

CHAPTER 399

AUDUBON TELEPHONE COMPANY

H. F. 353.

AN ACT to legalize an ordinance of the incorporated town of Manning, Iowa, granting a franchise to the Audubon telephone company, its successors and assigns, to erect, maintain and use upon the streets and alleys of Manning, Iowa, poles, wires, conduits and fixtures, necessary and sufficient to operate a telephone system in said town; and to legalize the renewal and extension of said franchise granted to the Manning telephone company, its successors and assigns, by said town.

WHEREAS, on September 20, 1900, an ordinance was adopted by the incorporated town of Manning, Iowa, granting to the Audubon telephone company, its successors and assigns, a franchise to erect, maintain and use upon the streets and alleys of the town of Manning, Iowa, poles, wires, conduits and fixtures necessary and sufficient to operate a telephone system in said town; which said franchise was approved by a majority of the qualified electors of said town, voting thereon at an election held for that purpose; and

WHEREAS, said franchise was thereafter assigned by the said Audubon telephone company to the Manning telephone company; and

WHEREAS, the qualified electors of the said town did thereafter at an election held on March 28, 1910, by a majority vote of the electors voting thereon, grant to the said Manning telephone company, its successors and assigns, a renewal and extension of said franchise for a period of twenty years; and

WHEREAS, doubts have arisen as to whether all of the provisions of the law relating to the granting of said franchise and the assignment, renewal and acceptance thereof were strictly complied therewith; now, therefore,

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

1 SECTION 1. That the franchise granted by the incorporated town
2 of Manning, Iowa, to the Audubon telephone company, its successors
3 and assigns, by an ordinance of said town passed on September 20,
4 1900, granting to said Audubon telephone company, its successors
5 and assigns, the right to erect, maintain and use upon the streets and
6 alleys of the said town, poles, wires, conduits and fixtures, necessary
7 and sufficient to operate a telephone system in said town; and the
8 assignment of said franchise to the Manning telephone company;
9 and the renewal and extension of said franchise for the period of
10 twenty years to the Manning telephone company, its successors and
11 assigns as authorized by a majority vote of the electors of said town
12 at an election held on March 28, 1910, be and the same are hereby
13 declared legal and valid, the same as if all of the provisions of law
14 relating to the granting of franchises, the renewal and acceptance
15 thereof, had in all respects been strictly complied with.

1 SEC. 2. This act shall not affect pending litigation.

1 SEC. 3. This act being deemed of immediate importance shall be
2 in force and effect from and after its publication in The Des Moines

- 3 Register and The Des Moines Capital, newspapers published in the
4 city of Des Moines, Iowa, without expense to the state.

Approved February 24, A. D. 1921.

I hereby certify that the foregoing act was published in the Des Moines Register and the Des Moines Capital February 26, 1921.

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

CHAPTER 400

GREENWOOD CEMETERY ASSOCIATION

S. F. 652.

AN ACT to legalize the amended articles of incorporation of the Greenwood Cemetery Association, of Ossian, Iowa.

WHEREAS, the Greenwood cemetery association of Ossian, Iowa, was duly incorporated and its articles of incorporation filed for record in the recorder's office of Winneshiek county, Iowa, on February 22, 1878; and

WHEREAS, on January 24, 1920, by the unanimous vote of all stockholders present, article 9 of such articles of incorporation was amended by the adoption of a substitute article 9; and

WHEREAS, doubts have arisen as to the validity of the proceedings in adopting such substitute article 9; and

WHEREAS, it is deemed advisable to put said doubts and any other doubts which may arise concerning the legality or validity of said proceedings forever at rest, now therefore

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

1 SECTION 1. That the acts and proceedings of the officers and
2 stockholders of the Greenwood cemetery association in the matter of
3 adopting an amended and substituted article 9 of the articles of incor-
4 poration of said Greenwood cemetery association, adopted January
5 24, 1920, and all proceedings in connection therewith, are hereby
6 legalized and validated, and the amended and substituted article 9
7 of such articles of incorporation, so adopted on January 24, 1920, is
8 hereby declared to be article 9 of such articles of incorporation.

1 SEC. 2. Nothing in this act shall affect pending litigation.

1 SEC. 3. This act, being deemed of immediate importance, shall
2 take effect and be in force from and after its publication in the Des
3 Moines Capital, a newspaper published in Des Moines, Iowa, and the
4 Ossian Bee, a newspaper published at Ossian, Iowa, without expense
5 to the state.

Approved March 30, A. D. 1921.

I hereby certify that the foregoing act was published in the Des Moines Capital April 1, 1921, and in the Ossian Bee April 7, 1921.

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