

WHEREAS, The said question was so submitted at the said election held in Chickasaw county, Iowa, on November 6, 1906, and a majority of the electors voting thereon voted in the affirmative and in favor of the question of allowing said board of supervisors to expend and appropriate not to exceed the sum of twenty-five thousand dollars (\$25,000) for the building of a poor house as provided by said board of supervisors, at their June, 1906, session.

WHEREAS, Doubts have arisen as to the legality and sufficiency of the notice given to the electors of the question hereinbefore mentioned, as having been submitted to the voters at said election, and as to the acts of the said board of supervisors in the premises:

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

**SECTION 1. Submission of question and acts legalized.** That the submission to the electors of Chickasaw county, Iowa, at the general election held November 6, 1906, of the question, "Shall the board of supervisors of Chickasaw county, Iowa, be empowered to expend and appropriate a sum not to exceed twenty-five thousand dollars (\$25,000) for the erection of a poor house", and the giving of the notice of election, as to the submission of the said question to a vote of the electors, and all acts of the board of supervisors with regard to same, are hereby legalized and declared to be in full force and effect the same as though the law had been fully complied with.

**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 New Hampton Tribune, a newspaper published in New Hampton, Iowa, without expense to the state.

Approved February 23, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, February 27, 1907, and the New Hampton Tribune, March 5, 1907.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 255.

### ACTS AND RESOLUTIONS OF THE BOARD OF SUPERVISORS OF VAN BUREN COUNTY.

S. F. 62.

AN ACT to legalize the acts and resolutions passed by the board of supervisors of Van Buren county, Iowa, making a final settlement with H. L. McGrew, county treasurer of said county, and releasing said H. L. McGrew and his bondsmen from liability on account of loss by reason of the deposit of county and other funds in the private banking house of E. H. Skinner & Co.

WHEREAS, The board of supervisors of Van Buren county, Iowa, at their January meeting, 1899, passed a resolution authorizing and permitting the then county treasurer, D. H. Moore, to deposit county and other funds to an amount not exceeding ten thousand dollars at any one time in the private bank of E. H. Skinner & Co. :—

AND WHEREAS, The said E. H. Skinner and Company did on the 12th day of January 1899 execute a bond as security for such deposits, as provided by section 1457 of the code :—

AND WHEREAS, The said D. H. Moore died on the 7th day of July A. D. 1900 and H. L. McGrew was appointed by the board of supervisors as the

successor, and was subsequently at the general election in November elected to fill out the remainder of said term, and has since been reelected twice to additional terms as such county treasurer:—

AND WHEREAS, Immediately after his appointment, to succeed the said D. H. Moore as such treasurer, the said H. L. McGrew submitted to the then county attorney of Van Buren county, Iowa, the question whether or not the said bond aforesaid was sufficient security for deposits to be continued to be made in said bank, and was advised by the said county attorney that the said bond was sufficient, and that he as county treasurer need not demand or require a new or additional bond. That the conditions therein ran to and in favor of him as the successor of D. H. Moore.

AND WHEREAS, After his election by the people of said county as treasurer, the said H. L. McGrew again submitted the same question to the county attorney and the board of supervisors:

AND WHEREAS, The said county attorney in a written opinion, and the board of supervisors verbally advised the said H. L. McGrew that said bond was sufficient, and that he need not procure a new or additional bond, but would have the right to deposit in said bank under and by virtue of the former resolution of said board and the security of said bond.

AND WHEREAS, In pursuance of the advise of the county attorney and members of the board of supervisors, the said H. L. McGrew as such county treasurer continued to deposit county and other funds in the said bank of E. H. Skinner & Co.

AND WHEREAS, On the 8th day of November 1904, the said E. H. Skinner & Co. filed a voluntary petition in bankruptcy, and was subsequently adjudged a bankrupt, in the federal courts, and after payment by the trustee in bankruptcy appointed on said bankrupt's estate of the per cent which said estate paid on its indebtedness, there remained due and unpaid of the deposits therein by said county treasurer the sum of \$2091.09:

AND WHEREAS, The board of supervisors of said county passed a resolution directing that the said H. L. McGrew, county treasurer, should prosecute an action thereon in his name as such county treasurer against the sureties on said bond to recover such balance:—

AND WHEREAS, Such action was brought and prosecuted to final judgment in the district court of Van Buren county, Iowa, resulting in a final judgment by said court that said bondsmen or sureties thereon were not liable on said bond for such deposits:—

AND WHEREAS, The board of supervisors of said county, believing that it would be inequitable and unjust that said H. L. McGrew should bear said loss; and it not being the fault or negligence of said H. L. McGrew that said deposits were made in said bank, or said loss occasioned, but, the same being occasioned by reason of the advice of the county attorney and the members of the board of supervisors, and believing that the loss occasioned thereby should and ought to be sustained by the county, and not by said H. L. McGrew, did at their regular meeting on the 7th day of January A. D. 1907, make a full and complete settlement with said H. L. McGrew as county treasurer and receipted him in full for all moneys and property coming into his hands as treasurer of said county, and passed a resolution releasing the said H. L. McGrew and his bondsmen from any and all liability growing out of the deposit of county and other funds in the said bank, or on account of the failure of said bank.

AND WHEREAS, Doubts have arisen as to whether or not said board of supervisors had the authority to release said county treasurer and his bondsmen from liability on account thereof.

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

**SECTION 1. Acts and resolutions legalized.** That the acts and resolutions of the board of supervisors of Van Buren county, Iowa, passed at their January meeting 1907 releasing H. L. McGrew, county treasurer, and his bondsmen from any and all liability on account of loss sustained by deposits of county and other funds in the private bank of E. H. Skinner & Co., and on account of the failure of said bank, be and the same are hereby legalized and validated and shall have the same force and effect as if fully and in every respect authorized by law.

**SEC. 2. Legal actions declared to be without jurisdiction and void.** That any action brought or attempted to be brought by any citizen of said county shall be and the same is hereby declared to be without jurisdiction and void. This act being expressly intended to avoid any litigation that might arise from or on account of the said acts and resolutions of said board of supervisors.

**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, a newspaper published in Des Moines, Iowa, and the Keosauqua Republican, a newspaper published in Keosauqua, Iowa, such publication to be without expense to the state.

Approved February 28, A. D. 1907.

I hereby certify that the foregoing act was published in the Register and Leader, March 2, 1907, and the Keosauqua Republican, March 7, 1907.

W. C. HAYWARD,  
*Secretary of State.*

## CHAPTER 256.

### THE CITY OF ANAMOSA.

S. F. 46.

AN ACT to legalize the acts and proceedings of the city council of the city of Anamosa, Iowa, relative to the construction of permanent sidewalks; and relative to the change of grade of a certain street.

WHEREAS, The city council of Anamosa, Jones county, Iowa, on the 19th day of May 1906, passed a resolution ordering the building of permanent sidewalks on the north west side of Main street between Cherry street and Hickory street; and

WHEREAS, The city council failed to give the ten (10) days notice required by ordinance for the building of permanent sidewalks; and

WHEREAS, Said permanent sidewalks have been constructed by the city of Anamosa; and

WHEREAS, The city council of said city did on the 1st day of August 1905, pass an ordinance lowering the grade of Scott street between Main street and First street, on petition of property owners on said street; and

WHEREAS, Said grade as re-established was marked by stakes and monuments; and

WHEREAS, In obtaining an accurate description of said grade as changed, a mistake in the figures was made in inserting the same in said ordinance; and

WHEREAS, Said ordinance was passed and published with said erroneous figures in the same; and