
1929, and the Rolfe Arrow April 11, 1929.

ED. M. SMITH, *Secretary of State.*

## CHAPTER 386

### TOWN OF UNDERWOOD

AN ACT to legalize certain warrants issued by the town of Underwood, Iowa, on the  
general fund of said corporation and to authorize the sale of bonds to fund the same.

WHEREAS, the town of Underwood, Iowa, by its council, did authorize  
and incur indebtedness in the sum of four thousand dollars (\$4,000.00)  
for corporate purposes as permitted by law and prior to or on or about  
March 4, 1925, did issue warrants of said town in like amount to evidence  
such indebtedness in the manner and form required by law; and

WHEREAS, said expenditures were made for corporate purposes and the  
town of Underwood has enjoyed and is enjoying the use and benefit there-  
of, and the purpose for which said expenditure was made was and is well  
worth the sum said town contracted to be paid therefor, being the con-  
struction of a transmission line extending from McClelland, Iowa, to Un-  
derwood, Iowa, with which to supply the town of Underwood with electric  
current; and the indebtedness of said town at the time said warrants were  
issued, did not and does not at this time exceed the constitutional limita-  
tion of indebtedness for said town; now therefore

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

1 SECTION 1. That the acts of the council of the town of Underwood,  
2 Iowa, in making expenditures, issuing warrants and incurring in-  
3 debtedness in the amount of four thousand dollars (\$4,000.00) for  
4 the construction of a transmission line from McClelland, Iowa, to  
5 Underwood, Iowa, be and the same are hereby legalized and validated.

1 SEC. 2. That the aforesaid warrants of the town of Underwood,  
2 Iowa, in the sum of four thousand dollars (\$4,000.00) be and the same  
3 are hereby legalized and declared to be legal, valid, and subsisting  
4 obligations of said town and the said council of the said town is