

CHAPTER 380.

THE TOWN OF LATTNERS.

H. F. 694.

AN ACT to legalize the incorporation of the town of Lattners, Dubuque county, Iowa.

WHEREAS, the town of Lattners, Dubuque county, Iowa, was incorporated under the laws of Iowa, as appears by order entered by the district court of Iowa in and for said county on the 27th day of April, 1912, and the proceedings of which incorporation were filed in the office of the secretary of state on December 5th, 1912; and

WHEREAS, doubt has arisen as to whether or not all of the twenty-five persons petitioning for said incorporation were qualified electors of the territory proposed to be embraced in such town, it being alleged and claimed that only twenty-four of said petitioners were qualified electors; and

WHEREAS, all other proceedings connected with the incorporation of said town were regular and in all respects legal; now, therefore,

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

SECTION 1. **Incorporation—acts—proceedings—petition, legalized.** That all acts and proceedings connected with the incorporation of the town of Lattners, Dubuque county, Iowa, including the petition asking for the incorporation of the said town, as provided in section five hundred ninety-nine (599) of the code, be and the same are hereby legalized and in all respects made legal and binding the same as if all provisions of law had been strictly complied with in each and all of the proceedings had in connection with the incorporation of said town.

Approved April 19 A. D. 1913.

CHAPTER 381.

THE LEOPOLD DESK COMPANY OF BURLINGTON.

S. F. 413.

AN ACT to legalize the incorporation and acts and proceedings of Leopold Desk Company of Burlington, Des Moines county, Iowa.

WHEREAS, on the 14th day of May, 1886, a corporation to be known as the Northwestern Furniture Company was duly and legally organized for the purpose of engaging in the manufacturing, buying and selling of furniture at Burlington, Des Moines county, Iowa, the existence of such corporation to continue for twenty (20) years; and

WHEREAS, on the 1st day of January, 1892, the name of said corporation was duly and legally changed to the "Rand-Leopold Desk Company"; and

WHEREAS, on the 14th day of February, 1903, the name of said corporation was duly and legally changed to the "Leopold Desk Company"; and

WHEREAS, by oversight and inadvertence the officers and stockholders failed to renew the existence of said corporation upon the expiration of the time for which it was incorporated; and

WHEREAS, after the expiration of the time for which said corporation was created, the business of said corporation was continued in the same manner and by the same stockholders and officers who owned and managed said business prior to the expiration of the time for which it was created; and

WHEREAS, the oversight in failing to renew the existence of said corporation did not come to the knowledge of the stockholders and officers until January 1, 1908; and

WHEREAS, when said oversight was discovered, the same persons who owned and held all of the stock of said corporation, and were managing the business, prior to the expiration of the time for which it was created, and had continued the business subsequent to the expiration of the time for which said corporation was created in the same manner and at the same place as it had been conducted prior to such expiration, desiring to continue the same business, on the 6th day of January, 1908, signed and acknowledged articles of incorporation, which articles were duly recorded in the office of the recorder of Des Moines county, Iowa, and with the secretary of state at Des Moines, Iowa, and a certificate was duly issued by said secretary, authorizing said corporation to carry on the business for which it was incorporated, and the statutory notice of the organization of said corporation was given; and

WHEREAS, the sole purpose in the execution and recording of said articles of incorporation, and the giving of said notice, was to continue the business of the corporation in the same manner and by the same persons and at the same place as it had been conducted prior to the date of the expiration of the time for which said corporation was originally organized, and was in effect but a renewal of the corporate existence, but by oversight a schedule of the assets of the corporation was not furnished the executive council and valued by said council; and

WHEREAS, since the date of such re-incorporation, the stock of said corporation has all been owned by the same persons who owned it prior to such expiration of the time for which the corporation was originally organized, and the business of the corporation has been and is now being conducted by the same persons and in the same manner and at the same place as prior to the expiration of the corporate existence, and it is the desire of the stockholders to continue such business; and

WHEREAS, because of such omission, the legality of the corporate existence may be questioned;

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

SECTION 1. Incorporation legalized. That the incorporation of the Leopold Desk Company, of Burlington, Iowa, be and is hereby legalized and declared to be as legal, sufficient and binding in all respects as if said corporation had furnished the executive council of the state of Iowa with a schedule of its assets and said assets had been valued, as provided by statute.

SEC. 2. Pending litigation. Nothing herein contained shall be construed to affect pending litigation.

SEC. 3. 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 Des Moines Capital, newspapers published in the city of Des

Moines, Iowa, and in the "Saturday Evening Post", a newspaper published at Burlington, Des Moines county, Iowa, without expense to the state.

Approved April 4 A. D. 1913.

I hereby certify that the foregoing act was published in the Register and Leader and Des Moines Capital April 9, 1913 and in the Saturday Evening Post, Burlington, Iowa, April 12, 1913.

W. S. ALLEN,
Secretary of State.

CHAPTER 382.

THE CITY OF MARSHALLTOWN.

H. F. 177.

AN ACT to legalize certain acts of the mayor and city council of the city of Marshalltown, and to legalize certain warrants of the said city of Marshalltown, Iowa.

WHEREAS, the city of Marshalltown, county of Marshall and state of Iowa, did hitherto make expenditures in the amount of thirty thousand dollars (\$30,000.00), and

WHEREAS, the said city of Marshalltown did issue warrants in said sum of thirty thousand dollars (\$30,000.00) to evidence the indebtedness incurred in making said expenditures, and

WHEREAS, said warrants so issued were issued by the city clerk of Marshalltown, Iowa, upon order and authority by resolution of the mayor and city council, as follows:

On November 1st, 1912, one thousand six hundred and fifty dollars (\$1650.00) to the Marshalltown Sewer Pipe & Tile Company for sewer pipe used in the construction of a storm sewer.

On January 4th, 1913, two thousand three hundred sixty-two dollars and fifty cents (\$2362.50) to the Marshalltown Sewer Pipe & Tile Company for sewer pipe used in the construction of a storm sewer.

And between November 1st, 1912, and January 1st, 1913, in sundry amounts, amounting to eight hundred four dollars and fifty cents (\$804.50) for labor expended in the year 1912 for the laying of a storm sewer.

On January 23rd, 1913, the sum of twenty-five thousand one hundred eighty-three dollars (\$25,183.00) to Elzy & Carlson, paving contractors, for street intersections and deficiencies not taxable against abutting property owners under paving contracts in the year 1912 of the city of Marshalltown, Iowa, and

WHEREAS, said warrants did not when issued and do not now in fact exceed the constitutional limitation of indebtedness of said city, and

WHEREAS, said expenditures were all made for purposes necessary for the welfare of said city and its inhabitants and were authorized by law, and

WHEREAS, the city of Marshalltown and its inhabitants have been and are now enjoying the use and benefits of said expenditures so made, and

WHEREAS, the results of said expenditures were well worth the price and sum which the city of Marshalltown contracted should be paid therefor, and

WHEREAS, doubts have arisen concerning the legality of the aforesaid warrants or a portion thereof on the ground that the aforesaid expenditures or