

authority to enact at the time when such ordinance purports to have been enacted; provided that nothing contained in this act shall affect pending litigation.

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 at Des Moines, Iowa, and the Pocahontas County Sun, a newspaper published at Laurens, Iowa, as provided by law, without expense to the state.

Approved April 12, A. D. 1909.

I hereby certify that the foregoing act was published in the Register and Leader April 14, A. D. 1909, and in the Pocahontas County Sun April 15, A. D. 1909.

W. C. HAYWARD,  
Secretary of State.

## CHAPTER 286.

### THE CITY OF MANCHESTER.

S. F. 50.

AN ACT to legalize the action and proceedings of the city council of the city of Manchester, relative to the boundary line and extent of the limits of said city.

WHEREAS, On the fourth day of November, 1878, in pursuance of law, an election was held in the town of Manchester, Iowa, to determine whether the limits of said town should be extended, and

WHEREAS, The notice for such election properly described the lands within the limits of said town, as it was proposed to be extended, but erroneously described the boundary line thereof, and

WHEREAS, At said election a majority of the qualified electors voted in favor of such extension of the town limits, and

WHEREAS, The mayor of said town, on the sixth (6) day of November, 1878, issued a proclamation declaring the extension of the limits of said town, as a result of said election, and defining the boundary thereof which was also incorporated in ordinance number fifty-eight (58) of said town, and later incorporated in ordinance number one hundred (100), which ordinances were duly passed by the council of said town, and

WHEREAS, Said proclamation and ordinances of said town numbered fifty-eight (58) and one hundred (100), erroneously described the boundary lines of said town as extended, whereby the place of beginning and the place of ending of said boundary line is not the same point, and

WHEREAS, The said town of Manchester, Iowa, has since by operation of law, become a city of the second class, and

WHEREAS, The city council of the city of Manchester, Iowa, did on the 24th day of September, 1908, pass an ordinance, numbered one hundred and seventy-two (172), amending ordinance number one hundred (100), thereby correctly defining the boundary lines of said city, to correspond with a description of the land included within the proposed extended limits, as set out in the notice of election, heretofore mentioned, and

WHEREAS, The boundary lines of the town as extended and adopted by a majority vote of the qualified electors in said town, and the territory included by said extension should have read as follows, to-wit: commencing at the southeast corner of section thirty (30), township eighty-nine (89) north, of range five (5) west of the fifth P. M. in Delaware County, Iowa, running thence west on the line between sections thirty (30) and thirty-one (31) in said township, fourteen (14) chains, thence south along the west line

of lots five hundred and forty-one (541), five hundred and forty-two (542), six hundred and two (602), six hundred and three (603), six hundred and ninety-two (692), six hundred and ninety-three (693), seven hundred and forty-seven (747), seven hundred forty-eight (748) and eight hundred and one (801) to the south line of the Dubuque and Sioux City Railroad Company grounds, thence in a northeasterly direction along said south line of said railroad company's grounds to the line between sections thirty-one (31) and thirty-two (32) in said township; thence south along said section line to the southwest corner of the northwest quarter of the southwest quarter of section thirty-two (32), thence east to the southeast corner of the north half of the southwest quarter of section thirty-three (33), thence north on the quarter section line through the north three-fourths of said section thirty-three (33) to the quarter section corner between sections twenty-eight (28) and thirty-three (33), thence continuing north to the northeast corner of the south half of the southwest quarter of section twenty-one (21), thence west along the forty acre lines to the section line at the northwest corner of the southwest quarter of the southwest quarter of section twenty (20), thence south on the said section line to the place of beginning, and

WHEREAS, Doubts have arisen as to the legality of said election, extending the limits of the town (now city) of Manchester, Iowa, on account of the erroneous description of the boundary line in notice of the election, proclamation of the mayor and ordinances number fifty-eight (58) and one hundred (100), passed by the town council defining same; and the authority of the city council of the city of Manchester, Iowa, to correct such erroneous description, by the passage of ordinance number one hundred and seventy-two (172), on the 24th day of September, 1908, therefore

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

**SECTION 1. Acts and proceedings legalized—pending litigation.** That all acts done and proceedings had by the city council of the city of Manchester, Iowa, in the passage of ordinance number one hundred and seventy-two (172), of said city, establishing and defining the boundary lines and the corporate limits of said city, are hereby legalized and declared valid and binding. This act shall in no way affect pending litigation.

Approved February 24, A. D. 1909.

## CHAPTER 287.

### THE INDEPENDENT SCHOOL DISTRICT OF MARCUS.

S. F. 394.

AN ACT to legalize the action of the independent school district of Marcus, Cherokee county, Iowa, in voting bonds at an election held on the first day of March, 1907, and legalizing the bonds issued by said district under said election.

WHEREAS, Upon petition of a majority of the qualified electors of the independent school district of Marcus, Cherokee county, Iowa, a special election was held in said district on the first day of March, 1907, to vote on the issuance of \$20,000.00 bonds for the erection and furnishing of a school building in said district; and,

WHEREAS, Notice of said election was given by publication once each week in the four successive weeks preceding said election, in the Marcus News, a weekly newspaper published at Marcus, in said district; to-wit, on February 7, 14, 21 and 28; and,