

An Act to incorporate the town of Cedar Rapids in
Linn County

Sec 1st Be it enacted by the General Assembly of the State of Iowa, that all that part of the State of Iowa included within the boundaries of the town of Cedar Rapids in Linn County as surveyed and recorded in the Recorder's office in the said County of Linn be and the same is hereby constituted a town corporate and shall hereafter be known by the name of the town of Cedar Rapids

Sec 2 It shall be lawful for the free male inhabitants of said town having the qualifications of Electors to meet at the usual place of holding the elections in said town on the first Wednesday of April next, and on the first Wednesday of April annually thereafter at such place in said town as the town Council shall direct and then and there proceed to elect by ballot a Mayor recorder and three Councilmen, who shall have the qualifications of Electors, and reside within the corporate limits of said town, and said Mayor, Recorder, and Councilmen, shall hold their offices one year, and until their successors are elected and qualified and any three of them shall be a board for the transaction of business, but a less number may adjourn from time to time until a quorum shall assemble

Sec 3^d That at the first election under this act judges and Clerks shall be chosen by the Electors present who shall each take an oath faithfully to discharge the duties required by this act and at all subsequent elections the Mayor and any two of the Councilmen shall sit as judges, and the Recorder or in his absence some one of the Councilmen shall act as Clerk, and at all such elections the polls shall be opened at one o'clock P M and close at five o'clock P M of the same day, and at the close of the polls the votes shall be counted and a statement of the result proclaimed at the door by the Clerk; the Clerk of said election shall thereupon make out a Certificate to each of the persons so elected and the persons receiving such Certificate shall within ten days thereafter take an oath to support the Constitution and laws of the United States and of this State and faithfully discharge his duties according to the best of his abilities, which oath shall be endorsed on the back of said Certificate and filed with the Recorder of said town

Sec 4th The Mayor, Recorder and Councilmen of said town shall be a body corporate and politic with perpetual succession to be known by the name of the Mayor and Council of the town of Cedar Rapids, and shall be capable in law to acquire property

real personal and mixed for the use of said town and sell and convey the same. May have a common seal and may alter the same at pleasure. May sue and be sued plead and be impleaded answer or be answered unto in any Court of law and equity in this State; and when any suit shall be commenced against said Corporation a Certified Copy of any writ issued against said Corporation shall be left with the Recorder of said town at least ten days before the return day thereof.

Sec 5th That the Mayor Recorder and Councilmen or a Majority of them, of whom the Mayor or Recorder shall always be one shall have authority to make ordain and publish all by laws and ordinances not inconsistent with ^{the Constitution} and laws of the land as they may deem proper for the promotion of Morality, interest, Safety, health and Cleanliness of said town and the Citizens thereof they shall have power to fill all vacancies that may happen by death or otherwise of any of the officers of their Board herein named. They shall have power to appoint a treasurer, Marshall and such other subordinate officers as a Majority of said Council may deem necessary, to prescribe their duties and require surety for their performance to remove them at pleasure, and to establish the fees of all officers not otherwise provided for by this act. They shall have power to impose fines for a breach of their ordinances, which fines may be recovered with costs before any Justice of the Peace in said town by an action of debt in the name of said Corporation. All fines collected in pursuance of this act shall be paid over by the officer collecting the same to the Treasurer of the Corporation.

Sec 6th It shall be the duty of the Mayor to preside at the meetings of the town Council, and it shall be the duty of the Recorder to keep a true record of the by laws and ordinances to attend all meetings of the Council and keep a fair and accurate record of their proceedings and perform such other duties as the Council may from time to time require, said Recorder may under his hand and seal appoint a deputy to perform his duties when absent for whose acts the said Recorder shall be responsible.

Sec 7 That the town Council shall have power to assess for Corporation purposes an annual tax on all property in said town made subject to taxation by the laws of this State for State and County purposes not exceeding in any one year one per centum on the value thereof which value shall be ascertained by an Assessor appointed by the town Council for that purpose a duplicate of which shall

be made out and signed by the Recorder and delivered to the Collector. They shall have power to equalize any injudicious assessment then made on the Complaint of the person aggrieved.

Sec 8 That the town Marshall shall be the Collector of any tax assessed by said Council and he is hereby authorized and required by distress and sale of property as Constables on Executions. To collect and pay over said tax to the Treasurer within three months after the time of receiving the duplicate thereof and the treasurers receipt shall be his voucher. The town Marshall shall make personal demand of every resident charged with tax if to be found and before sale of property for delinquent tax shall give ten days notice by advertisement in three of the most public places in said Corporation and if the tax on any lot or piece of land for which no personal property can be found shall remain unpaid for three months after the expiration of the time by this act allowed the Collector for the collection of the tax shall give notice in the nearest newspaper stating the amount of such tax and the number and description of the lots on which it is due and that the same will be sold to discharge such tax unless the payment thereof be made within three months from the date of such advertisement and if such tax be not paid within that time the town Marshall after giving twenty days notice of the time and place of sale at three of the most public places in said town shall proceed to sell at public auction so much of said lot or piece of land as will discharge said tax.

Sec 9 That if the owner of any lot sold for taxes as aforesaid shall appear at any time within two years after such sale and pay the purchase money with interest at the rate of thirty per centum per annum thereon he shall be entitled to the right of redemption if however the owner or his agent shall neglect to redeem any real estate sold for taxes under the provisions of this act within the time herein specified it shall be the duty of the Mayor to make and execute a deed to the purchaser, countersigned by the Recorder under the seal of the Corporation. Said deeds shall also be acknowledged before a Justice of the Peace and when so executed and recorded in the office of Recorder of deeds of Lincoln County shall be deemed and taken as valid in Law.

Sec 10 Twenty days before each Annual Election the town Council shall put up in some conspicuous place within said town an accurate account of the money received

and Expended by Said Corporation Since the last Annual Election with the Sources from which they were derived and the objects on which they were Expended which shall be Certified by the Recorder

Sec 11 The Said Corporation shall have power to regulate and improve all Streets, alleys, walks, drains or sewers, to sink and keep in repair public Wells remove nuisances and make such other needful regulations not incompatible with the laws of the State as shall conduce to the general interest and Welfare of the inhabitants of Said town. To provide for licensing, taxing and regulating Auctions, retailers and taverns, theatrical and other Shows of Amusements to prohibit tippling houses gaming houses and other disorderly houses

Sec 12 The by laws and ordinances of Said Corporation shall be published in a News-Paper in the County or posted up in some public place in ^{Said} town fifteen days before the taking Effect thereof and the Certificate of the Recorder upon the town Records shall be sufficient evidence of the same having been done and every Annual Election herein authorized shall be preceded by five days notice thereof put up in three public places in Said town

Sec 13 That the Streets and alleys of Said town shall constitute one Road distinct including the several roads leading from Said town for the distance of one Mile from the Corporation limits

Sec 14 That the Mayor or a Majority of the Councilmen may call a Meeting of the town Council whenever in his or their opinion the same may be necessary the Mayor and Councilmen shall receive such compensation as shall be voted by them by the inhabitants of Said town in legal Meeting assembled

Sec 15 This act shall take effect from and after its publication

Shirley H. Bonham

John J. Selman President of the Senate

Approved Jan 15th 1849

Anne Briggs

Secretary Office Town
Town City March 27th 1849

I hereby certify that the foregoing is a true and correct copy of the original act now on file in said office

Josiah H. Borneg
Deputy State