

J. M. PARKER, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER :

Your Committee on Judiciary, to whom was referred house file No. 428, a bill for an act to legalize the incorporation of the town of Odebolt, in Sac county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the house with the recommendation that it do pass.

J. M. PARKER, *Chairman.*

Ordered passed on file.

HOUSE FILE NO. 428.]

[BY McDAID.

A BILL

FOR AN ACT TO LEGALIZE THE INCORPORATION OF THE TOWN OF ODEBOLT, IN
SAC COUNTY, IOWA.

WHEREAS, Certain of the qualified electors of the town of Odebolt, in Sac county, Iowa,
2 did, on or about the 8th day of April, 1878, apply by petition to the circuit court of said
3 county for the appointment of commissioners to submit to the legal voters of said town the
4 question of incorporating the same; and

5 WHEREAS, Said court did appoint five commissioners, who afterward did call an election
6 as required by law, and submitted said question to the legal voters thereof at which election
7 a large majority of the votes polled were in favor of incorporating said town; and

8 WHEREAS, The aforesaid commissioners filed in the clerk's office the return required by
9 law, of which the proper notice was given; and

10 WHEREAS, the clerk neglected to file a certified copy of all papers and record entries in
11 the county recorder's office, and in the office of the secretary of state, at the proper
12 time (said copy having been since filed in both offices); and

13 WHEREAS, the said commissioners did afterward call an election (having given the notice
14 required by law) for the election of officers; at which election there were elected a mayor,
15 a recorder and five trustees to constitute a council to transact the business of said
16 incorporated town, which said council appointed a treasurer, an assessor and other officers;
17 passed ordinances and adopted by-laws for the government of the town; and performed the
18 duties devolving upon them, including the levy of taxes as authorized by law; and

19 WHEREAS, doubts have arisen concerning the legality of the said incorporation and of
20 the ordinances passed and the taxes levied by the officers of the same, because of the neglect
21 of the clerk hereinbefore mentioned; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That all acts done
2 and proceedings had, to enable the said town of Odebolt to become incorporated under the
3 provisions of chapter 10, title IV, of the Code of 1873, be, and the same are hereby declared to
4 be valid and binding in all respects, and all such acts and proceedings are hereby legalized
5 as fully as if the same had been in strict compliance with the provisions of law relating to
6 the incorporation of cities and towns.

SEC. 2. That all elections and all the acts of any and all of the officers of said incorporation,
2 all the ordinances enacted by the council or board of trustees of the same, all taxes levied by
3 them, and all other official acts of said council or board of trustees, are hereby legalized and
4 declared valid and binding in all respects.

SEC. 3. This act being of immediate importance shall take effect and be in force as soon
2 as published in the *Iowa State Register*, a newspaper published at Des Moines, and *Odebolt*
3 *Reporter*, a newspaper published at Odebolt, Iowa, such publication to be without expense to
4 the State.