

1¼ mills per annum for the payment of such bonds and the interest thereon?"

WHEREAS, that at said election one hundred twelve (112) votes were cast of which number the first above stated measure received one hundred eight (108) affirmative and three (3) negative votes.

WHEREAS, that on the second proposition the affirmative votes were one hundred eight (108) and the negative votes were four (4).

WHEREAS, that doubts have arisen as to whether or not the said town authorities had a legal right under the then existing law to hold said election; therefore,

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. That the calling of said election and the voting thereat  
2 and any and all action taken by the town authorities in levying a tax  
3 as authorized by the voters thereat and all other acts of the said town  
4 authorities with relation to the said matter are hereby legalized, vali-  
5 dated and in full force and effect as fully as though the statute re-  
6 garding the said acts had authorized the same at said time, and that  
7 all records of the said election and proceedings are hereby validated  
8 and legalized.

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

1 SEC. 3. This act being deemed of immediate importance shall take  
2 effect from and after its publication in the Renwick Times, a news-  
3 paper published at Renwick, Iowa, and the Humboldt Republican, a  
4 newspaper published at Humboldt, Iowa, without expense to the state.

House File 249. Approved May 4, 1935.

I hereby certify that the foregoing act was published in the Humboldt Republican, May 24, 1935, and the Renwick Times, May 23, 1935.

MRS. ALEX MILLER, *Secretary of State.*

## CHAPTER 213

### MARION COUNTY. LEGALIZING CERTAIN CONTRACTS FOR SECONDARY ROAD GRADING

H. F. 443

AN ACT to legalize certain contracts and the acts of the board of supervisors of Marion county, Iowa, in the letting of and entering into said contracts to and with Len Visser and Ed McDonald for grading certain secondary roads in said county.

WHEREAS, in the year 1933 Len Visser was employed by the board of supervisors of Marion county, Iowa, to perform certain labor in grading county trunk road "S" north of the city of Pella, Iowa, at prices varying from sixteen (16) cents to twenty-four (24) cents per cubic yard, depending upon the kind of earth removed; and

WHEREAS, in the year 1933 Ed McDonald was employed by the board of supervisors of Marion county, Iowa, to perform certain labor in grading certain roads, known as project number 2, of Swan township, and project number 3, of Knoxville township, at prices varying from fifteen (15) cents

to sixteen (16) cents per cubic yard, depending upon the kind of earth removed; and

WHEREAS, after said work was commenced by the said Len Visser and Ed McDonald and a portion of the same completed, the board of supervisors of Marion county, Iowa, requested them to grade more than was originally contemplated, and the total amount of grading performed by each at the prices agreed upon exceeded fifteen hundred (1500) dollars; and

WHEREAS, the total amount due the said Len Visser for labor performed in grading county trunk road "S" is thirty-three hundred forty-one (3341) dollars and sixty-eight (68) cents; and

WHEREAS, the total amount due the said Ed McDonald for labor performed in grading said roads, known as project number 2 and project number 3, is the sum of thirty-three hundred thirty-eight (3338) dollars and thirty-one (31) cents; and

WHEREAS, the board of supervisors of Marion county, Iowa, has not made payment to either of said parties, because the total amount due to each for labor performed exceeds the sum of fifteen hundred (1500) dollars, which is in excess of the legal limit where the work was not contracted at a public letting; and

WHEREAS, said labor was performed in good faith and in a good and workmanlike manner, and at as low a price as could have been obtained had there been a public letting; now, therefore,

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. That certain contracts and the acts of the board of  
2 supervisors of Marion county, Iowa, in the letting of said contracts  
3 in 1933 to Len Visser and Ed McDonald for grading secondary roads  
4 in said county, a part thereof having been let to and made and entered  
5 into with the said Len Visser for grading county trunk road "S" north  
6 of the city of Pella, in the sum total of thirty-three hundred forty-one  
7 (3341) dollars and sixty-eight (68) cents, and the others thereof  
8 having been let to and made and entered into with the said Ed McDon-  
9 ald for grading project number two, Swan township, and for grading  
10 project number three, Knoxville township, in the sum total of  
11 thirty-three hundred thirty-eight (3338) dollars and thirty-one (31)  
12 cents, be and the same hereby are legalized and declared valid in said  
13 total amounts only, and without interest, to the same force and effect  
14 as though said board of supervisors, in the letting of and entering  
15 into said contracts, had complied with the provisions of chapter two  
16 hundred forty (240), code, 1931, relating thereto.

House File 443. Approved May 2, 1935.