

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,

WHEREAS, It was declared by the council of said city of Clinton upon a canvass of the votes cast upon said proposition that the same had been carried and adopted at said election; and,

WHEREAS, Doubts have arisen respecting the legality and regularity of the notice of said election and respecting the legality and regularity of the form and kind of ballot so used at said election and respecting the regularity and legality of all subsequent proceedings of said council relative to said matter; therefore,

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

SECTION 1. Proceedings of council and election legalized—pending litigation. That the proceedings of the council of the city of Clinton, concerning and providing for the submission of said proposition, the notice of the submission thereof, the publication of said notice, the form and kind of ballot so used at said election and the said proposition and all proceedings of the city council of Clinton had with reference to said matter are hereby legalized and validated as fully and completely as though the law had been technically and fully complied with in every respect; providing, however, that nothing herein shall be construed to or in any way affect pending litigation.

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

Approved February 6, A. D. 1906.

I hereby certify that the foregoing act was published in the Register and Leader and the Clinton Daily Herald, February 7, 1906.

W. B. MARTIN,
Secretary of State.

CHAPTER 231.

SUBMISSION OF CERTAIN QUESTION TO THE ELECTORS OF THE CITY OF CRESTON.

A. P. 280

AN ACT to legalize the submission to the voters of the city of Creston, Iowa, of the question whether an ordinance entitled "an ordinance authorizing the Des Moines, Winterset & Creston electric railway company to construct, maintain and operate, by electric or other power than steam, street and interurban railways in, across, over and along the streets of the city of Creston, Iowa, and defining the powers and duties of said company" should be approved and adopted and legalize the acts of the city council in submitting to the voters of said city at a city election held on the twenty-sixth (26) day of March, nineteen hundred and six (1906), the question of granting a franchise to said company.

WHEREAS, On or about the 16th day of February, A. D. 1906, there was referred by the city council of the city of Creston, Iowa, for submission to a vote of the people an ordinance entitled "An ordinance authorizing the Des Moines, Winterset & Creston electric railway company to construct, maintain and operate, by electric or other power than steam, street and interurban railways in, across, over and along the streets of the city of Creston, Iowa, and defining the powers and duties of said company"; and,

WHEREAS, Said ordinance provided, among other things, that it should only become effective upon its approval by a majority of the voters of said city voting thereon, voting upon the same at a general election, or at one specially called for that purpose; and,

WHEREAS, Under a proclamation of the mayor of said city of Creston, Iowa, made on the 26th day of February, A. D. 1906, notice was given that there would be submitted to the voters at the regular municipal election in