

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

the said city of Creston on the 26th day of March, A. D. 1906, the question whether the said ordinance should be approved and adopted; and,

WHEREAS, The said question was so submitted at the said election held in Creston on March the 26th, A. D. 1906, and a majority of the electors voting thereon voted in the affirmative and in favor of the adoption and the approval of the said ordinance; and,

WHEREAS, Doubt has arisen as to the legality of a question concerning a franchise submitted at a regular municipal election;

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

**SECTION 1. Proceedings and ordinance legalized.** That the proceedings and ordinance of the city council of Creston, Iowa, submitting at the city election in said city on March twenty-sixth (26) nineteen hundred and six (1906), the question as to whether a franchise should be granted to the 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 all acts of said city council in connection with the calling of and holding said election and passing said ordinance ratifying and adopting the result of said election are hereby legalized and declared to be in full force and effect.

**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, a newspaper published in Des Moines, Iowa, and the Creston Advertiser-Gazette, a newspaper published in Creston, Iowa, without expense to the state.

Approved April 9, A. D. 1906.

I hereby certify that the foregoing act was published in the Creston Advertiser-Gazette, April 16, 1906, and the Register and Leader, April 20, 1906.

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

## CHAPTER 232.

### THE TOWN OF DOW CITY.

R. F. 72.

AN ACT to legalize the incorporation of the town of Dow City, Crawford county, Iowa; the election of its officers, the acts done and ordinances and resolutions passed by the council of said town, and to define the limits thereof.

WHEREAS, A petition was presented to the circuit court of Iowa in and for Crawford county, in the year 1878, asking the appointment of commissioners to call an election of the proper electors of the town of Dow City, Iowa, then known as Dowville, to vote upon the incorporation of said town under the name of "Dow City";

WHEREAS, The said court finding the petition sufficient, appointed commissioners to call an election and give notice as provided by law; and,

WHEREAS, such petition is lost and no certified copy thereof can be found, and no proper record of the subsequent orders of the court, if any, or of the report of said commissioners was made, and the entire files in the case are lost; and,

WHEREAS, Doubts have arisen as to the legality of the incorporation of the town of Dow City, Crawford county, Iowa; the election of its officers; the ordinances and resolutions passed by the council of said town; the tax levies, general and special; the fines and convictions under and by virtue of the ordinances thereof, or its board of health regulations; and further as to whether certain lands, platted and dedicated to the public for streets and