

I hereby certify that the foregoing act was published in the Des Moines Daily Capital, April 11, 1906, and the Register and Leader, April 13, 1906.

W. B. MARTIN,
Secretary of State.

CHAPTER 243.

THE TOWN OF MESERVEY.

S. P. 155.

AN ACT to legalize the incorporation of the town of Meservey, Cerro Gordo county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town.

WHEREAS, Doubts have arisen as to the legality of the incorporation of the town of Meservey, Cerro Gordo county, Iowa, the election of its officers, and the ordinances and resolutions passed by the town council of said town; therefore,

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

SECTION 1. Incorporation, election, acts and ordinances legalized—pending litigation. That the incorporation of the town of Meservey, Cerro Gordo county, Iowa, the election of its officers and all official acts done, and the ordinances and resolutions passed by the town council of said town, not in conflict with the laws of Iowa, are hereby legalized and the same are hereby declared to be valid and binding the same as though the law had been in all respects strictly complied with in the incorporation of said town, the election of its officers and official acts done, and the passage of its ordinances and resolutions. But nothing in this act shall in any manner affect any pending litigation.

SEC. 2. In effect. This act, being deemed of immediate importance, shall be in force and effect from and after its publication in the Des Moines Register and Leader, a newspaper published at Des Moines, Iowa, and in the Meservey Messenger, a newspaper published at Meservey, Iowa, without expense to the state.

Approved February 26, A. D. 1906.

I hereby certify that the foregoing act was published in the Des Moines Register and Leader, February 28, 1906, and the Meservey Messenger, March 1, 1906.

W. B. MARTIN,
Secretary of State.

CHAPTER 244.

SPECIAL ELECTION HELD IN THE CITY OF OSKALOOSA.

H. F. 418.

AN ACT legalizing a special election held at Oskaloosa, Mahaska county, Iowa, on the 16th day of August, 1905, for the purpose of voting a tax of five per centum on the assessed valuation of the property of said city in aid of the Oskaloosa and Buxton electric railway company, and legalizing the recording of the certificate issued by the city clerk of said city, in the office of the recorder of deeds of said county, and legalizing the levy by the board of supervisors of said county, of the tax thereby voted, and legalizing the acts of the county auditor in placing said tax upon the tax lists, and in certifying the order for the same and said tax lists to the county treasurer of said county, and legalizing the tax lists so transmitted to said treasurer.

WHEREAS, There was on the 16th day of August, 1905, a special election held in the city of Oskaloosa, Mahaska county, Iowa, at which there was submitted to the voters of said city the following proposition:

"Shall a tax of five per centum of the assessed value of the property of Oskaloosa, Iowa, be levied in favor of the Oskaloosa and Buxton electric railway company?";

"The line of said railway to commence at Oskaloosa, Iowa, and shall extend via the incorporated town of Beacon, Iowa, to a point near the village of Buxton, in section four, township seventy-three, north range 17 west, in Monroe county, Iowa,

"Said road shall be of standard gauge, four feet, eight and one-half inches wide, and shall be operated by electricity or other practical power.

"That one-half of the said tax shall be collected the first year after levying thereof, and one-half the following year. One-half the said tax shall be payable to the company when its line shall have been completed and in operation to the incorporated town of Beacon, and the remaining one-half shall be payable to said company when the said road is fully completed and in operation to the point near the village of Buxton. That the said road shall be fully completed to the incorporated town of Beacon, on or before the first day of December, 1906, and to the village of Buxton, as above located, on or before the first day of December, 1907"; and,

WHEREAS, Said railway should have the right to issue bonds not exceeding \$18,500 per mile for each mile of the road; and,

WHEREAS, Stock was to be issued to the taxpayers for the said taxes voted; and,

WHEREAS, At the said special election August 16th, 1905, said proposition was voted for by a majority of all persons voting for or against the same; and,

WHEREAS, The city council of Oskaloosa, Iowa, declared, as provided by law, that said proposition was adopted by said election; and,

WHEREAS, The city clerk of Oskaloosa in accordance with the law, certified to the fact that the said tax carried, as provided by law, and a copy of notice; and,

WHEREAS, Said county auditor failed to record said certificate in the office of the recorder of deeds of Mahaska county, Iowa, of the voting of said tax as filed with him by the city clerk of said city; and,

WHEREAS, Said county auditor on the 31st day of March, 1906, filed with the county recorder and has recorded in the records of said county the said certificate of the said city clerk; and,

WHEREAS, The board of supervisors of Mahaska county, Iowa, made the levy of said tax; and,

WHEREAS, The auditor of said county has placed the said tax upon the tax books of Mahaska county, Iowa, and transmitted the same to the county treasurer; and,

WHEREAS, Doubts have arisen respecting the legality of the filing and recording of said certificate as of the above date; and,

WHEREAS, The question has arisen as to the legality of the acts of the board of supervisors in levying said tax; and,

WHEREAS, The question having arisen as to the legality of the acts of the county auditor in placing the said tax on the said tax books and transmitting the same to the county treasurer; and,

WHEREAS, The question having arisen as to the right of the county treasurer to collect said tax on the said tax books; therefore,

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

SECTION 1. Special election legalized. That the special election held on the 16th day of August, 1905, at Oskaloosa, Mahaska county, Iowa, for the purpose of voting a tax of five per centum on the assessed valuation of the property of said city, in aid to the Oskaloosa and Buxton electric railway company, and the recording of the certificate issued by the city clerk of the said city in the office of the recorder of deeds of said county, March 31, 1906, and the levy by the board of supervisors of said county of the tax voted, and

the acts of the county auditor in placing said tax upon the tax lists and in certifying the same to the county treasurer of said county and the tax lists so transmitted to the said county treasurer, be and the same are hereby legalized and made valid and binding and effectual to the same extent and effect in all respects as to the said proceedings as if the same had fully conformed to the law when the same were had and taken, and the said tax on said book is declared valid and binding on all persons.

SEC. 2. Pending litigation. But nothing in this act shall in any manner affect any pending litigation.

SEC. 3. In effect. This act, being deemed of immediate importance, will be in full force and effect on and after its publication in the "Des Moines Capital" and the "Oskaloosa Herald," papers published in Des Moines, Iowa, and Oskaloosa, Iowa. Said publication to be without expense to the state.

Approved April 9, A. D. 1906.

I hereby certify that the foregoing act was published in the Oskaloosa Herald, April 19 1906. and the Des Moines Capital, April 24, 1906,

W. B. MARTIN,
Secretary of State.

CHAPTER 245.

THE TOWN OF OSTERDOCK.

S. F. 288.

AN ACT to legalize the incorporation of the town of Osterdock in Clayton county, Iowa and to legalize the election of its officers and all acts done and ordinances passed by the council of said town.

WHEREAS, On the 23rd day of November, 1903, an election was held by the qualified electors residing in the following described territory, for the purpose of voting on the proposition of incorporating said territory under the provisions of the law, to be known as the incorporated town of Osterdock, situated in Clayton county, Iowa, and which territory is described as follows:

The south one-half of the south-east one-fourth, section thirty-five (35), township ninety-two (92), range three (3), west of the fifth principal meridian, and the north one-half of the north-east one-fourth, and the north-east one-fourth of the north-west one-fourth, and the west one-fourth of the north one-fourth of the south-east one-fourth of the north-east one-fourth, and the north three-eighths of the south-east one-fourth of the north-west one-fourth, and the north three-eighths of the south-west one-fourth of the north-east one-fourth, section two (2), township ninety-one (91), range three (3), west of the fifth principal meridian; and,

WHEREAS, A mistake in the description of said territory was made in the petition and plat filed in the district court of said county and in the notice and call of said election and in the records of said incorporation in that a portion of said territory was described as the south one-half of the south-east one-fourth, section thirty five (35), township ninety-two (92), range two (2), when said tract should have been described as the south one-half of the south-east one-fourth, section thirty-five (35), township ninety-two (92), range three (3); and,

WHEREAS, Said error has been but recently discovered; and,

WHEREAS, Doubts have arisen as to the legality of the incorporation of the