

And the said proceedings to incorporate the territory within said boundaries and in the plat aforesaid are hereby legalized and declared to be of the same force and effect as though the description in said petition conformed to the plat aforesaid, and all the official acts of the acting officers of the town of Kellogg, and all the ordinances passed by the acting town council of said town, be, and the same are hereby legalized, and declared to be of the same force and effect as though the said error in the said proceedings had not occurred.

Incorporation and acts of officers thereunder legalized.

SEC. 2. This act, being deemed of immediate importance, shall take effect and be in force on and after its publication in the Iowa State Register, and Leader, newspapers published in Des Moines, without expense to the state.

Publication.

Approved, February 4th, 1878.

I hereby certify that the foregoing act was published in the *Iowa State Leader*, February 8, and *Iowa State Register*, February 9, 1878.

JOSIAH T. YOUNG, *Secretary of State*.

CHAPTER 3.

ANNEXATION OF CONTIGUOUS CITIES OR TOWNS.

AN ACT to Amend Section 432 and to Repeal Section 433 of Chapter S. F. 32, 10, Title 4, of the Code, and to provide a Substitute therefor, in relation to Cities and Towns.

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

SECTION 1. That section 432 of the Code of Iowa be amended by striking out the words, "at least one month" and inserting in lieu thereof the words, "and one publication had thereof at least ten days."

Code, § 432 amended.

SEC. 2. That section 433 be and is hereby repealed and the following enacted in lieu thereof:

Code § 433 repealed.

Section 433. When certified copies of the proceedings for annexation are filed as contemplated in the preceding section, the annexation shall be deemed complete, and the terms and conditions mentioned in section 432 of the Code shall be part of the law for the government of the city or town to which annexation is made, and said city or town shall have the power and it shall be its duty to pass such ordinances, not inconsistent with law, as will carry into effect and maintain the terms of such annexation, and thereafter the city or town annexed shall be governed as part of the city or town to which the annexation of it is made; and any citizen of the annexed city or town may institute and maintain legal proceedings to compel the city or town, and the council or trustees thereof, to which annexation is made, to execute such terms and conditions; *Provided*, That such annexation shall not affect or impair any rights or liabilities then existing for or against either of such cities or towns, and that they

When annexation of corporations is complete.

Provided: annexation shall not affect rights or liabilities.

Proviso:
reference to
intervening
city or town.

may be enforced the same as if no such annexation had taken place: *And provided further*, That a city or town separated from another city or town by an intervening city, town, or territory, may be annexed to such city or town in the manner hereinbefore provided, but such annexation shall not be consummated and completed until such intervening city, town, or territory is also annexed. Any proceedings which may have been commenced under said sections as amended under the provisions of this act and prior to the taking effect of this act for the annexation of a city or town, are hereby declared valid and legal, and such proceedings may be completed in accordance with said sections and the provisions of this act.

Publication.

SEC. 3. This act, being deemed of immediate importance, shall take effect and be in force from and after the date of its publication in the Iowa State Register, and Iowa State Leader, papers published at Des Moines, Iowa, the provisions of section 33 of the Code, to the contrary notwithstanding.

Approved, February 11, 1878.

I hereby certify that the foregoing act was published in the *Iowa State Register*, and *Iowa State Leader*, February 12, 1878.

JOSIAH T. YOUNG, *Secretary of State*.

CHAPTER 4.

TOWN OF WILTON.

H. F. 71.

AN ACT to Legalize the Incorporation, Ordinances, and Acts of the Officers of the Town of Wilton, in the county of Muscatine.

Preamble.

WHEREAS, The town of Wilton, in the county of Muscatine, was incorporated in the year 1857, under the provisions of the Code of 1851, a charter adopted in due form, which was immediately filed with the county judge of Muscatine county, who failed to make any record of the preliminary measures taken by the voters of said town, and neglected to record the charter as was provided by law ; and

WHEREAS, The legal voters of said town have continuously since the adoption of said charter in 1857, elected officers as provided thereby, and have by said officers continuously conducted the municipal affairs of said town as though the town had been legally incorporated, and the officers of said town have been and now are acting under said charter, and such amendments as have from time to time been made, and under such ordinances as have been passed by the acting authorities of said town, among which acts said officers, in the year 1862, procured the original charter to be recorded by the then county judge on the proper records of municipal incorporations. And recently doubts having been raised as to the legality of said original in-