

CHAPTER 111.

LEGALIZE ACTS BOARD OF SUPERVISORS CLINTON COUNTY.

S. F. 301. AN ACT legalizing a certain action of the Board of Supervisors of Clinton County Iowa.

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

Acts transfer-
ring certain
territory leg-
alized.

SECTION 1. That the act of the board of supervisors of the County of Clinton, in transferring from the township of Clinton, and attaching to the township of Lincoln in said County, all that part of the territory of the township of Clinton which was situated outside of the incorporated limits of the city of Clinton and of the incorporated town of Chauncy, be and the same is hereby legalized.

Publication.

This act being deemed of immediate importance shall take effect and be in force from and after its publication in the *Des Moines Leader* a newspaper published at Des Moines and the *Clinton Morning News* published at Clinton Iowa without expense to the state.

Approved, March 17, 1890.

I hereby certify that the foregoing act was published in the *Des Moines Leader* and the *Clinton Morning News* March 20 1890.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 112.

LEGALIZE ACT BOARD OF SUPERVISORS CALHOUN CO HELL AND SHIPMAN SLOUGH DITCHES.

S. F. 412. AN ACT to Legalize the Proceedings of the Board of Supervisors of Calhoun County, in Locating and Constructing Ditches in said County, and in Assessing the Costs Thereof, on the Lands Benefited thereby.

Petition
for ditches
defective.

WHEREAS, a petition was presented to the Board of Supervisors of Calhoun County, in the year 1885, asking the construction of two certain ditches in said County, commonly known as Hell Slough and Shipman Slough ditches, along and through the Townships of Butler, Williams and Garfield, in said County, said petition for said ditches showing upon its face as the same was determined by said board of supervisors that it was signed by a majority of the owners of the land adjacent thereto, and

WHEREAS, doubts have arisen as to whether in fact said petition was signed by a majority of the owners of the lands adjacent thereto and

WHEREAS, doubts have arisen as to the legality of the appointment of an engineer in charge of said ditches and his report thereon, and

WHEREAS doubts have arisen as to the legality of the service of the notices for the location of said ditches, and the damages caused by the construction thereof; and as to the legality of the appointment of appraisers to assess the damages caused by the construction of said ditches, and their report thereon; and as to the legality of the order of said Board in locating said ditches; and as to the legality of certain alleged irregularities and deviations from the surveys, plats and profiles in making the contract for the construction of said ditches; and also as to the legality of the notices of the time and manner of the letting of said contract for the construction of said ditches; and also as to the legality of certain alleged deviations from the surveys, plats and profiles in the construction of said ditches; and also as to the legality of certain alleged irregularities in the appointment of a commission to assess the costs of said ditches on the lands benefited thereby; and as to the legality of an alleged irregularity in the appointment of a second assessment of the costs of said ditches on the lands benefited thereby; and also as to the legality of certain alleged irregularities in the manner and time of the assessment of the costs of construction of said ditches on the lands benefited thereby, by said commissioners; and also as to the legality of certain alleged irregularities in the assessments of taxes on the lands benefited thereby; and also as to the legality of certain alleged irregularities in issuing bonds and warrants in payment for said work; and as to the legality of certain other alleged irregularities, and

Whereas, said ditches have been partially constructed under and in pursuance of said orders and proceedings of said Board and under a contract entered into under the same and on the faith thereof, therefore

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

SECTION 1. That the proceedings of the Board of Supervisors of Calhoun County, Iowa, in the year 1885 and subsequent years, in respect to its action on the petition of the owners of the lands adjacent to the ditches above referred to, and in respect to the locating and constructing of said ditches, said ditches being commonly known as Hell Slough and Shipman Slough ditches, and both of said ditches beginning in Butler Township and terminating in Garfield Township of said county, including the orders of the Board of Supervisors

- Engineer.** and the Auditor in appointing an Engineer in charge of said ditches and the report of said engineer thereon, and the
Appraisers. appointment of appraisers to assess the damages caused by the construction of said ditches and their report thereon, and the orders of the Board in locating and constructing said ditches, the letting and making of said contract therefor, the irregularities and deviations from the surveys, plats and profiles in making said contract for the construction of said ditches, the service of the notices for the location of said ditches and the damages caused by the construction thereof. the notice of the time and manner of the letting of the said contract for the construction of said ditches, the deviations from surveys, plats and profiles in the construction of said ditches, the appointment of the commission to assess the cost of said ditches on the lands benefited thereby, as well as the appointment of the second commission to make additional and supplemental assessments of the costs of said ditches on the lands benefited thereby, the irregularities in the manner and time of the assessments of the costs of construction of said ditches on the lands benefited thereby, by said commissions. the irregularities in the assessments of the taxes on the lands benefited thereby, the irregularities in the issuing of bonds and warrants in payment for said work, and all other acts done or performed by said Board of Supervisors or the officers of said County in connection with the construction of said ditches, Be and the same are hereby legalized and shall be held and decreed valid and effectual to the same extent and effect in all respects as to said proceedings, as if the same had fully conformed to the law when the same were had and taken, and said ditches as now constructed or hereafter to be constructed in accordance with the contract now made, shall be held and deemed to be lawful ditches, to be maintained and repaired as provided by law, in respect to such public improvements, and all provisions of the law applicable to ditches duly constructed under chapter two, title ten of the Code of 1873 and the amendments thereto, shall apply to said ditches.
- Deviation in contract.**
- Assessment of cost.**
- Issuing bonds.**
- Legalized.**
- Publication.** **Sec. 2.** This act being deemed of immediate importance shall take effect and be in force on and after its publication in the *Calhoun Republican*, a newspaper published in Rockwell City, Iowa, and the *Iowa State Register*, a newspaper published at Des Moines, Iowa, the provisions of section thirty three of the Code of 1873 to the contrary notwithstanding, such publication to be without expense to the State.
- Approved April 12th, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 19 and the *Calhoun Republican* April 18 1890.

FRANK D. JACKSON, *Secretary of State.*