

acted by the general assembly of the state of Iowa, and where the railroad in aid of which said taxes were voted or levied has not been built or completed or operated into or through such township, city, or town, and any of said taxes so levied have not been paid, it shall be the duty of the board of supervisors of the county where such taxes have been voted and levied and still remain on the tax books of said county or counties at their first regular meeting, after the taking effect of this act, to cause the same to be cancelled and stricken from the tax books of such county; and all liens created by said tax shall be removed, cancelled and satisfied by such cancellation.

Duty of board supervisors.
Shall cancel tax.

Provided, That the foregoing provisions shall in no manner affect actions which may be now pending for the recovery of taxes heretofore voted and levied in aid of railroads.

Proviso: No action shall be affected.

SEC. 2. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Leader, and Iowa State Register, newspapers published at Des Moines, Iowa.

Publication.

Approved, March 23, 1878.

I hereby certify that the foregoing act was published in the Iowa State Register, and Iowa State Leader, March 29, 1878.

JOSIAH F. YOUNG, *Secretary of State.*

CHAPTER 88.

TOWN OF CHEROKEE.

AN ACT to Legalize the Incorporation of the Town of Cherokee, in S. F. 305. Cherokee county, Iowa.

WHEREAS, Proceedings were had in the year 1873 for the incorporation of the town of Cherokee, in Cherokee county, Iowa, and officers were elected therefor, and said town has since exercised and is still exercising the powers of an incorporated town; and,

Preamble.

WHEREAS, Doubts have been expressed as to the legality of the incorporation of said town; therefore,

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

SECTION 1. That all the acts and proceedings had in the incorporation of said town of Cherokee, and all elections and acts of officers, and all proceedings of the authorities of said town of Cherokee are hereby legalized and declared to be of as full force and virtue as if all the requirements of the law in relation to incorporation and elections had been fully complied with, and the incorporation of said town, and all ordinances, levies, taxes, orders thereof, are and shall be of the same validity as if all the proceedings in the incorporation and all elections had been in due form of law and in full compliance therewith.

Incorporation legalized.

Publication. **SEC. 2.** This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register, a newspaper published at Des Moines, Iowa, and the Cherokee Times, a newspaper published at Cherokee, Iowa, without expense to the state.

Approved, March 23, 1878.

I hereby certify that the foregoing act was published in the *Iowa State Register*, April 30, 1878.

JOSIAH T. YOUNG, *Secretary of State.*

CHAPTER 89.

SPECIAL TERMS OF COURT.

Substitute H. F. 25. **AN ACT** to Repeal Section *number* 166, Chapter 5, Title 3, of the Code, in relation to Special Terms of Court, and enact a substitute therefor.

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

Code, § 166: Substitute for. **SECTION 1.** That section *number* one hundred and sixty-six of the Code be, and the same is hereby repealed, and the following enacted in lieu thereof:

Special term may be ordered at regular term. **Section 166.** A special term may be ordered in any county at any regular term of court in that county, or at any other time, by the judge, for the trial of all causes pending at the last regular term of said court held prior to said special term, in which either party shall have served upon the opposite party or his attorney in the manner provided for service of original notice, at least twenty days prior to said special term, a notice in writing that such cause will be brought on for trial. When ordering a special term, the court or judge shall direct whether a grand or trial jury or both shall be summoned.

Publication. **SEC. 2.** This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Des Moines Daily Register and Iowa Daily State Leader, newspapers published in Des Moines.

Approved, March 23, 1878.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Iowa State Leader*, March 29, 1878.

JOSIAH T. YOUNG, *Secretary of State.*