

and all the official acts done by said town council not in contravention with the laws of the state, are hereby legalized and the same are declared to be valid and binding the same as though the law had in all respects been strictly complied with in the incorporation of said town, the election of its officers, and all official acts done by said council, the proper signing and record thereof, or the lack of same. But nothing in this act shall in any manner affect pending litigation.

**SEC. 2. In effect.** This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Persia Globe and the Register and Leader, newspapers published at Persia, Iowa, and Des Moines, Iowa, without expense to the state of Iowa.

Approved April 9, A. D. 1904.

I hereby certify that the foregoing act was published in the Register and Leader, April 12, 1904, and the Persia Globe, April 14, 1904.

W. B. MARTIN,  
*Secretary of State.*

## CHAPTER 213.

### THE TOWN OF QUASQUETON.

H. F. 480.

**AN ACT** to legalize the incorporation of the town of Quasqueton, Buchanan county, Iowa, the election of its officers, the passage and record of its ordinances and resolutions, and all acts done by the council of said town.

WHEREAS, Doubts have arisen as to the legality of the incorporation of the town of Quasqueton, Buchanan county, Iowa, the election of its officers, the passage of its ordinances and resolutions, the signing of the same by the mayor and the record thereof, therefore,

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

**SECTION 1. Incorporation, election, resolutions and ordinances legalized—pending litigation.** That the incorporation of the town of Quasqueton, Buchanan county, Iowa, the election of its officers, the passage of its ordinances and resolutions the signing of the same by the mayor or the lack thereof, and all the official acts done by said town council not in contravention with the laws of the state, are hereby legalized and the same are declared to be valid and binding the same as though the law had in all respects been strictly complied with in the incorporation of said town, the election of its officers, and all official acts done by said council, the proper signing and record thereof or the lack of same. But nothing in this act shall in any manner affect pending litigation.

**SEC. 2. In effect.** This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the "Register and Leader" and "The Quasquetonian", newspapers published at Des Moines and Quasqueton, Iowa, without expense to the the state of Iowa.

Approved April 9, A. D. 1904.

I hereby certify that the foregoing act was published in the Register and Leader, April 12, 1904, and The Quasquetonian, April 15, 1904.

W. B. MARTIN,  
*Secretary of State.*

## CHAPTER 214.

## THE TOWN OF SCHALLER.

H. F. 489.

AN ACT legalizing the acts and proceedings of the council of the incorporated town of Schaller, Iowa, in granting a franchise to the Schaller Gas Light and Fuel Company and contracting with said gas light and fuel company for lights, and legalizing the ordinance granting such franchise and the franchise so granted, and the contract made between said town and the Schaller Gas Light and Fuel Company, and the levy of a tax by said town to defray the expense of lighting the streets thereof.

WHEREAS at a meeting of the council of the incorporated town of Schaller, Sac county, Iowa, on the 5th day of January, 1903, W. R. Brooks made application for a franchise for building and maintaining a light and heating plant in said town, and that the question of granting such franchise be submitted to the voters of said town at the regular municipal election in the March following, which said application was made for and on behalf of the Schaller Gas Light and Fuel Company, a prospective corporation then in process of organization and not incorporated under the laws of the state; and,

WHEREAS at the time of making such application the said W. R. Brooks was a member of said town council and was also interested in the proposed corporation, and upon the incorporation of the Schaller Gas Light and Fuel Company then being organized, became a stockholder and officer thereof, and one other member of said town council was likewise interested; and,

WHEREAS the said application was granted as petitioned for; and,

WHEREAS in the record made by the clerk it was made to erroneously appear that such application was made and the franchise asked by W. R. Brooks individually instead of on behalf of the Schaller Gas Light and Fuel Company as was in truth and fact the purport and substance of such application; and,

WHEREAS the Schaller Gas Light and Fuel Company was duly organized and incorporated under the laws of the state of Iowa on the 21st day of January, 1903; and,

WHEREAS on the 3d day of February, 1903, the council of the incorporated town of Schaller did enact an ordinance granting to the said Schaller Gas Light and Fuel Company a franchise to erect and maintain a light and heating plant in the said town and under and upon the streets thereof, subject to a ratification by a vote of the said town in accordance with the provisions of section seven hundred and seventy-six (776) of the code, which said ordinance was duly published as required by law, on the 5th day of February, 1903; and,

WHEREAS proper proclamation was made and notice given for the holding of an election upon the question of granting such franchise under such ordinance, in the manner required by law; and,

WHEREAS at the time of the passage of such ordinance, and the granting of the franchise hereinbefore set out, two members of the town council of Schaller were stockholders and officers of the Schaller Gas Light and Fuel Company; and,

WHEREAS in the preparation of the ballots for the election to determine upon the granting of the said franchise separate ballots were not used, but same were printed upon the official ballot for the election of officers of the town, and such ballots recited that said proposed franchise was to be granted to W. R. Brooks instead of the Schaller Gas Light and Fuel Company; and,

WHEREAS after eighteen (18) ballots had been cast at such election, the error in said ballots was discovered and new ballots were prepared and printed in conformity with law, and each of the eighteen (18) voters who had voted such irregular ballots, was given the opportunity to vote anew upon