

declared to be legal and valid to the same extent, and to have the same force and effect as if such submission was had at a general election.

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

Approved April 9, A. D. 1906.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Daily Capital, April 14, 1906.

W. B. MARTIN,
Secretary of State.

CHAPTER 229.

SPECIAL ELECTION HELD IN THE TOWN OF ARMSTRONG.

H. F. 263.

AN ACT to legalize the special election held in Armstrong, Monday, May 18, A. D. 1903, granting a franchise to the Armstrong Light & Heating company, and all the ordinances, resolutions and acts of said council with reference thereto recited in this act

WHEREAS, At a meeting of the town council of Armstrong, Iowa, held on April 6th, 1903, a resolution was passed without a dissenting vote that providing a company is formed to put in a gas plant a special election would be called to vote a five year franchise therefor, and at the end of five years the town purchase the said plant:

WHEREAS, At a meeting of said council held April 20th, 1903, a resolution was passed without a dissenting vote calling a special election to be held May 18th, 1903, for the purpose of submitting to the people of the said town the question of granting a franchise for five years to the Armstrong Light & Heating Company;

WHEREAS, Said special election was proclaimed by the mayor, Charles Ogilvie, and a notice to that effect published in the Armstrong Journal, a weekly newspaper published in Armstrong, Iowa;

WHEREAS, The judges appointed for said election were councilmen J. L. Guest, C. E. Bravender and H. Rasmussen;

WHEREAS, Pursuant to said notice a special election was held on May 18th, 1903, on the proposition of granting a five year franchise to the Armstrong Light & Heating company and the result of said election was forty-three votes in favor of granting the said franchise and nine votes against granting it, and same was declared duly carried;

WHEREAS, At a meeting of said council held May 18th, 1903, after a canvass of the votes cast at said election, an ordinance was passed without a dissenting vote, said ordinance being No. 54, granting permission to the Armstrong Light & Heating company to erect and operate a lighting and heating plant in said town for a period of five years;

WHEREAS, At said meeting of said council so held May 18th, 1903, a resolution was passed without a dissenting vote giving the Armstrong Light & Heating company the right to erect buildings for said gas plant on property belonging to the said town and occupying the same for five years;

WHEREAS, At said meeting of said town council so held May 18th, 1903, a resolution was passed without a dissenting vote agreeing to pay the Armstrong Light & Heating Company for twenty-one street lamps for the full term of five years, and agreed to pay therefor the sum of two and fifty one-hundredths (\$2.50) per month for each light, and for three lights in the town hall to be paid for according to meter measure;

WHEREAS, At a meeting of the said town council held September 7th, 1903, a resolution was passed instructing the mayor and clerk of said town, to enter into a contract with the Armstrong Light & Heating company whereby the said Light & Heating company furnish sufficient light for the engine house belonging to said town and the town hall, and in exchange or payment for said town to furnish the said Light & Heating company sufficient steam for heating the gas plant building;

WHEREAS, John L. Guest was a member of the said town council during all of the proceedings above recited, and voted on all of the resolutions, motions and ordinances above mentioned, and acted as one of the judges of said special election to grant a franchise to the Armstrong Light & Heating company;

WHEREAS, The same John L. Guest was also a member of the Armstrong Light & Heating company referred to above, and granted a franchise, and for that reason doubts have arisen as to the legality of said special election, and the different resolutions, motions and ordinances, and acts of the said town council above referred to; therefore,

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

SECTION 1. Special election, resolutions, acts and ordinances legalized—pending litigation. That the special election held in the town of Armstrong, Iowa, May 18th, 1903, wherein a vote was taken upon the granting of said franchise be and the same is hereby legalized and declared legal, valid and binding, and all the resolutions, motions, ordinances and acts of the said town council mentioned and referred to in this act are hereby legalized and declared legal, valid and binding, provided nothing in this act shall in any manner affect pending litigation.

SEC. 2. In effect. This act, being of immediate importance, shall be in full force and effect from and after its publication in the Des Moines Daily Capital and Register & Leader, papers published in Des Moines, Iowa, without expense to the state.

Approved March 23, A. D. 1906.

I hereby certify that the foregoing act was published in the Des Moines Daily Capital and the Register and Leader, March 26, 1906.

W. B. MARTIN,
Secretary of State.

CHAPTER 230.

SPECIAL ELECTION HELD IN THE CITY OF CLINTON.

R. F. S.

AN ACT legalizing the special election of the city of Clinton, Iowa, held March 28th, 1901, whereby certain rights were granted to the Clinton Gas Light & Coke company.

WHEREAS, That the notice of a special election held in the city of Clinton, Iowa, March 28th, 1901, whereby certain rights were granted to the Clinton Gas Light & Coke company, which said notice was published in the Clinton Daily Herald and the Clinton Daily Advertiser, newspapers regularly published in the said city of Clinton at the time of such publication and election together with a copy of the official ballot to be voted upon; and,

WHEREAS, Said ballot having been printed without all of the words of the caption as contemplated by statute in such case made and provided, and the ballot so printed not being spaced in accordance with the term[s] and provisions of the statute provided for in such cases, and the ballots not having been printed upon yellow paper as required by law; and,

WHEREAS, At said election said proposition as proposed was voted for by a majority of all persons voting, for and against the same; and,